

## AGENDA

**Date:** Tuesday, April 22, 2025  
**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>.

If a person or public body would otherwise have an ability to appeal a decision of Oakville Council with respect to an official plan or zoning by-law amendment to the Ontario Land Tribunal, but the person or public body does not make oral submissions at a public meeting or make written submissions to Oakville Council before the proposed official plan amendment is adopted or the proposed zoning by-law amendment is passed, the person or public body is not entitled to appeal the decision. Persons who may otherwise have an ability to appeal an adoption of an official plan amendment or passing of a zoning by-law amendment are limited to persons listed in subsections 17(24) and 34(19) of the Planning Act, respectively.

If a person or public body does not make oral submissions at a public meeting or make written submissions to Oakville Council before the proposed official plan amendment is adopted or proposed zoning amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

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### Pages

1. Regrets
2. Declarations of Pecuniary Interest
3. Committee of the Whole
4. Consent Items(s)

**4.1 Implementation of Bills 23, 97 and 185 - Amendments to Site Plan Control - By-law 2025-033**

5 - 27

Recommendation:

That By-law 2025-033, a by-law to establish site plan control, delegate authority with respect to the approval of site plans within the Town of Oakville, and to repeal By-law 2022-093 and amend By-law 2023-021, attached as Appendix B, be passed.

**5. Confidential Consent Item(s)**

There are no Confidential Consent Items listed for this agenda.

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

**6.1 Public Meeting and Recommendation Report for Zoning By-law Amendment at 348 MacDonald Road (former OTMH site) by Fernbrook Homes (OTMH) Ltd., File No. Z.1613.67 – By-law 2025-078**

28 - 62

Recommendation:

1. That the proposed Zoning By-law Amendment application submitted by Fernbrook Homes (OTMH) Ltd. (File No. Z.1613.67), be approved on the basis that the application is consistent with the Provincial Planning Statement, conforms with the Region of Halton Official Plan and the Livable Oakville Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning and Development Department dated April 8, 2025.
1. That By-law 2025-078, an amendment to Zoning By-law 2014-014, be passed.
2. That the notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to these matters and that those comments have been appropriately addressed.
3. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

**6.2 Public Meeting Report – Zoning By-law Amendment, Shoppers Realty Inc., 3000 Sixth Line and 21 Dundas Street West, File No. Z.1316.12**

63 - 106

Recommendation:

1. That comments from the public with respect to the proposed Zoning By-law Amendment submitted by Shoppers Realty Inc. (File No. Z.1316.12) be received.
2. That staff consider such comments as may be provided by Council.

**7. Discussion Item(s)**

There are no Discussion Items listed for this agenda.

**8. Confidential Discussion Item(s)**

There are no Confidential Discussion Items listed for this agenda.

**9. Advisory Committee Minutes**

There are no Advisory Committee Minutes listed for this agenda.

**10. Rise and Report to Council**

**11. New Business**

(Emergency, Congratulatory or Condolence)

**12. Consideration and Reading of By-laws**

That the following by-law(s) be passed:

**12.1 By-law 2025-033**

A by-law to establish site plan control, delegate authority with respect to the approval of site plans within the Town of Oakville, repeal By-law 2022-093 and amend By-law 2023-021 (Re: Item 4.1).

**12.2 By-law 2025-078**

A by-law to amend the Town of Oakville Zoning By-law 2014-014 to permit the use of lands described as 348 Macdonald Road, 291 and 327 Reynolds Street (Fernbrook Homes (OTMH) Ltd., File No.:1613.67) (Re: Item 6.1).

12.3	<b>By-law 2005-090</b>	107 - 108
	A by-law to declare that certain land is not subject to part lot control (Blocks 268 and 270, Plan 20M-1288 – Mattamy (Joshua Creek) Limited)	
12.4	<b>By-law 2025-091</b>	109 - 109
	A by-law to confirm the proceedings of a meeting of Council.	
13.	<b>Adjournment</b>	

## REPORT

### Planning and Development Council

Meeting Date: April 22, 2025

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**FROM:** Planning and Development Department

**DATE:** April 8, 2025

**SUBJECT:** Implementation of Bills 23, 97 and 185 - Amendments to Site Plan Control - By-law 2025-033

**LOCATION:** Town-wide

**WARD:** Town-wide

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#### RECOMMENDATION

That By-law 2025-033, a by-law to establish site plan control, delegate authority with respect to the approval of site plans within the Town of Oakville, and to repeal By-law 2022-093 and amend By-law 2023-021, attached as Appendix B, be passed.

#### KEY FACTS

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

- Site plan control is a planning tool that municipalities use to evaluate and guide site-specific development. To simplify existing land use planning review processes and increase housing supply, the Province has introduced legislative changes that restrict the scope of site plan control in Ontario.
- Bill 23 introduced changes to the site plan control application process, including exemptions for residential developments with 10 or fewer units and the removal of the ability to regulate exterior design elements.
- Bill 97 reintroduced site plan control for residential developments of 10 units or fewer within proximity of a 'prescribed area'.
- Bill 185 exempted certain classes of post-secondary institutions from the *Planning Act*, including from Site Plan Approval.
- To implement the legislative changes to the *Planning Act* regarding site plan control, staff are proposing to establish an updated Site Plan Control By-law.

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## BACKGROUND

Site plan control is a planning tool used by municipalities to evaluate and guide site-specific development, focusing on elements such as parking configuration, landscaping and massing of buildings. In conjunction with other planning tools such as zoning by-laws, site plan control ensures land development is appropriate, well designed, and compatible with the surrounding area.

### Bill 23 – More Homes Built Faster Act

Through Bill 23, the *More Homes Built Faster Act*, 2022, introduced several changes to the *Planning Act*, limiting the scope of site plan control for municipalities. These changes include:

- Exempting residential development of 10 units or fewer; and
- Removing the ability to secure exterior design matters.

These changes were intended to accelerate the approval of new homes and reduce costs for applicants.

### Bill 97 – Helping Homebuyers, Protecting Tenants Act

Bill 97, the *Helping Homebuyers, Protecting Tenants Act*, 2023, introduced further amendments to the *Planning Act*. Notably, it reintroduced site plan control for residential developments of 10 units or fewer within proximity of a 'prescribed area' as described in Ontario Regulation 254/23 (O. Reg. 254/23).

A 'prescribed area' being:

- Any area that is within 300 m of a railway line<sup>1</sup>.
- Any area that is within 120 m of:
  - a wetland,
  - the shoreline of the Great Lakes-St. Lawrence River System,
  - an inland lake, or
  - a river or stream valley that has depressional features associated with a river or stream, whether or not it contains a watercourse.

These changes were intended to recognize instances where site plan control could be a valuable tool to address land use sensitivity and compatibility matters and to avoid unintended environmental impacts.

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<sup>1</sup> The following railway lines are excluded:

1. a railway line to which the Canada Transportation Act (Canada) applies and whose operations have been discontinued under section 146 of that Act;
2. an abandoned railway line to which the Canada Transportation Act (Canada) does not apply; and
3. a railway line on which the only railway that operates is an urban rail transit system.

Bill 185 – Cutting Red Tape to Build More Homes Act

Bill 185, the *Cutting Red Tape to Build More Homes Act*, 2024, exempted certain classes of post-secondary institutions from the requirements *Planning Act*, including Site Plan Approval for housing projects. These classes of post-secondary institutions include publicly assisted universities, as well as colleges and universities federated or affiliated with a publicly assisted university.

## COMMENTS

The changes to the *Planning Act* are intended to simplify existing approval processes and recognize the role of the site plan control process as a technical review of implementation details of a development.

The proposed by-law removes the site plan approval requirement for residential developments with 10 or fewer units, except when located near a 'prescribed area,' as defined in O. Reg. 254/23.

Additionally, By-law 2025-033 eliminates references to partial site plan approval and requires that developments described in Bills 23 and 97 must go through the site plan process. A *Site Plan Guide* (Appendix "A") has been prepared to clarify which types of development can proceed through a scoped site plan review process (formerly referred to as "DESP") and which will require full site plan approval. The guide will be made available on the website.

It is important to note that site plan approval is still required for all non-residential developments, including: commercial, institutional, employment and mixed-use proposals.

Lastly, incidental changes to By-law 2023-021, the *Municipal Powers and Duties By-law*, are included in By-law 2025-033 to maintain consistency between the two by-laws.

To align with the requirements of Bills 23, 97 and 185 and in accordance with provincial direction, staff recommend repealing the existing Site Plan Control By-law 2022-093, as amended, and replacing it with By-law 2025-033.

By-law 2025-033 is attached as Appendix "B".

## CONSIDERATIONS

### (A) PUBLIC

Members of the public have not been consulted since the By-law implements changes required by provincial legislation or makes changes which are considered minor.

**(B) FINANCIAL**

There are no financial consequences of this report.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

None

**(D) COUNCIL STRATEGIC PRIORITIES**

This report addresses Council's strategic priority/priorities:

This report addresses Council's strategic priority of "Accountable Government" by amending the site plan by-law to reflect changes in provincial legislation.

**(E) CLIMATE CHANGE/ACTION**

Minimizing climate change is a consideration that is reflected in the standards applied during the evaluation of site plan applications.

**APPENDICES**

Appendix "A" – Site Plan Guide

Appendix "B" – By-law 2025-033, A by-law to establish site plan control, delegate authority with respect to the approval of site plans within the Town of Oakville, and to repeal By-law 2022-093 and By-law 2023-021

Prepared and Recommended by:

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Senior Manager, Planning & Development

Submitted by:

Gabriel A.R. Charles, MCIP, RPP

Director, Planning & Development



# Site Plan Application Process Guide

April 2025

## 1. INTRODUCTION

The Town Council, under Section 41 of the *Planning Act*, passed Site Plan Control By-law 2025-033. This by-law designates most lands within the Town as a Site Plan Control Area, with a few exceptions.

Site Plan approval focuses on several key elements, including the location of buildings and structures, the size, scale, and design of proposed buildings, and their relationship to nearby buildings, streets, and public spaces. It also addresses grading, drainage, and erosion control, site services, and tree preservation.

Additionally, it considers the location of garbage facilities, the layout of parking, loading areas, and vehicle and pedestrian traffic flow. Sustainable design features such as landscaping and bicycle parking, along with facilities that ensure accessibility for persons with disabilities, are also reviewed.

The Site Plan Approval process helps carry out the policies of the Town’s Official Plan, Livable Oakville, and other related guidelines and standards.

This guide provides an overview of the Site Plan Application process.

## 2. BILL 23, *MORE HOMES BUILT FASTER ACT*, 2022

The Province introduced Bill 23, the *More Homes Built Faster Act*, 2022, which made changes to the *Planning Act* to help speed up housing development and lower costs for applicants. These changes limited the scope of site plan control by exempting residential developments with ten units or fewer and removing the ability for municipalities to review and secure exterior design elements.

## 3. BILL 97, *HELPING HOMEBUYERS, PROTECTING TENANTS ACT*, 2023

Following the passage of Bill 97, *Helping Homebuyers, Protecting Tenants Act*, 2023, a new regulation was filed on August 9, 2023, under Section 41 of the *Planning Act*. Ontario Regulation (O. Reg.) 254/23. This regulation reintroduced site plan control for smaller residential developments of ten units or fewer within proximity of a 'prescribed area'.

Site Plan control now applies to developments within 300 m of a railway line<sup>1</sup> or within 120 m of a wetland, Lake Ontario, inland lake, or a river or stream valley that has depressional features associated with a river or stream, whether or not it contains a watercourse.

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<sup>1</sup> The following railway lines are excluded:

1. a railway line to which the Canada Transportation Act (Canada) applies and whose operations have been discontinued under section 146 of that Act;
2. an abandoned railway line to which the Canada Transportation Act (Canada) does not apply; and
3. a railway line on which the only railway that operates is an urban rail transit system.

#### 4. CLASSES OF DEVELOPMENT REQUIRING SITE PLAN APPROVAL

The entire Town of Oakville is designated as a Site Plan Control Area pursuant to Section 41 of the *Planning Act*.

The *Planning Act* defines “development” as the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers.

The Town of Oakville has two Site Plan review processes designed to provide different levels of review based on the scale, scope and complexity of the proposed development.

##### 1. Scoped Site Plan Approval Review Process

The Scoped Site Plan approval process involves the approval of servicing, grading, drainage plans, tree protection plans, as well as a stormwater management report and an arborist report. This process applies to the following types of development:

- a) Residential development containing 1 to 3 units within 300 m of a railway line<sup>2</sup>
- b) Residential development containing 1 to 3 units within 120 m of:
  - i. a wetland;
  - ii. the shoreline of the Lake Ontario;
  - iii. an inland lake; or
  - iv. a river or stream valley that has depressed features associated with a river or stream, whether or not it contains a watercourse

**NOTE:** A pre-consultation is not required for a Scoped Site Plan Review application.

##### 2. Full Site Plan Approval Review Process

The Full Site Plan approval process includes the approval of the plans outlined in subsection 41(4) of the *Planning Act*.

This process applies to the following types of development:

- a) medium and high-density residential developments containing 11 units or more.
- b) residential development containing 4 units or more within 300 m of a railway line<sup>3</sup>;

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<sup>2</sup> See Note 1

<sup>3</sup> See Note 1

- c) residential development containing 4 units or more within 120 m of:
  - i. a wetland;
  - ii. the shoreline of the Lake Ontario;
  - iii. an inland lake; or
  - iv. a river or stream valley that has depressed features associated with a river or stream, whether or not it contains a watercourse
- d) all non-residential development;
- e) all other types of development unless exempted in the Site Plan By-law;
- f) a temporary sales office for the sale of new homes within a draft approved plan of subdivision or condominium; and,
- g) a commercial parking lot

**NOTE:** A pre-consultation meeting is strongly encouraged to provide a high-level review of the application before a formal submission, which can potentially reduce the number of resubmissions. In addition, the pre-consultation meeting will scope the list of plans, reports and studies required by the Official Plan.<sup>4</sup>

## **5. EXEMPTION FROM SITE PLAN APPROVAL**

Site plan approval is not required for:

- 1. Development which is located outside of a wetland, river or stream valley that has depressed features associated with a river or stream, whether or not it contains a watercourse or woodland, and consists of:
  - a. a building or structure that is 50 square metres or less in size that is either accessory to or in addition to, an existing building or structure;
  - b. a new non-residential building or structure on town-owned land, provided that the building or structure is less than 100 square metres;
  - c. a temporary building or structure erected and used for a maximum of six consecutive months, provided the structure is located on a property with existing development;


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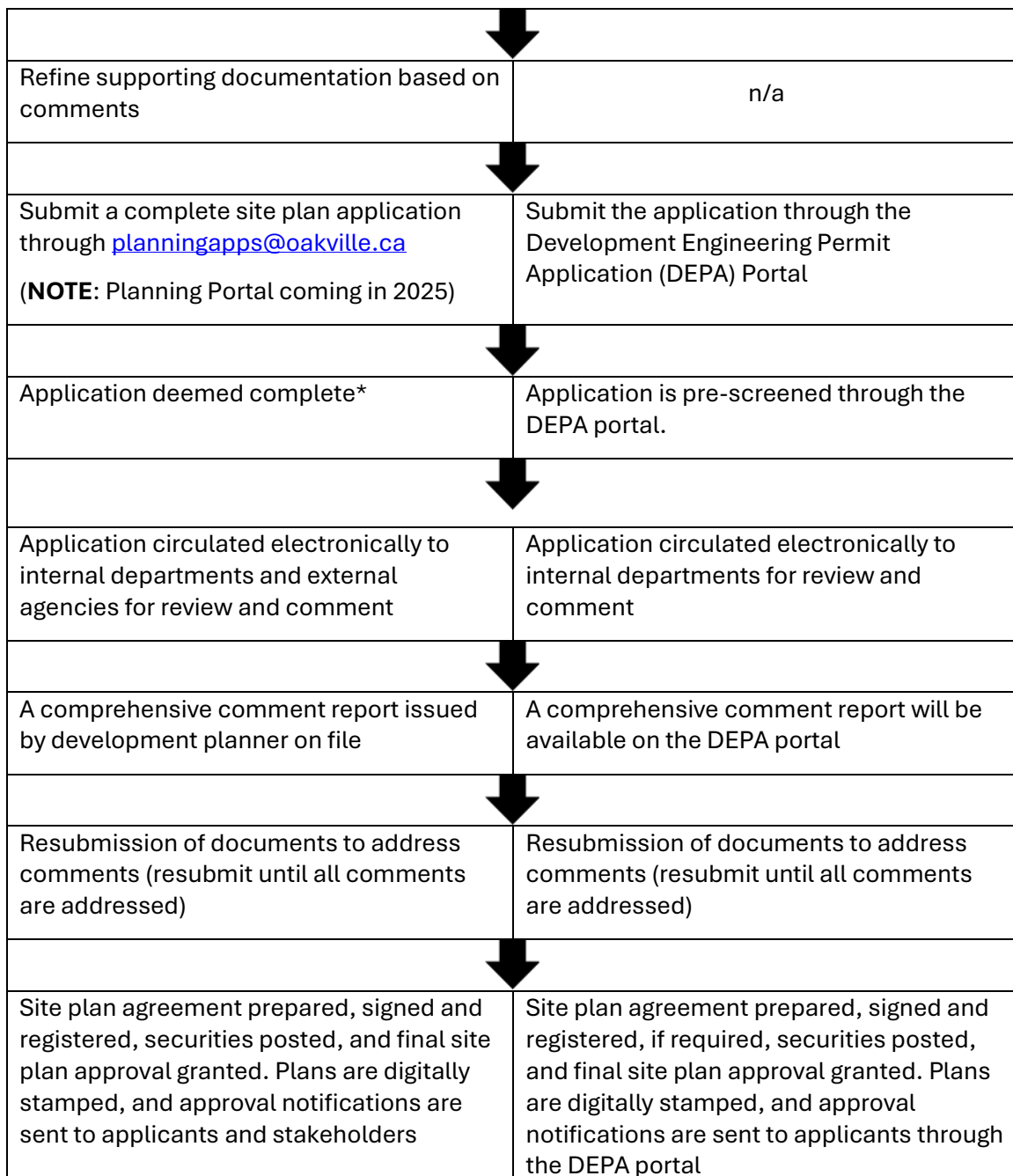
<sup>4</sup> **Other information**

(3.4) A municipality may require that an applicant provide any other information or material that the municipality considers it may need, but only if the official plan contains provisions relating to requirements under this subsection. 2022, c. 12, Sched. 5, s. 7 (1).

- d. a temporary building or structure on public lands allowed through a municipal permit; or
  - e. a building or structure accessory to an existing agricultural use north of Highway 407.
2. Residential freehold street townhouse units approved as part of a registered plan of subdivision unless a specific condition in the subdivision agreement requires site plan approval.
  3. Up to two additional dwelling units within an existing detached dwelling, semi-detached dwelling or townhouse dwelling.
  4. Development in the form of a single-detached or semi-detached dwelling within five years of subdivision registration north of Dundas Street, unless a specific condition requires site plan approval.
  5. The placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.
  6. In accordance with section 62.0.2 of the *Planning Act*, an undertaking of the following post-secondary institutions for the objects of the institution:
    - a. publicly-assisted universities, as defined in section 1 of the *Ministry of Training, Colleges and Universities Act*; or
    - b. colleges and universities federated or affiliated with a publicly-assisted university referred to in paragraph a.

## 6. SITE PLAN FLOW CHART

Full Site Plan Approval	Scoped Site Plan Approval (determine eligibility in Section 4.1)
Request a pre-consultation meeting by filling in the <a href="#">planning-pre-consultation-form.pdf (oakville.ca)</a> and emailing it along with supporting documentation to <a href="mailto:planningapps@oakville.ca">planningapps@oakville.ca</a>	A pre-consultation meeting is not required for a “Scoped Site Plan” application. Reference to submission requirements are provided on the town’s website.
	
Pre-consultation meeting held, submission checklist and comment report provided to the applicant	n/a



## 7. PRE-CONSULTATION OVERVIEW

**NOTE:** A Pre-consultation meeting is not necessary for an application for a "Scoped Site Plan Approval." Skip to Section 8.

If you are applying for a Full Site Plan application, you are strongly encouraged to participate in the Town's [Pre-consultation Process](#).

Pre-consultation meetings are organized by Town Planning staff. While staff aim to schedule these meetings within 2-3 weeks of receiving a request, timelines may vary depending on the volume of requests. Meetings are held virtually every Wednesday afternoon, and agendas are sent out two weeks before the meeting date.

### **Submitting a Pre-consultation Request**

To schedule a pre-consultation meeting, submit all required materials and fees as outlined in the Pre-consultation Request (Form 1). Incomplete submissions will not be scheduled for a meeting.

### **Purpose of a Pre-consultation Meeting**

The meeting serves to:

- Provide applicants an opportunity to discuss their development proposal with Town staff and approval/commenting agencies before filing an application.
- Clarify what constitutes a complete application, including required studies and supporting documentation.
- Offer applicants a clearer understanding of the approval process.
- Allow Town staff and agencies to review the proposal, ask questions, offer feedback, flag potential issues, and address the applicant’s questions.
- Deliver a Pre-consultation Checklist and meeting notes to the applicant detailing the required materials to file an application.
- Establish that the signed Pre-consultation Checklist is valid for six months<sup>5</sup>.

## **8. RELATED POLICIES, GUIDELINES AND STANDARDS**

Below is a list of related policies, guidelines, and standards, though it is not comprehensive. During the pre-consultation stage for a full Site Plan application, applicants will be provided with a tailored list of relevant materials.

### **Town of Oakville Official Plans**

[Halton Regional Official Plan](#)

[Livable Oakville Plan](#)

[North Oakville East Secondary Plan \(NOESP\)](#)

[North Oakville West Secondary Plan \(NOWSP\)](#)

### **Zoning By-laws**

[Zoning By-law 2014-014](#) - comprehensive zoning by-law applying to all properties in Oakville south of Dundas Street and north of Highway 407.

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<sup>5</sup> An extension for up to three months may be considered by the Director provided any required fee is paid before the expiry.

[Zoning By-law 2009-189](#) - comprehensive zoning by-law applying to all properties north of Dundas Street and south of Highway 407.

**Town of Oakville Planning/Urban Design**

[Livable by Design Manual - Part A](#)

[Livable by Design Manual - Part B](#)

[Livable by Design Manual - Part C](#)

[Urban Design Guidelines for Stable Residential Communities](#)

[Sustainable Design Guidelines](#)

[Section 6 Urban Design](#)

[Part C \(oakville.ca\)](#)

**Town of Development Application Guidelines/Terms of Reference**

[Development Application Guidelines](#)

**Town of Oakville Design Criteria**

[Development Engineering Procedures and Guidelines](#)

[Stormwater Master Plan](#)

[Grading and Servicing Plan Guide for Residential Infill Developments](#)

[Standard Drawings](#)

## **9. APPLICATION SUBMISSION AND CIRCULATION**

A Site Plan Application will only be accepted once all required documents and materials have been submitted. After acceptance, the applicant will be requested to pay the application fee. The application will then be circulated for review upon receipt of payment.

**How to Submit Your Application**

To submit your Full Site Plan Application, please email [planningaspps@oakville.ca](mailto:planningaspps@oakville.ca) to request an upload link.

To submit your Scoped Site Plan Application, visit this link [Development Engineering Permits](#) for helpful information and access to the DEPA portal.

**What to Submit for a Full Site Plan Application**

The following must be provided before your application can be deemed complete:

- All submission requirements listed within Section 28.19.3 of the Livable Oakville Plan, or
  - All submission requirements listed on the completed Pre-consultation Checklist (Policy 28.19.5 – scoped list of materials)
- A completed Site Plan Application form, including signatures from the property owner(s).
  - The Site Plan Application form is available here. [planning-site-plan-application-form.pdf \(oakville.ca\)](#)
- Payment of the application fee.



### **What to Submit for a Scoped Site Plan Application**

The following must be provided before your application will pass the pre-screening process:

- Site Servicing, drainage and Grading Plan
- Stormwater Management Report
- Arborist Report/Tree Declaration

Once all of the required information has been provided, you will be notified by email what fees are to be paid online.

### **How to Pay**

For payment processing of a Full Site Plan application, contact [planningapps@oakville.ca](mailto:planningapps@oakville.ca) to obtain your reference number for a Full Site Plan application for payment processing. Ensure the reference number is noted on your payment.

#### **1. Online (for Scoped Site Plan only)**

All application fees (up to \$5,000) will now be paid online by:

- Sign into your town account, access the “My Development Engineering Permits and Applications” page and select the “Pay Fees” button beside the applicable permit application.
- Select the “Pay Selected Fees” button and pay your fees using your credit card.
- To access a copy of your receipt, select the “Application Documents” tab.

#### **2. Electronic Fund Transfer (EFT)**

- Request a void cheque from the Town for EFTs to deposit into the Town’s bank account.
- For Full Site Plan Applications, ensure the reference number is noted on the payment.
- Email the bank confirmation to [devengrequests@oakville.ca](mailto:devengrequests@oakville.ca) (Scoped Site Plan)/[planningapps@oakville.ca](mailto:planningapps@oakville.ca) (Full Site Plan) and [accountsreceivable@oakville.ca](mailto:accountsreceivable@oakville.ca)

#### **3. E-Transfer (EMT)**

- Available for application fees up to \$25,000.00.
- For Full Site Plan Applications, ensure the reference number is noted on the payment.
- Send the EMT directly to [devengrequests@oakville.ca](mailto:devengrequests@oakville.ca) (Scoped Site Plan)/[planningapps@oakville.ca](mailto:planningapps@oakville.ca) (Full Site Plan)
- Email the bank confirmation to [devengrequests@oakville.ca](mailto:devengrequests@oakville.ca) (Scoped Site Plan)/[planningapps@oakville.ca](mailto:planningapps@oakville.ca) (Full Site Plan) and [accountsreceivable@oakville.ca](mailto:accountsreceivable@oakville.ca)

#### **3. Wire Transfer (not preferred)**

- **Note:** A \$25.00 additional fee applies and may cause processing delays.

- Include an extra \$25.00 in your payment.
- For Full Site Plan Applications, ensure the reference number is noted on the payment.
- Email the bank confirmation to [devengrequests@oakville.ca](mailto:devengrequests@oakville.ca) (Scoped Site Plan)/[planningapps@oakville.ca](mailto:planningapps@oakville.ca) (Full Site Plan) and [accountsreceivable@oakville.ca](mailto:accountsreceivable@oakville.ca)

### **File Naming**

Please use the naming conventions for you plans as described at the link. [Digital-File-Naming-Conventions \(oakville.ca\)](#)

### **Materials**

Prepare materials (drawings/reports/documents)

- The type of documents required will be identified during the mandatory pre-consultation meeting with staff. All reports, documents and drawings submitted must be:
  - in digital (PDF) format unless otherwise required (e.g. Word, Excel, SketchUp, etc.).
  - presented in metric measure that can be accurately scaled.
  - prepared, stamped and signed by a qualified professional architect (for site plan and architectural drawings), engineer (for site plan and engineering drawings/reports), or landscape architect (for landscape and tree protection drawings/reports)

### **Circulation**

Once the application is deemed complete or passes the pre-screening process, it will be circulated to relevant Town departments and/or external agencies for comments. The assigned Planner or Development Engineering Technologist will coordinate feedback from the circulation process, including any input from the local community. All responses will be forwarded to you for consideration as you revise your proposal by email or through the DEPA portal.

## **10. SITE PLAN AGREEMENT**

**Note:** A Site Plan Agreement may not be required for a Scoped Site Plan. The applicant will be informed during the application process.

A site plan agreement is required for a Full Site Plan application to ensure that the site works and town works, including tree protection, are completed and maintained in accordance with the approved plans.

At the appropriate time the assigned development planner will request the [site plan information sheet](#) together with a draft [Solicitor's Certificate](#) along with the site plan agreement preparation and registration fee to initiate the site plan agreement.

Site plan agreements are signed electronically using DocuSign and registered on the title of the property.

As part of the site plan agreement, securities are required to be posted in the form of a letter of credit, certified cheque, surety bond or cash.

Templates:

[General Information regarding Development Related Securities and Deposits](#)

[Letter of Credit](#)

[Surety Bond](#)

The security amount will be calculated by the assigned planner/development engineering technologist once the application is nearing completion.

## **11. FINAL APPROVAL PROCESS**

After all issues are resolved, a Site Plan Agreement (Full Site Plan) is executed, the final approval fee is paid, and securities are submitted. The plans are then digitally stamped by the Director of Planning & Development. The applicant will be notified of the approval, and the approved plans will be made available either through a provided link or the DEPA portal.

## **12. RELEASE OF SECURITIES**

Scoped Site Plan and Site Plan Inspections are conducted upon request at the completion of all site works to ensure compliance with the final approved Site Plan materials (drawings and reports) and for the reduction of posted securities. Once site plan works have been completed, a certification package can be submitted to request a reduction of the posted securities.

To initiate an inspection for an approved Full or Scoped Site Plan, submit a complete certification submission package with the required documentation, materials and fee.

Contact:        Development Inspector  
                     Building Services  
                     (905) 845-6601 ext 3983

Additional information can be found [here](#).

To initiate an inspection for Scoped Site Plan, submit a complete certification submission package through the DEPA portal and request the inspection through the portal. Inspections will be scheduled once the certification submission has been reviewed.

### 13. FREQUENTLY ASKED QUESTIONS

**a) What is a Site Plan?**

They are detailed plans and drawings showing the proposed location and design of buildings, parking, landscaping and other facilities. Site plans are required for new developments as well as amendments to existing properties before a building permit is issued.

**b) What can a site plan regulate?**

Site plan authority does not include the power to impose conditions restricting on-site operational matters such as hours of operation. Section 41 - Subsection (7) of the *Planning Act* specifies what types of conditions a municipality can impose conditions of site plan approval relating to:

- Road widenings – as required by the Official Plan of Town/Region
- Access to/from Roads – curbs, access ramps, traffic direction signs
- Loading and Parking Facilities – covered or uncovered, driveways, surfaces
- Walkways / Pedestrian Access
- Accessibility for People with Disabilities
- Lighting
- Walls, fences, hedges, trees, shrubs or other ground cover
- Garbage/Waste – vaults, central storage, collection areas, enclosures
- Municipal Easements – related to watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities of the municipality or local board
- Servicing, Grading and Drainage – including disposal of storm, surface, and wastewater

Since site plan approvals deal with the provision of facilities rather than the use of those facilities, conditions related to operational matters, such as restrictions on the hours of operation, construction phasing and tenancy, are not within the scope of the site plan authority.

The applicant may agree to things beyond the scope of Section 41, but it is voluntary on behalf of the applicant and cannot be enforced.

**c) How do site plans relate to zoning?**

Site plans are used to make sure the proposed development meets the requirements of the zoning by-law. Site plans start with the requirement that the proposed use is permitted. Zoning by-law speaks to how the land can be used, e.g. retail, commercial etc. and provides the context when applying for a building permit. Site plan applications are not about land use, but the specifics of implementation for a new development to an existing property. Site plan applications provide the details necessary to help municipalities review and issue building permits.

d) **What is a Zoning By-law and can the Zoning By-law regulate the types of tenants?**

Zoning By-laws regulate the use of land, where buildings/structures can be located on the site, lot sizes/dimensions, parking requirements, building heights and setbacks. The Town's Zoning by-law sets out the permitted land uses but cannot regulate tenancy or tenure.

e) **Does the *Planning Act* mandate the municipality to hold public info sessions before a site plan application is approved?**

The *Planning Act* does not require a municipality to host a public meeting. Under the Town's Site Plan Control By-law, the Director of Planning & Development or designate is given the authority to approve site plans.

f) **Can a site plan application be appealed?**

Section 41 – Subsection (12) of the *Planning Act*, sets out the rights of appeal for site plan applications. Subsection 12 states that only the applicant/landowner can appeal the municipality's lack of a decision within 60 days of submission of the application. The applicant/landowner can also appeal the conditions imposed by the municipality.

Third parties (such as neighbours in the surrounding area) do not have a right of appeal for a site plan application under the *Planning Act* since the application is not proposing a change in land use, only the technical implementation of what is already permitted in the town's Zoning By-law.



## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2025-033

A by-law to establish site plan control, delegate authority with respect to the approval of site plans within the Town of Oakville, repeal By-law 2022-093 and amend By-law 2023-021

#### COUNCIL ENACTS AS FOLLOWS:

##### PART I – INTERPRETATION

1. In this by-law:
  - (a) “**authorized person**” means the person appointed by Council under section 4.0.1 of the *Planning Act* to process and approve site plan applications.
  - (b) “**development**” means development as defined in Section 41(1) of the *Planning Act*.
  - (c) “**Director of Planning and Development**” means the Director of Planning and Development or any successor to that position, and includes the acting Director of Planning and Development or his/her designate.
  - (d) “**site plan application**” means an application for approval of plans and drawings for development under Section 41 of the *Planning Act*,
  - (e) “**Planning Act**” means the *Planning Act*, R.S.O. 1990, c. P.13 as amended from time-to-time.
  - (f) references to land use designations in this by-law shall be interpreted in accordance with the provisions of the zoning by-law passed under section 34 of the *Planning Act* that is applicable to the lands.

##### PART II - DEVELOPMENT SUBJECT TO SITE PLAN CONTROL

###### Designation of Site Plan Control Area

2. The whole of the Town of Oakville is hereby designated as a Site Plan Control Area pursuant to Section 41 of the *Planning Act*.
3. Every person who undertakes development within a Site Plan Control Area without the approval of the required plans and drawings required by this by-law or other than in accordance with the approved plans and drawing and any conditions of approval is guilty of an offence under section 67 of the *Planning Act*, and if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention is guilty of an offence under that section.

### **Classes of Development Requiring Site Plan Approval**

4. Subject to Section 5 of this by-law, the following classes of development require site plan approval:
  - (a) medium and high-density residential developments containing 11 dwelling units or more;
  - (b) residential development within 300 m of a railway line;
  - (c) residential development within 120 m of:
    - i. a wetland;
    - ii. the shoreline of the Lake Ontario;
    - iii. an inland lake; or
    - iv. a river or stream valley that has depressed features associated with a river or stream, whether or not it contains a watercourse
  - (d) all non-residential development;
  - (e) all other types of development;
  - (f) a temporary sales office for the sale of new homes within a draft approved plan of subdivision or condominium; and,
  - (g) a commercial parking lot.

### **Exemptions from Site Plan Approval**

5. Site plan approval is not required for:

- (a) development which is located outside of a wetland, river or stream valley that has depressed features associated with a river or stream, whether or not it contains a watercourse or woodland, and consists of:
  - i. a building or structure that is 50 square metres or less in size that is either accessory to or in addition to, an existing building or structure;
  - ii. a new non-residential building or structure on town-owned land, provided that the building or structure is less than 100 square metres;
  - iii. a temporary building or structure erected and used for a maximum of six consecutive months, provided the structure is located on a property with existing development;
  - iv. a temporary building or structure on public lands allowed through a municipal permit; or
  - v. a building or structure accessory to an existing agricultural use north of Highway 407.
- (b) residential freehold street townhouse units approved as part of a registered plan of subdivision unless a specific condition in the subdivision agreement requires site plan approval;
- (c) up to 2 additional dwelling units within an existing detached dwelling, semi-detached dwelling or townhouse dwelling;
- (d) development in the form of a single-detached or semi-detached dwelling within five years of subdivision registration north of Dundas Street, unless a specific condition requires site plan approval;
- (e) the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007; or
- (f) in accordance with section 62.0.2 of the *Planning Act*, an undertaking of the following post-secondary institutions for the objects of the institution:
  - i. publicly-assisted universities, as defined in section 1 of the *Ministry of Training, Colleges and Universities Act*; or



- ii. colleges and universities federated or affiliated with a publicly-assisted university referred to in paragraph i.

### **PART III - DELEGATION OF POWERS**

#### **Delegation to the Authorized Person**

- 6. The Director of Planning and Development is hereby appointed as the authorized person referred to in subsection 41(4) of the *Planning Act*, for all site plans applications referred to in Section 4 of this By-law
- 7. The authority delegated under Section 6 of this by-law includes the authority to grant conditional or final approval, impose conditions, establish the obligations of the owner under a site plan agreement, determine requirements for complete applications, deem applications to be complete or incomplete and delegate all or part of such authority to that person's designate in writing. Where an appeal to the Ontario Land Tribunal relates solely to a site plan application, the authority includes the authority to settle or oppose the appeal.

### **PART IV – ADMINISTRATION**

#### **Expiry and Extensions of Site Plan Approvals**

- 8. Approvals of site plan applications approvals shall expire three years from the date of the earlier of conditional or final approval.
- 9. The authorized person may grant one extension of the conditional or final approval of a site plan application for a period of up to a maximum of one year. The extension period shall commence from the date of expiry of the approval.
- 10. Any application for an extension of the site plan approval must be received prior to the expiry of the conditional or final approval.
- 11. The expiry of approvals granted prior to the passing of this by-law shall, subject to any extensions granted under this by-law, be determined in accordance with the conditions of those approvals.

#### **Applications**

- 12. In order for a site plan application to be considered under this by-law, the applicant must submit the required fees and materials as listed in accordance with the Town's Official Plan, as may be amended from time-to-time.

### Partial Release of Site Plan Agreements

13. Upon the release of any securities held by the Town Treasurer as a condition of site plan approval, the Director shall, upon request, grant partial releases of site plan agreement for the security requirement portion of the said site plan agreement.

### Severability

14. If a court of competent jurisdiction declares any section or part of a section of this By-law to be invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force unless the court makes an order to the contrary.

### Short Title

15. This by-law may be referred to as the “Site Plan By-law”

### Repeal

16. By-law 2022-093 is hereby repealed.

### Amendment of By-law 2023-021, as amended

17. Schedule “A” to By-law 2023-021, A By-law to delegate certain powers and duties under the *Municipal Act*, 2001, S.O. 2001, c. 25, the *Planning Act*, R.S.O. 1990, c. P.13, and other Acts, as amended, is hereby further amended by deleting Item 48 and replacing it with a new Item 48 as follows:

	Delegation	Delegate	Limitation
48	Delegation of Council’s powers section 41 of the <i>Planning Act</i> .	Director of Planning and Development or delegate.	To be exercised in accordance with By-law 2025-033.

18. Schedule “A” to By-law 2023-021, A By-law to delegate certain powers and duties under the *Municipal Act*, 2001, S.O. 2001, c. 25, the *Planning Act*, R.S.O. 1990, c. P.13, and other Acts, as amended, is hereby further amended by deleting Items 58 and 59, which delegated powers and authority under section 41 of the *Planning Act* to the Chief Building Official as it related to temporary structures and sales offices.

PASSED this 22<sup>nd</sup> day of April, 2025

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MAYOR

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CLERK

## REPORT

### Planning and Development Council

Meeting Date: April 22, 2025

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**FROM:** Planning and Development Department

**DATE:** April 8, 2025

**SUBJECT:** Public Meeting and Recommendation Report for Zoning By-law Amendment at 348 MacDonald Road (former OTMH site) by Fernbrook Homes (OTMH) Ltd., File No. Z.1613.67 – By-law 2025-078

**LOCATION:** 348 MacDonald Road

**WARD:** Ward 3 .

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### RECOMMENDATION

1. That the proposed Zoning By-law Amendment application submitted by Fernbrook Homes (OTMH) Ltd. (File No. Z.1613.67), be approved on the basis that the application is consistent with the Provincial Planning Statement, conforms with the Region of Halton Official Plan and the Livable Oakville Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning and Development Department dated April 8, 2025.
2. That By-law 2025-078, an amendment to Zoning By-law 2014-014, be passed.
3. That the notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to these matters and that those comments have been appropriately addressed.
4. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

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## KEY FACTS

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

- **Nature of the Application:** The landowner has applied for a Zoning By-law Amendment to modify the existing special provision 383 as it applies to lands zoned RL3-0 within the former Oakville Trafalgar Memorial Hospital (OTMH) site.
- **Proposal:** Zoning By-law Amendment that would have the effect of modifying the existing RL3-0 SP 383 regulations to allow for greater architectural variety in the design of the future detached dwelling units and to facilitate additional housing options within the development. This amendment applies to 15 of the 19 lots for detached dwellings. This application does not propose any additional residential lots and the future townhouse units will not be affected by the proposed rezoning.
- **Location:** The subject lands are located on the south side of MacDonald Road between Reynolds Street and Allan Street.
- **Policy Context:** The subject lands are designated “*Urban Area*” in the Region of Halton Official Plan, and “*Low Density Residential*” within the Livable Oakville Plan (Schedule G – South East Land Use Schedule).
- **Zoning:** The subject lands are zoned *RL3-0 (Residential Low) Special Provision 383* within the Zoning By-law 2014-014, as amended.
- **Public Consultation:** An applicant-initiated virtual Public Information Meeting (“PIM”) was held on December 17, 2024 and was attended by 13 people including the Ward Councillors, staff and members of the public. Minutes of the PIM are included in Appendix ‘D’. A consolidated Statutory Public Meeting and Recommendation Report is being presented to Council on April 22, 2025. At the time of writing this report, three letters of objection have been received from members of the public.
- **Timing:** This application was submitted and deemed complete on February 10, 2025. In accordance with the *Planning Act*, Council has 90 days to make a decision on the application, with the deadline being May 11, 2025. If no decision is made by this date, the applicant is eligible to file an appeal for non-decision.
- **Recommendation:** Staff recommend approval of the Zoning By-law Amendment application as the proposed modifications provides for greater variety in the architectural styles of the dwelling units while maintaining the

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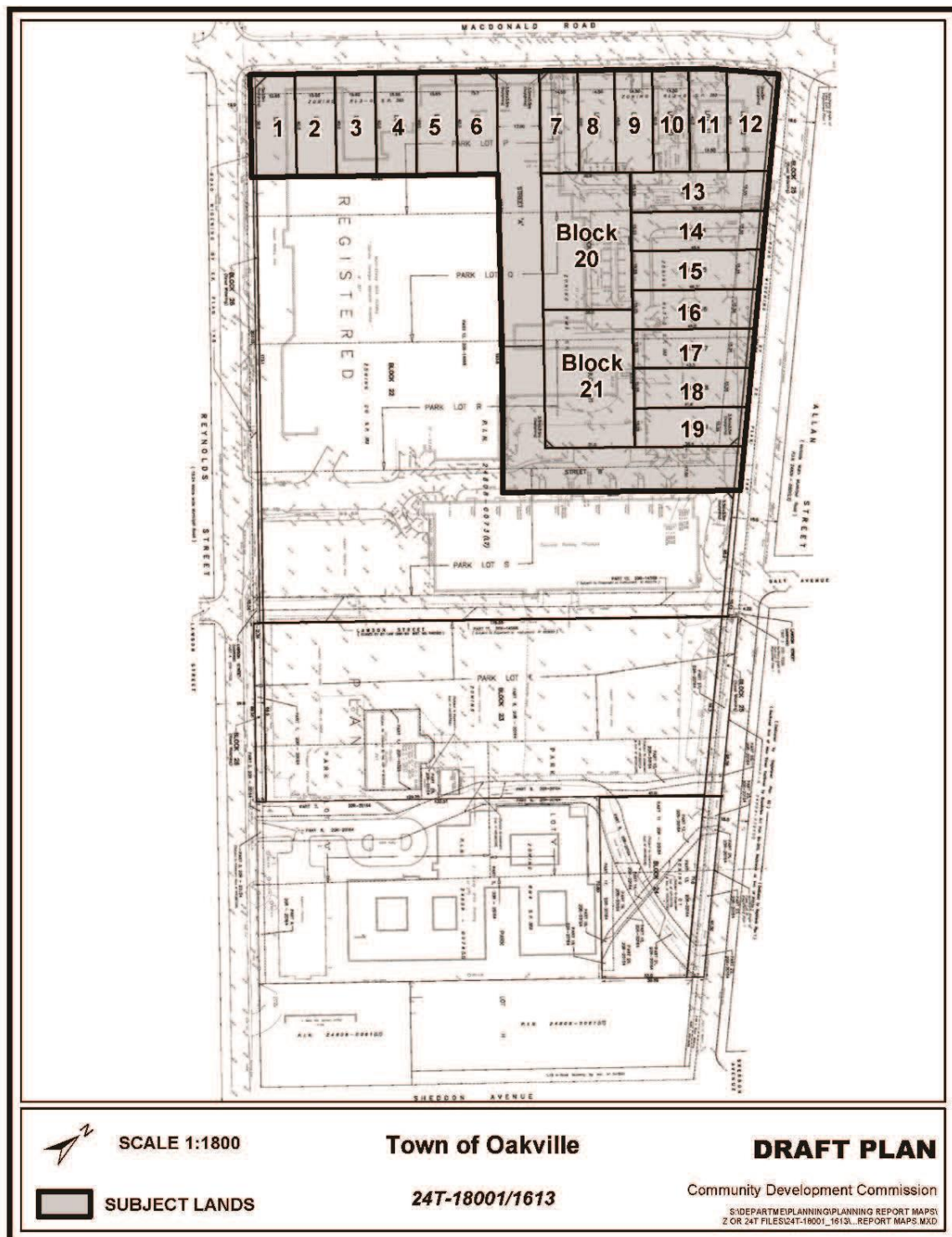
neighbourhood character, facilitates additional housing options within the development, and is consistent with the Provincial Planning Statement, conforms to the Region of Halton Official Plan and the general intent and purpose of the Livable Oakville Plan.

## **BACKGROUND**

Development of the former OTMH site was evaluated through an extensive and comprehensive review several years ago resulting in new Official Plan policies and approval of a draft plan of subdivision for the subject site.

The 2017 OTMH Master Plan was informed by public consultation on various options to redevelop the site. The Master Plan incorporated a new community centre and park, residential development, parking garage, and preservation of the Oakville-Trafalgar High School in association with an area for future seniors-oriented housing.

In 2017 and 2018, Town-initiated Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision applications were approved to establish the land use permissions necessary to implement the Council endorsed Master Plan.



*Figure 1 – Draft Plan of Subdivision*

In 2022, the lands were sold to Fernbrook Homes (OTMH) Ltd. (the applicant) to develop the residential portion of the site, in accordance with the approved OPA, ZBA, and Draft Plan of Subdivision (Figure 1). The applicant has been working through the conditions of Draft Plan Approval to obtain subdivision registration and begin construction of the future dwelling units. These efforts have included evaluating the proposed architectural style and details of the dwellings and how they maintain and protect the character of the neighbourhood.

To date, the applicant has constructed the new public road, completed grading, and installed underground services for the site.

## **Proposal**

The applicant proposes a Zoning By-law Amendment to modify the existing special provisions as it affects 15 of the 19 detached dwellings. The modifications include one or multiple deviations as follows:

- Height of the dwelling
- Height of the detached garage with an Additional Residential Unit (ARU)
- Total lot coverage including a detached garage
- Increase in garage door width for an attached garage

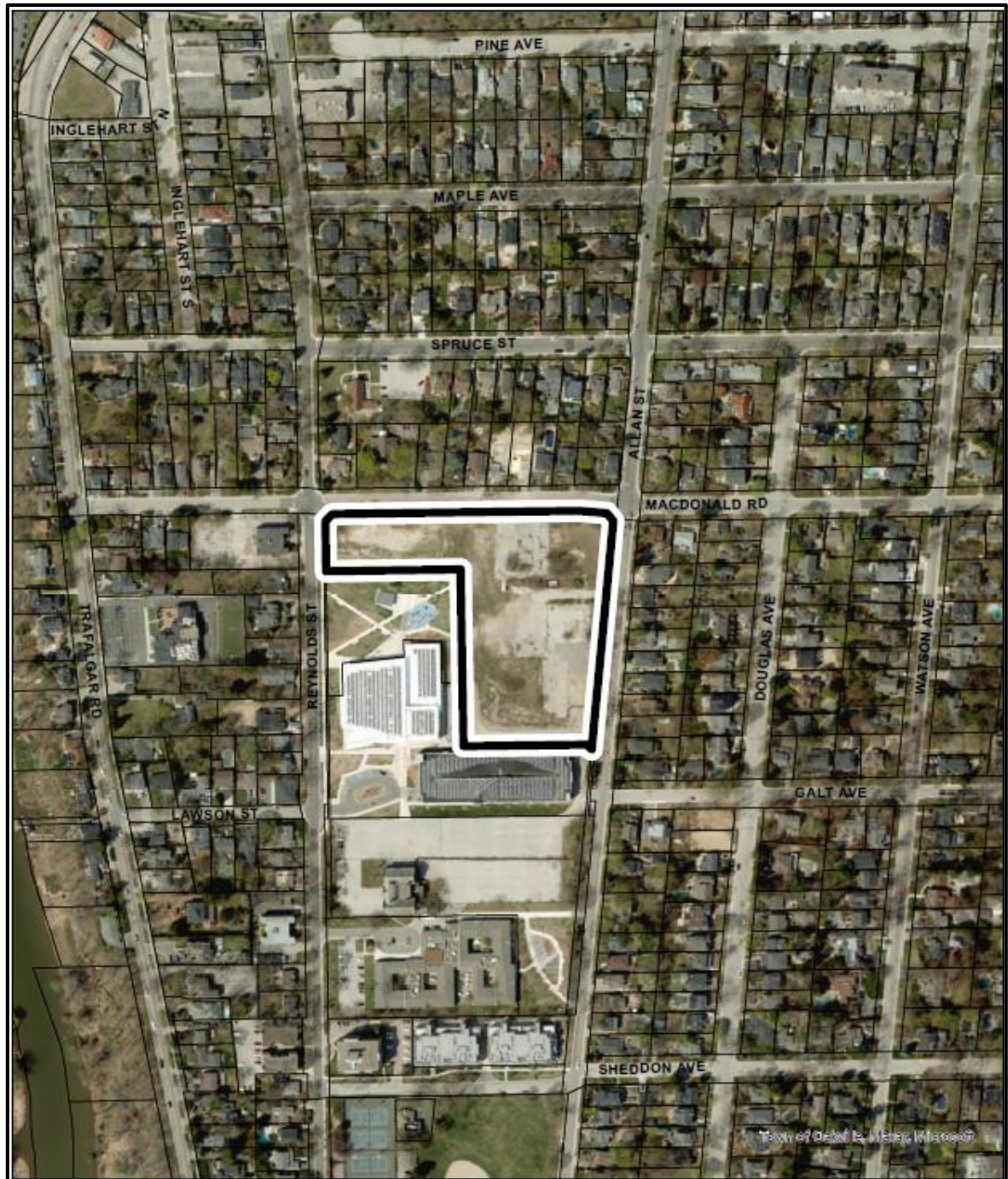
The applicant's proposed modifications would have the effect of creating greater variety in architectural features consistent with the neighbourhood character and facilitate additional dwelling types in the form of accessory dwelling units above a detached garage, which is discussed later in this report.

## **Location & Site Description**

The subject property is located on the south side of MacDonald Road, east of Reynolds Street and on the west side of Allan Street south of MacDonald Road. The lands are municipally known as 348 MacDonald Road and 327 Reynolds Street.

The entire OTMH lands are approximately 6.7 hectares in area. The portion of the lands which are subject to the Draft Plan of Subdivision are approximately 2 hectares in area. Lots 1-7 and 12-19 (shown in Figure 1 above) are affected by the subject application.





*Figure 2 – Aerial Photo*

### **Surrounding Land Uses**

The surrounding land uses are as follows:

North and East: One, one-and-a-half, and two-storey detached dwellings  
South and West: Oakville Trafalgar Community Centre  
South: Former Oakville Trafalgar High School, long-term care facility (Wyndham Manor), six-storey apartment building, townhouse dwellings on Sheddon Avenue and Wallace Park  
West: One, one-and-a-half, and two-storey detached dwellings, four-storey apartment buildings and vacant three-storey building (future townhouse development)

## **PLANNING POLICY & ANALYSIS**

The properties are subject to the following policy and regulatory framework:

- *Planning Act*
- Provincial Planning Statement (2024)
- Halton Region Official Plan (implemented by the Town)
- Livable Oakville Plan
- Zoning By-law 2014-014

### ***Planning Act, R.S.O., 1990***

In 2023, the Province of Ontario passed Bill 97 (*Helping Homebuyers, Protecting Tenants Act*, 2023, S.O. 2023, c.10) introducing Section 35.1 into the *Planning Act*. Bill 97 establishes the as-of-right permission to provide a maximum of three residential units on a parcel of urban residential land containing a detached house, semi-detached house or rowhouse. Subsequently in 2024, the Province passed Bill 185 (*Cutting Red Tape to Build More Homes Act*, 2024, S.O. 2024, c.16) to provide further direction and clarity on the provisions for Additional Residential Units (ARUs).

Recently, Ontario Regulation 462/24 (amending O.Reg. 299/19) was brought into force to provide guidance on the implementation of Section 35.1 of the *Planning Act*.

The proposed application requests an amendment to the maximum height of an accessory building where an ARU is provided, whereas O.Reg. 462/24 does not stipulate a height regulation. On this basis, the height of the accessory building that would contain an ARU requires an amendment to the Zoning By-law.

The proposed rezoning application also has the effect of further modifying the by-law to address architectural changes that promote a greater variety of architectural styles that maintain the neighbourhood character. With respect to matters of Provincial interest, Section 2 of the *Planning Act* directs the municipality to have regard for:

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*“(r) the promotion of built form that,  
(i) is well-designed, [and]  
(ii) encourages a sense of place”*

On this basis, it is staff’s opinion that the proposal conforms to the *Planning Act* and has regard for matters of Provincial interest.

### **Provincial Planning Statement**

On October 20, 2024, the new Provincial Planning Statement, 2024 (PPS) came into effect and replaced the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2019).

The new PPS is intended to promote a policy-led system, which recognizes that there are complex relationships among environmental, economic, and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by promoting a compact development form. All planning decisions must be consistent with the PPS.

Policy 2.2.1 directs municipalities to provide a range of housing options to meet projected and future needs. The purpose of the application, in part, is to facilitate Additional Residential Units (ARUs) within detached structures to support additional housing opportunities. Proposed modifications to the existing zoning on the site continues to facilitate the redevelopment of the former hospital lands and provide new housing options within the neighbourhood.

On this basis, the application is consistent with the PPS.

### **Halton Region Official Plan**

As of July 1, 2024 (Bill 185), the responsibility of the Halton Region Official Plan rests with the Town of Oakville.

The subject lands are designated as ‘Urban Area’. The Urban Area is “planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities.” One of the objectives of the Urban Area (Policy 72(1)) is to:

*“accommodate growth in accordance with the Region’s desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently”.*

As described above, no new lots are proposed through the subject application; however, the effect of the application accommodates development of the former hospital site.

On this basis, the application conforms to the Region of Halton Official Plan.

### **Livable Oakville Plan**

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10<sup>th</sup>, 2011 and is currently under-going a 5 year Official Plan Review to ensure the policies are consistent with the latest Provincial and Regional policies, support the Town's strategic goals, and reflect the vision and needs of the community.

On September 27, 2017, Council adopted Official Plan Amendment 15 (OPA 15) to the Livable Oakville Plan, which established the Town's Urban Structure.

The subject lands are identified as Residential Areas noted on Schedule A1. As stated in Section 3 of the Livable Oakville Plan:

*"The urban structure sets out the framework for where and how the Town will grow and how to determine Oakville's character and form.*

*Urban structure elements are not intended to be land use designations, and are not intended to grant development rights or to predetermine the specific land uses that will be permitted on any particular parcel of land."*

The proposed amendment is consistent with the Town's Urban Structure.

In January 2018, Official Plan Amendment 23 (OPA 23) to the Livable Oakville Plan came into effect. This amendment implemented the preferred Master Plan for the former OTMH site endorsed by Council in June 2017. OPA 23 enabled the redevelopment of the property for a community centre, park, parking garage, and residential land uses, as well as seniors' oriented housing. The site-specific Zoning and Draft Plan of Subdivision were subsequently approved in 2017 and 2018, respectively.

The portion of the subject property which is subject to this application is designated *Low Density Residential* as identified on Schedule G – South East Land Use within the Livable Oakville Plan (Figure 3).



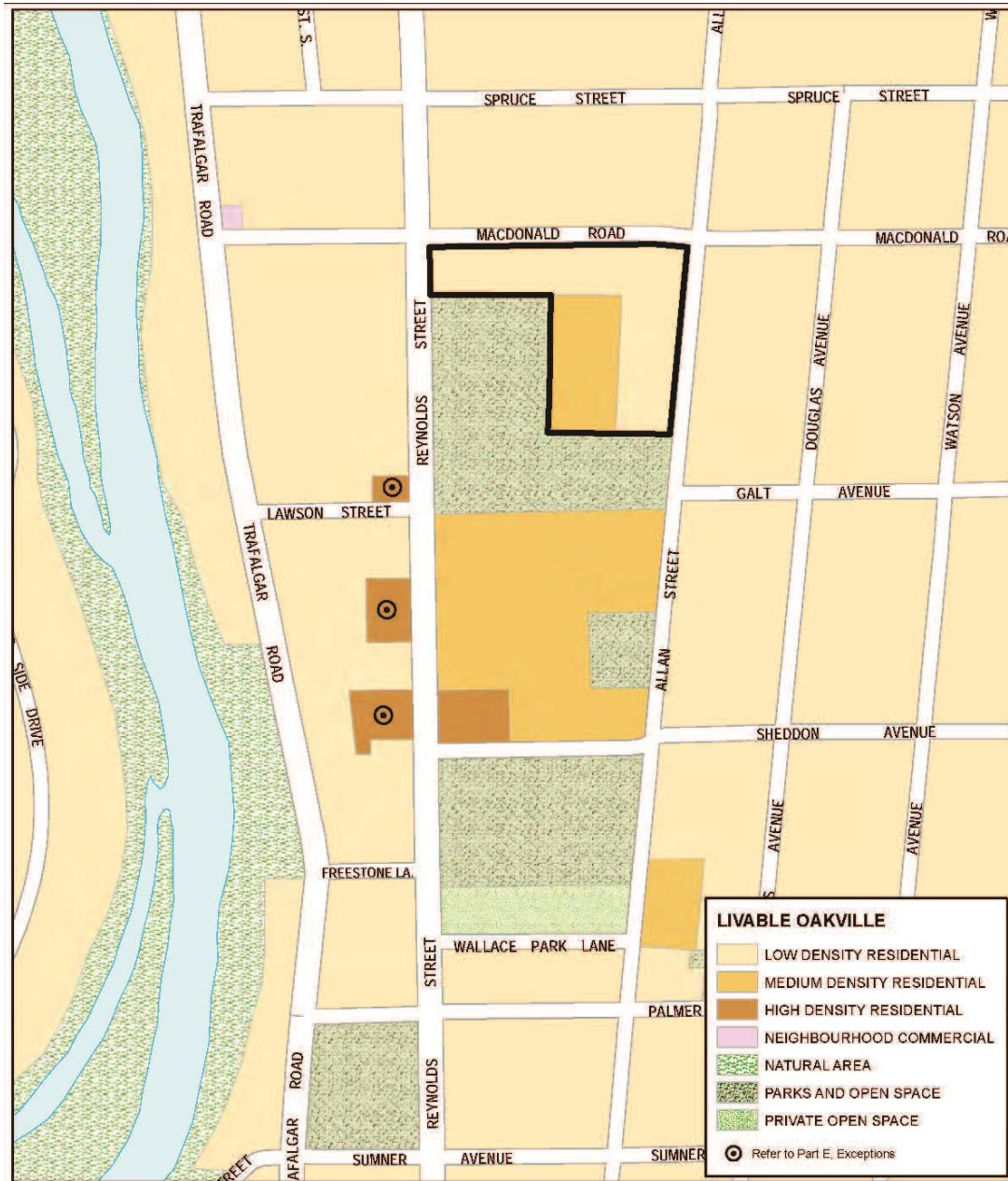


Figure 3: Livable Oakville Plan

The policy criteria within Section 11.1.9 for evaluating development applications within stable residential communities is as follows:

“11.1.9 *Development* within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood *character*.”

- 
- a) The built form of *development*, including scale, height, massing, architectural *character* and materials, is to be *compatible* with the surrounding neighbourhood.
  - b) *Development* should be *compatible* with the setbacks, orientation and separation distances within the surrounding neighbourhood.
  - c) Where a *development* represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent *development*.
  - d) Where applicable, the proposed lotting pattern of *development* shall be *compatible* with the predominant lotting pattern of the surrounding neighbourhood.
  - e) Roads and/or municipal *infrastructure* shall be adequate to provide water and wastewater service, waste management services and fire protection.
  - f) Surface parking shall be minimized on the site.
  - g) A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.
  - h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.
  - i) The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.
  - j) *Development* should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.
  - k) The transportation system should adequately accommodate anticipated traffic volumes.
  - l) Utilities shall be adequate to provide an appropriate level of service for new and existing residents.”

The surrounding neighbourhood consists primarily of one, one-and-a-half, and two-storey detached dwellings reflecting both original and new housing stock. Staff note there that lands to the west of Reynolds Street are approved for three-storey

townhouse dwellings, and there are apartment dwellings in the greater surrounding neighbourhood. The variety of detached dwellings contribute to an established character of having varying heights, front porches, attached and detached garages for both one and two vehicles, along with traditional and contemporary architectural styles. Policy 11.1.9 a) specifically directs that built form, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.

The application proposes modifications to the by-law to facilitate dwellings that have similar heights, porches, a variety of garage styles and an architectural character that is found within the neighbourhood and maintains the character of the surrounding area. It is staff's opinion that the application continues to protect the neighbourhood character and provides opportunities for additional housing options within the neighbourhood.

On this basis, the proposal conforms to the Official Plan.

#### Zoning By-law

The subject lands are zoned RL3-0 subject to SP 383, which was applied through a Town-initiated ZBA process to implement the Council endorsed Master Plan for the former OTMH site. The surrounding neighbourhood is predominantly subject to the "-0" suffix zone, subject to Special Provision 10, specifically east of Reynolds Street as shown in Figure 4 below. Special Provision 10, limits height, lot coverage, and floor area ratio, among other regulations. Special Provision 383 was introduced to reflect elements of Special Provision 10 for the subject lands.

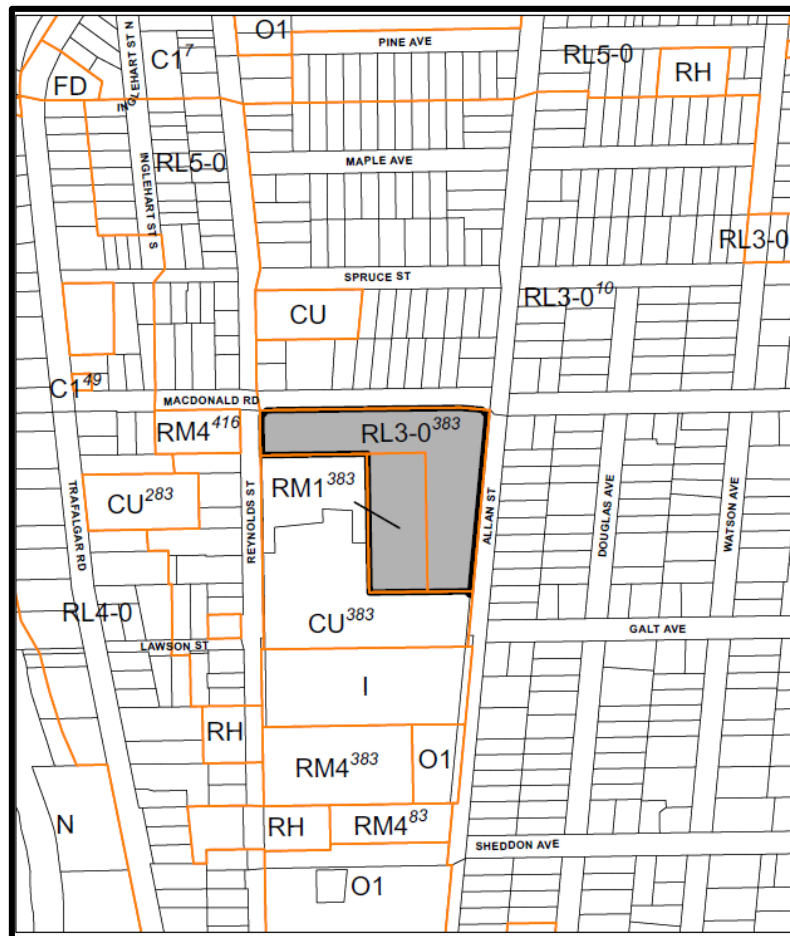


Figure 4 – Zoning By-law Extract

Special Provision 383 for the detached dwellings within this site is as follows:

383	291, 327 Reynolds Str., 348 Macdonald Rd former Oakville Trafalgar Memorial Hospital site	Parent Zone: RL3-0, CU, RM1, RM4 (2017-131)
Map 19(8)		
<b>15.383.1 Zone Provisions for RL3-0-383</b>		
The following additional regulations apply to all lands identified as RL3-0-383:		
a)	Minimum lot frontage	14.5 m
b)	Maximum lot coverage for all buildings and structures	25%
c)	Minimum landscaping coverage within 7.5m of the property line in the front yard	60%
d)	Maximum garage door width facing a road for an attached private garage	3.5 m
e)	Maximum number of garage doors facing the road for an attached private garage	1
f)	Maximum total floor area for a private garage	38 sq.m
g)	Minimum interior side yard for a detached dwelling having one and one half storeys and an attached private garage	1.5 m on both sides
h)	Minimum interior side yard for a detached dwelling having two storeys and an attached private garage	1.8 m on both sides
i)	Minimum flankage yard	1.8 m



SP 383 was intended to reflect both the SP10 and the specific characteristics of the neighbourhood.

The applicant proposes further modifications that were not considered as part of the original Town-initiated amendment, but also provides for greater variety in the architectural styles to better maintain the character of the neighbourhood as described later in this report.

The applicant's requested modifications include:

- lot specific increases in lot coverage where a detached garage is provided;
- lot specific increase in height to the dwelling accommodate changes in grade throughout the site;
- lot specific increases in garage door width for an attached garage to accommodate double car garages; and
- lot specific increases in height for an accessory building to accommodate ARUs.

Staff note that not all affected lots are subject to all four modifications. The applicant has provided a chart that highlights the lot specific changes over the impacted 15 detached dwelling lots (Appendix "B"). The zoning for the townhouse blocks is not included in this proposal, and no new lots are proposed with the subject application. Figure 5 together with Table 1 below identifies the lots subject to the by-law modifications:

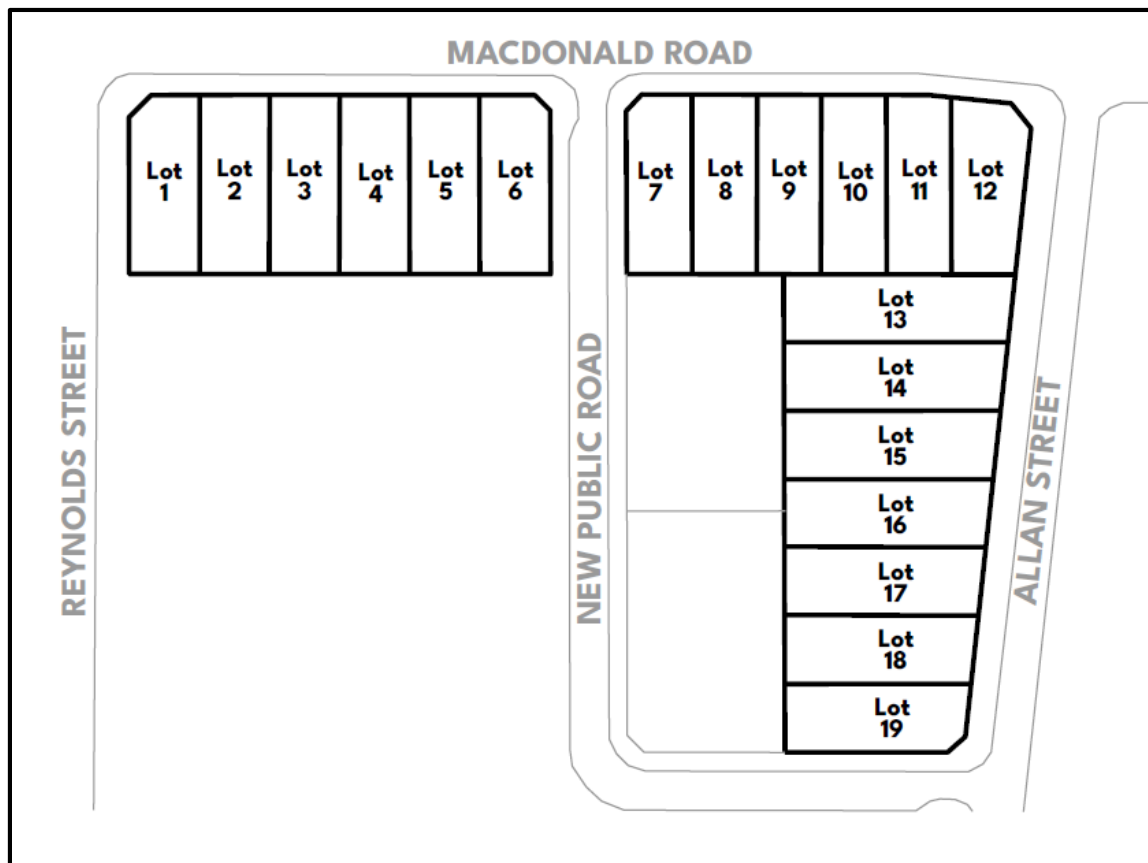


Figure 5 – Affected Lots

**Table 1 – By-law Modifications**

Lot Number	Maximum height instead of 9.0m	Maximum lot coverage instead of 25%	Maximum height for a detached garage with an Additional Dwelling Unit instead of 6.0m	Maximum garage door width facing a road for an attached private garage instead of 3.5m
1	9.80m	29.00%	6.93m	
2	9.26m			4.98m
3				4.98m
4				4.98m
5	9.74m			4.98m
6	9.41m	28.80%	6.52m	
7	9.86m	28.97%	6.99m	
12	9.47m	28.88%	8.09m	

13	9.73m			4.98m
14	9.86m			4.98m
15	9.53m	27.51%	7.44m	
16	9.91m			4.98m
17	9.80m			4.98m
18	9.15m			4.98m
19	9.67m	28.99%	7.64m	

### Housing Pledge and Strategy

Over the past few years, provincial initiatives such as the More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023, and resulting legislation (e.g. Bill 109, Bill 23, Bill 97) have been enacted with the intent to address Ontario's housing crisis by increasing housing supply and accelerating housing delivery.

In response to provincial legislation, on March 20, 2023, Council approved Oakville's Housing Pledge to facilitate the delivery of 33,000 new housing units by 2031/2032, which aims to accelerate the delivery of housing over the next 10 years.

In December 2024, Council approved the Housing Strategy and Action Plan, which is structured around six goals and objectives intended to achieve positive housing outcomes. In part, the proposed zoning modifications facilitate the opportunity for additional housing options, thereby reinforcing the Town's commitment to meeting the need for housing and addressing the demands of Ontario's growing population. The Town is also committed to ensuring that growth is contextually appropriate and financially sustainable.

### **TECHNICAL & PUBLIC COMMENTS**

Planning staff circulated the development application to internal departments and external agencies for a full assessment of the proposal. There were no objections to the development proposal as it intends to facilitate the previously approved development for the site.

Since the original approval, changes to the *Planning Act* have occurred to establish the as-of-right permission to allow for a maximum of three dwelling units per lot, which is in effect for this area and all of Oakville. Further guidance provided by O.Reg. 462/24 allows for increases in lot coverage up to 45% and no restriction of floor area ratio to accommodate ARUs.

It is staff's opinion that the proposed modifications further enhance the variety of architectural styles and housing options in the neighbourhood in a manner that maintains and protects the character of the neighbourhood as demonstrated in Figure 6 below:



*Figure 6 – Proposed Streetscape*

As a condition of subdivision registration, the house designs are subject to architectural control and have been approved by the control architect. The proposed dwellings have been designed in consideration of the surrounding character and current housing needs. The streetscape will include dwellings with porches, varied front yard setbacks, detached garages, single and double-car attached garages, second floor areas integrated into the roofline, and a balanced mixture of both traditional and contemporary architectural styles all of which are found in the immediate and surrounding neighbourhood.

Additional conditions of the subdivision registration include tree protection measures and tree planting. The proposed modifications maintain the approved tree protection plan and provide opportunities for new tree planting in accordance with the tree planting plan reviewed with the subdivision.

The applicant continues to work through the draft plan of subdivision conditions and anticipates registration and construction in the coming months.

## Public Comments

At the time of writing this report, the Town has received three letters of objection. The primary concerns raised are with respect to the increases in height, and the request for further modifications in general. It is also noted that the letters raise concerns related to the on-going construction activity, servicing installations, and road conditions.

As discussed above, it is staff's opinion that the proposed modifications on a lot specific basis represent opportunities to create additional variety in the architectural styles and better maintain the neighbourhood character.

## **CONCLUSION**

Staff recommends approval of the Zoning By-law Amendment application, which will further modify Special Provision 383 for 15 dwellings lots related to dwelling height, accessory building height, lot coverage and garage door width.

The proposal maintains and protects the character of the neighbourhood by providing additional architectural variety throughout the development.

Staff is satisfied that the proposed development is consistent with the Provincial Planning Statement, has regard for matters of Provincial interest, conforms to the Halton Region Official Plan, and represents good planning. Further, the application is consistent with the objectives of the Livable Oakville Plan, specifically Policy 11.1.9. Staff recommend approval of the proposed Zoning By-law Amendment application on the following basis:

- The proposed application is consistent with the land use policies of the Livable Oakville Plan and Zoning By-law.
- The proposed development continues to provide an appropriate form of intensification within a stable residential neighbourhood.
- The proposed development is consistent with the Provincial Planning Statement, and conforms to the Halton Region Official Plan and Livable Oakville Official Plan.
- Comments from the public have been appropriately addressed.

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## **CONSIDERATIONS**

### **(A) PUBLIC**

An applicant-initiated virtual Public Information Meeting (“PIM”) was held on December 17, 2024 and was attended by 13 people including the Ward Councillors, staff and members of the public. PIM Minutes are included in Appendix ‘D’. A consolidated statutory public meeting and recommendation report is being presented to Council on April 22, 2025.

Notice of complete application and public meeting were distributed to property owners within 240 metres of the subject property in accordance with the Town’s current notice requirements and *Planning Act*. Staff have received three letters of correspondence for the subject application, included in Appendix ‘C’. The concerns raised by the public included construction conditions as well as general objections to the proposed increases.

### **(B) FINANCIAL**

None.

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The application was circulated to internal and external departments and agencies for review. No objections were raised as a result of the circulation. Matters outstanding related to the draft plan of subdivision will continue to be evaluated through that process.

Legal Services has noted that as a condition of the purchase and sale agreement for the subject lands, a change in zoning must be supported by the Town or the re-purchase clauses would trigger the Town’s right to repurchase the lands. Based on the discussion included in this report, staff support the proposed rezoning application and if approved by Council, no further action is required.

### **(D) COUNCIL STRATEGIC PRIORITIES**

This report addresses Council’s strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government..

### **(E) CLIMATE CHANGE/ACTION**

Climate change matters have been addressed through the draft approved plan of subdivision.

## **APPENDICES**

Appendix 'A' – By-law 2025-078  
Appendix 'B' – Site Statistics  
Appendix 'C' – Written Correspondence  
Appendix 'D' – PIM Minutes

Prepared by:  
Kate Cockburn, MCIP, RPP  
Senior Planner, Current Planning

Recommended by:  
Brandon Hassan, MCIP, RPP  
Acting Manager, Current Planning – East District

Submitted by:  
Gabe Charles, MCIP, RPP  
Director, Planning and Development



## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2025-078

A by-law to amend the Town of Oakville Zoning By-law 2014-014 to permit the use of lands described as 348 Macdonald Road, 291 and 327 Reynolds Street (Fernbrook Homes (OTMH) Ltd., File No.:1613.67)

#### COUNCIL ENACTS AS FOLLOWS:

- Part 15, Special Provisions, of By-law 2014-014 as amended, is further amended by deleting and replacing the header to section 15.383 as follows:

<b>383</b>	291, 327 Reynolds Street, 348 Macdonald Road Fernbrook Homes (OTMH) Ltd.	Parent Zones: RL3-0, CU, RM1, RM4
Map 19(8)	(former Oakville Trafalgar Memorial Hospital site)	(2017-131) (2025-078)

- Part 15, Special Provisions, of By-law 2014-014 as amended, is further amended by removing Section 15.383.1 in its entirety and replacing it with a new Section 15.383.1 as follows:

15.383.1 Zone Provisions for RL3-0-383		
The following additional regulations apply to all lands identified as RL3-0-383:		
a)	Minimum <i>lot frontage</i>	14.5 m
b)	Maximum <i>lot coverage</i> for all <i>buildings</i> and <i>structures</i>	25%
c)	Minimum <i>landscaping coverage</i> in the <i>front yard</i> within 7.5m of the <i>front lot line</i>	60%



d)	Maximum garage door width facing a <i>road</i> for an attached <i>private garage</i>	3.50 m
e)	Maximum number of garage doors facing a <i>road</i> for an attached <i>private garage</i>	1
f)	Maximum total <i>floor area</i> for a <i>private garage</i>	38.0 square metres
g)	<i>Minimum interior side yard</i> for a <i>detached dwelling</i> having two <i>storeys</i> and an attached <i>private garage</i>	1.8 m on both sides
h)	<i>Minimum flankage yard</i>	1.8 m

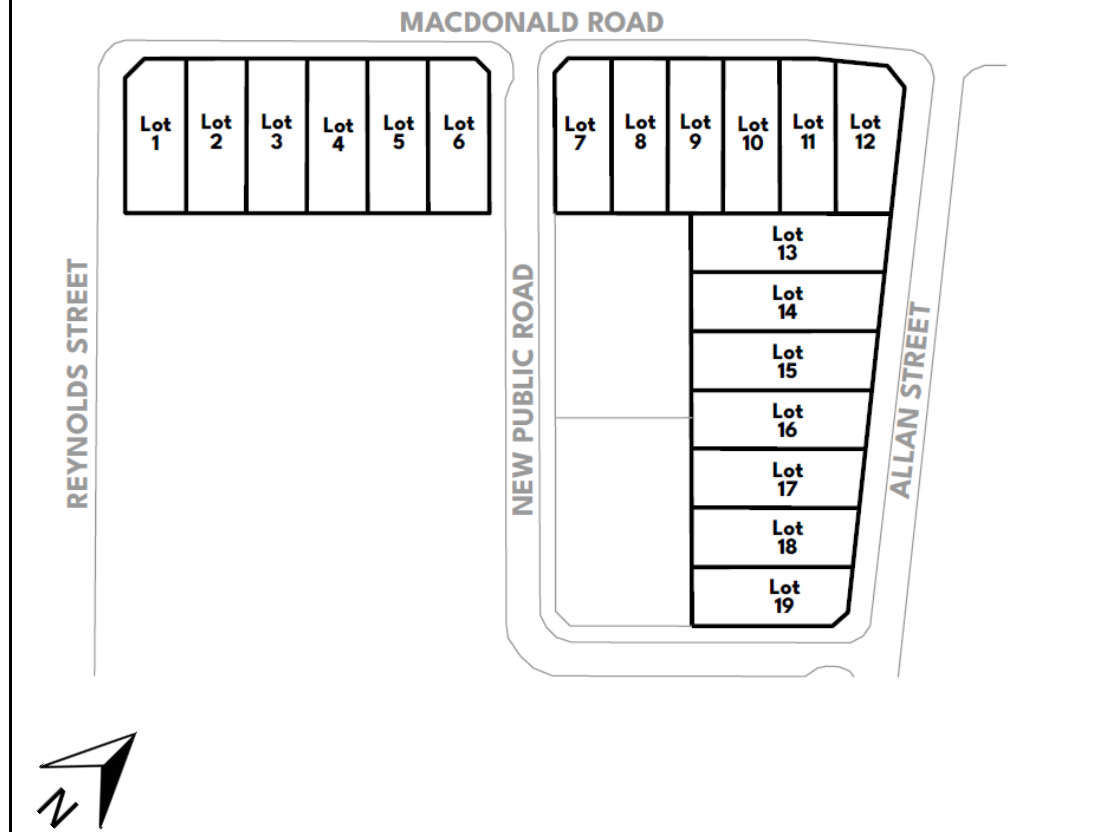
- i) On lands identified in Figure 15.383.1, the following regulations apply, notwithstanding the regulations contained within this special provision, the RL3-0 Zone, or the general regulations of this by-law:

<i>Lot Number</i>	<i>Maximum height</i>	<i>Maximum lot coverage</i>	<i>Maximum height for an accessory building containing a detached additional residential unit and a private garage</i>	<i>Maximum garage door width facing a road for an attached private garage</i>
1	9.80m	29.00%	6.93m	
2	9.26m			4.98m
3				4.98m
4				4.98m
5	9.74m			4.98m
6	9.41m	28.80%	6.52m	
7	9.86m	28.97%	6.99m	
12	9.47m	28.88%	8.09m	
13	9.73m			4.98m
14	9.86m			4.98m
15	9.53m	27.51%	7.44m	
16	9.91m			4.98m
17	9.80m			4.98m
18	9.15m			4.98m
19	9.67m	28.99%	7.64m	

3. Part 15, Special Provisions, of By-law 2014-014 as amended, is further amended by adding Section 15.383.7 as follows:

### 15.383.7 Site Figures

Figure 15.383.1



4. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

PASSED this 22<sup>nd</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

Zoning By-Law	2014-014																			
Zone	RL3-0-383																			
		Lot - Proposed																		
Zoning Provision	Required	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Minimum lot area	557.5 sm <sup>2</sup>	613 sm	626 sm	626 sm	626 sm	628 sm	574 sm	580 sm	580 sm	580 sm	580 sm	578 sm	619 sm	777 sm	751 sm	725 sm	700 sm	674 sm	648 sm	616 sm
Minimum lot frontage	14.5 m	15.65	15.65	15.65	15.65	15.65	14.5	14.5	14.5	14.5	14.5	14.5	14.5	15.25	15.25	15.25	15.25	15.25	15.25	15.25
Minimum front yard	7.5 m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
Minimum flankage yard	1.8 m	1.8m				1.8m	1.8m	1.8m					1.8m							1.8m
Minimum interior side yard	2.4 m and 1.2 m	1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m/ 1.85m	1.85m
Minimum interior side yard for a detached dwelling having two storeys and an attached private garage	1.8 m on both sides																			
Minimum rear yard	7.5 m (6)	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
Maximum number of storeys	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Maximum height	9.0 m	9.8m	9.26m	8.79m	8.86m	9.74m	9.41m	9.86m	8.95m	8.87m	8.95m	9m	9.47m	9.73m	9.86m	9.63m	9.91m	9.8m	9.15m	9.67m
Maximum dwelling depth	n/a																			
Maximum residential floor area ratio	42%																			
Maximum lot coverage for all buildings and structures	25%	29.00%	24.56%	24.56%	24.41%	41.86%	41.10%	41.79%	28.80%	28.97%	36.34%	40.39%	41.83%	41.90%	42.00%	37.34%	39.85%	39.79%	40.67%	40.71%
Landscaping coverage within 7.5 m of the property line in the front yard																				
Maximum garage door width facing a road for an attached private garage	60%	60%	61.63%	62.49%	63.00%	61.30%	60.00%	60.00%	74.45%	73.54%	74.84%	75.06%	60%	62.09%	60%	60%	61.24%	60%	60%	60%
Maximum number of garage doors facing the road for an attached private garage	3.5 m		4.98	4.98	4.98	4.98			3.15	3.15	3.15	3.15		4.98	4.98		4.98	4.98	4.98	
Maximum total floor area for a private garage	1		1	1	1				1	1	1	1		1	1		1	1	1	
Maximum garage height	38 sm	35.94	37.24	37.24	37.73	37.93	35.94	35.94	25.34	25.34	31.1	25.24	38	37.97	37.97	37.86	37.93	37.93	37.44	35.94
Minimum driveway width	4.0 m	6.93m					6.52m	6.99m					8.09m			7.44m				7.64m
Maximum driveway width	3.0 m	5.68m	5.64m	5.61m	5.44m	5.79m	5.75m	5.94m	3.0m	3.7m	3.59	3.0m	6.65m	5.74m	5.74m	3.05m	5.44m	5.79m	5.74m	6.20m
Maximum driveway width	50% of frontage		36%	19%	34.70%	37%			19%	19%	41%	19%		34%	37.40%		35.40%	37.70%	37.40%	
Minimum number of parking space	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2

lot specific zoning by-law amendment required

asking for 29% for units with coach house

- 2 Within Plans of Subdivision registered after November 1, 1965, the minimum lot frontage may be reduced by 4.5 metres and minimum lot area proportionately reduced on a lot provided the average lot frontage and lot area throughout the entire Plan of Subdivision are not less than the
- 6 The minimum rear yard shall be reduced to 3.5 metres on a corner lot where an interior side yard of 3.0 metres is provided.

**Kate Cockburn**

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**From:** james whittaker [REDACTED]  
**Sent:** Thursday, March 6, 2025 11:32 AM  
**To:** Town Clerks; Kate Cockburn  
**Subject:** [EXTERNAL] Fernbrook - request to expand lot and height

You don't often get email from [REDACTED]. [Learn why this is important](#)

Z.1613.67, Ward 3

I am objecting to the amendment of the zoning for Fernbrook Homes to expand lot coverage, garage width and most notably height for 15 of 19 of the properties along MacDonald and down Allen. Height to increase by approx 3ft blocking more light for each property along MacDonald predominantly.

I have lived across the street from this nightmare for 20 years... To agree a development... sell most of the properties and then disingenuously request EXPANSION is not right and in no uncertain should this request be granted.

This development has rattled my home, disrupted my living, cut off my home office at times, and most significantly impacted my ability to sell my home. It is bad enough how out of place and ugly this development will be it was agreed and objections handled. NO MORE ammendments should be allowed.

319 MacDonald Rd resident. Who drivewaybis full of dirt and stones from the last time they dug it all up. Whose home was checked for damage MONTHS after they started the job to establish a baseline for the cracks they caused... likr testing a football players "baseline" after they been taken off the field on a stretcher. Ridiculous the lifetsyle we have enduresd while those only blocks away are sheltered from it all.

Thanks  
 James Whittaker  
 [REDACTED]

## Kate Cockburn

---

**From:** Pat Finerty <[REDACTED]>  
**Sent:** Thursday, March 6, 2025 11:28 AM  
**To:** Kate Cockburn  
**Cc:** Cat Allen; Pat Finerty  
**Subject:** [EXTERNAL] Fw: Complaint re: Z.1613.67 Ward 3

You don't often get email from [REDACTED]. [Learn why this is important](#)

I neglected to include you in the original email - apologies.

### Pat Finerty

[REDACTED]

[REDACTED]

|

[REDACTED]

[REDACTED]

|



|

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Pat Finerty <[REDACTED]>  
**Sent:** Thursday, March 6, 2025 11:19 AM  
**To:** townclerk@oakville.ca <townclerk@oakville.ca>  
**Cc:** Pat Finerty <[REDACTED]>; Cat Allen <[REDACTED]>  
**Subject:** Complain re: Z.1613.67 Ward 3

I would like to object to the request for a zoning change for the Fernbrook homes development on MacDonald Road between Allen and Reynolds. This request I believe is Z.1613.67 Ward 3.

The request for expanded lot coverage, garage size increase and height increase for properties will negatively impact the home values and quality of life for the residences on MacDonald. We live at 343 MacDonald Road, we have experienced extensive vibrations and have numerous new cracks appearing throughout our house - and we look forward to remediation for these impacts, but we also expected the approved homes to be built - not modified higher homes that will block the morning sunlight.

We formally object to the changes requested through the zoning process.

Pat Finerty  
[REDACTED]

## Kate Cockburn

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**From:** Sam Gauldie [REDACTED]  
**Sent:** Thursday, March 6, 2025 1:41 PM  
**To:** Kate Cockburn; Stephan Gauldie  
**Cc:** Town Clerks; Franca Piazza; Filip Szymanski  
**Subject:** Re: [EXTERNAL] Z.1613.67

Dear Ms Cockburn,

We have not complained about the inconveniences of the construction until now, knowing that there are some realities of city living that we all have to accommodate to some extent.

However, to note for the record, we, as residents of the MacDonald Road block between Reynolds and Allen, have endured months of construction work already - ceaseless land clearing last spring - 6 days a week beginning with idling trucks creating tremendous noise at 6.15/6.30am waiting to 'start' at 7am and lasting throughout the day.

The roadworks that began in the fall have challenged residents grace and patience beyond all measure. The horrendous noise pollution, damage to our property from constant shaking and vibrations sent through our homes daily from trucks, diggers, compactors, drills etc has taken a real toll.

I personally was told to \*uck off by a Ground Breakers worker when asking why construction vehicles were running at midnight around late December.

A 'baseline' inspection by Oza Inspections, again on behalf of Fernbrook and Ground Breakers, was only done after construction had been underway for a long time. That is not an accurate baseline.

We were blocked from entering and exiting our homes freely for months, meaning we had to plan extra time for any journey or pick up or often simply not have the ability to go anywhere in our vehicles freely. The construction meant parcels were not delivered, friends and family were limited in being able to visit and tradespeople (for work on our own homes and property) were delayed or could not be accommodated, setting our plans back months.

The bus route was changed and the service became haphazard resulting in the need to drive our children to their school many times (after obviously having to ask construction workers to exit our own driveway), as the bus did not take the right route or simply did not show up. The bus stop sign post itself (on the construction plot side) remains lying on the ground and I myself had to dig a space through the snow so my children were not standing in the road with its flying gravel and standing water, while dodging cars that are avoiding potholes.

Additional large established trees, that were supposed to be preserved, have been removed to accommodate errors in the plans by Fernbrook. What is being done to hold them accountable for this?

So, with all due respect, waiting until construction ends on the development across the road so that the road can be fully resurfaced is simply not acceptable. When would that be? Late 2026? 2027?

The damage to our vehicles is happening now. The safety of the road surface and the impact to pedestrians and vehicle users is already an issue.

We have paid our taxes for services that have been limited or removed and now we are expected to accommodate additional height on 15 of 19 of the properties due to be built?

This additional height (approximately 1 meter/ 3ft in some instances) across the majority of proposed structures would block even more of the light to our properties and gardens and we are registering our opposition to this amendment here.

We have been patient, and we have accommodated a lot of inconvenience, noise and construction dirt and dust but continued amendments to plans and the state that the road has been left in for residents is not acceptable.

Thank you for your time. I trust you can understand our concerns and frustrations.

Your sincerely

Sam & Steve Gauldie

[Sent from Yahoo Mail for iPhone](#)

On Thursday, March 6, 2025, 10:59 am, Kate Cockburn <kate.cockburn@oakville.ca> wrote:

Hello Sam,

If you wanted to share your objection and concerns regarding the rezoning application with me and the Clerk for the record, you can do so.

Regarding the condition of Macdonald Road, we are aware of the situation and our staff are working with the developer to rectify the situation. Please note that at the end of the construction phase of this development, the road will be entirely resurfaced. The interim conditions can be challenging and we appreciate your patience during this time.

Thank you,

Kate.

**Kate Cockburn, (She/Her), MCIP, RPP**

**Senior Planner**

**Planning & Development**

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**From:** Sam Gauldie [REDACTED]  
**Sent:** Thursday, March 6, 2025 10:10 AM  
**To:** Kate Cockburn <kate.cockburn@oakville.ca>  
**Cc:** Town Clerks <TownClerk@oakville.ca>; Franca Piazza <franca.piazza@oakville.ca>  
**Subject:** Re: [EXTERNAL] Z.1613.67

You don't often get email from [REDACTED]

Dear Ms Cockburn,

Thank you for the further information.

If we are to object to the application/amendment to add further height to the current planned housing is there a different forum?

I'd also like it noted for the record that after months of road closures and restricted access in and out of our properties, due to sanitation installation for the proposed housing by Ground Breakers, on behalf of Fernbrook Homes, that the entire block of MacDonald Road between Reynolds and Allen has been left in an appalling state.

There are raised manhole covers, large indents, huge potholes, loose gravel etc and driving to access our property is like off roading and damaging to our vehicles.

I have reported this to the town separately.

With thanks

Your sincerely

Sam Gauldie

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, March 5, 2025, 3:01 pm, Kate Cockburn <[kate.cockburn@oakville.ca](mailto:kate.cockburn@oakville.ca)> wrote:

Hello Sam,

Thank you for reaching out. To ensure your comments are included in the public record and shared with Council for their consideration I am copying the Clerk.

You can find the details of the application on our website [here](#). You will notice that there is a document called "Site Statistics" that reflects the requested changes. Some lots include a single modification, where others may have more than one. You can also find a streetscape plan that highlights the variety of homes proposed. The application only affects 15 of the 19 detached lots, and does not affect the townhouse blocks.

The landscaping and tree matters remain with the subdivision approval and the town continues to ensure maximum tree protection where possible together with compensation planting. The Zoning application will not have an effect on how trees will be managed.

I hope that answers your questions. Please don't hesitate to contact me directly if you have any questions.

Thanks,  
Kate.

**Kate Cockburn, (She/Her), MCIP, RPP**  
**Senior Planner**  
**Planning & Development**

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<http://www.oakville.ca/privacy.html>

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**From:** Sam Gauldie [REDACTED]  
**Sent:** Wednesday, March 5, 2025 2:03 PM  
**To:** Kate Cockburn <[kate.cockburn@oakville.ca](mailto:kate.cockburn@oakville.ca)>  
**Subject:** [EXTERNAL] Z.1613.67

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Dear Ms Cockburn,

**Fernbrook Homes (OTMH) Ltd. - 348 MacDonald  
Road - Z.1613.67**

Can you provide more specific information on this proposed zoning by-law amendment?

Are we to expect more lot coverage, extra height and larger garage width or just one of these or a combination?

What additional landscaping/tree replacement has been agreed given that additional trees were removed due to Fernbrook's incorrect site measurements?

With thanks

Sam Gauldie

[REDACTED]  
[REDACTED]

February 28, 2025

**Public Information Meeting Summary**

**327 Reynolds Street, Oakville (Former Oakville Trafalgar Memorial Hospital site)**

**Application for Zoning By-law Amendment**

Batory Planning + Management has been retained by Fernbrook Homes (OTMH) Ltd. as the planning consultant for the property located at 327 Reynolds Street, Oakville, Ontario - the former Oakville Trafalgar Memorial Hospital (OTMH) site. On behalf of our client, we are pleased to submit the following Summary of the Public Information Meeting in support of a Zoning By-law Amendment application to permit the proposed development.

The subject site is located within Ward 3. The Subject Lands are bound by Reynolds Street to the west, MacDonald Road to the north, Allan Street to the east, and Wyndham Manor Long Term Care Centre to the south. The proposed development consists of 19 individual lots with frontages between 14.5 metres and 15.65 metres intended to accommodate built forms of single detached dwellings, and 2 medium density blocks to accommodate 16 townhouses.

As part of the Oakville Pre-consultation process, an applicant was strongly encouraged to conduct a 'Public Information Meeting' (PIM) prior to submission of a development application. A Public Information Meeting was held on December 17, 2024 for the proposed development. The Public Information Meeting process is an important step in the overall submission process as it provides opportunity for public input and allows the applicant to consider the feedback received from the meeting as part of the development proposal.

The PIM for the proposed development included a summary of the purpose and intent of the proposed application and provided a two week notice to all residents within 240 metres of the subject site. The date of the PIM was coordinated in consultation with the Ward Councillors and Town of Oakville planning staff. The following meeting summary includes the minutes of the PIM. The PIM was held virtually and was recorded - this recording may be provided to the Town at their request. The meeting was attended by the public and Fernbrook Homes, along with their consulting team, including land use planners and architects.

The PIM minutes are appended to this letter. The public comments received have been categorized under the headings. These comments and concerns were responded to at the meeting in December, as well as through the reports and architectural package provided in support of the application.

If there are any questions or additional information is required, please do not hesitate to contact our office at [jlee@batory.ca](mailto:jlee@batory.ca). Respectfully submitted by,



Jacqueline Lee  
Intermediate Planner

## Public Information Meeting Minutes – Virtual Meeting

Tuesday, December 17, 2024 (6:30 PM – 7:30 PM; extended to 8:00 PM)

**Attendees:** 13 participants - including members from the project team, local and regional Ward 3 Councillors, Planning and Urban Design staff from the Town, members of the public, and representatives from the Trafalgar Chartwell Residents Association

### Summary of Public Comments:

#### Planning & Urban Design

- Need clarity on the specific deviations from the applicable zoning by-law provisions. Batory noted that there is a chart highlighting the deviations for each lot. There will be a revised chart showing these details more clearly in the rezoning application package and supporting images and that the intent for the new development is to fit into the surrounding context.
- What is Planning Staff's feedback on the proposal? Batory and Staff noted that what is being proposed is a result of discussions with Planning and Urban Design Staff.
- Why a rezoning application and not a Minor Variance application? What is the appropriate planning application process? Staff confirmed that a Minor Variance application could have been sought but the Owner and Staff felt it would be more comprehensive of a review and provide a better opportunity for public consultation through a rezoning application.
- Are there additional images or renderings of what is being proposed? Hunt Design noted that they are not available at this time but shared the streetscape drawings and detailed the architectural features.
- Sidewalks proposed along Allan Street. Batory confirmed that there will not be a new sidewalk along Allan Street but the one along MacDonald Road would be maintained and a new one would be proposed along the new public road for the proposed townhouses. Staff noted that this decision was a result of public consultation with neighbourhood residents who preferred to utilize the existing Allan Street sidewalk in favour of preserving existing canopy. Bike lanes were also considered but pushed back by residents. There is a question about whether two sidewalks are needed in the new internal road but this is still being contemplated.

#### Detached Accessory Structures

- Additional details pertaining to the design and use of the detached rear yard garages. Batory noted that these are detached garages with coach house opportunities and were encouraged by Town Staff to increase the architectural variation in the development and to meet Provincial directions for gentle forms of intensification through additional dwelling units (ADUs).
- Concern regarding the coach houses being used as rental units. Batory noted that this is a permitted use and the opportunity exists but that is not the outright intent of the owner.

- Can the coach houses be used for Airbnbs? Staff noted that they have short term accommodation regulations and that a process exists to obtain necessary permissions to facilitate short term rental uses. There is a Provincial mandate which applies to all of Ontario to create more housing supply by permitting up to three units per lot. The local zoning by-law provides the provisions to regulate additional dwelling uses.

#### Construction Management

- Can there be a schedule to understand neighbourhood impact as it relates to construction? Batory noted that this can be shared once there is better determination on timelines.

#### PIM Details

- Request for access to the PIM slides and recording. Batory noted that this would be provided as part of the formal application package.

## REPORT

### Planning and Development Council

Meeting Date: April 22, 2025

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**FROM:** Planning and Development Department

**DATE:** April 8, 2025

**SUBJECT:** Public Meeting Report – Zoning By-law Amendment, Shoppers Realty Inc., 3000 Sixth Line and 21 Dundas Street West, File No. Z.1316.12

**LOCATION:** 3000 Sixth Line and 21 Dundas Street West

**WARD:** Ward 7

Page 1

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#### RECOMMENDATION

1. That comments from the public with respect to the proposed Zoning By-law Amendment submitted by Shoppers Realty Inc. (File No. Z.1316.12) 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 the Application:** The applicant has applied for a zoning by-law amendment. The purpose of the application is to amend Zoning By-law 2009-189 (the “Zoning By-law”) for the subject property to permit the proposed development and introduce site-specific regulations.

- **Proposal:** The proposal seeks to amend the Zoning By-law to implement a phased residential and mixed-use development consisting of four residential apartment buildings ranging in heights from eight to nine storeys, four townhouse blocks, a shared common amenity area and an interim one-storey retail building. A total of 693 dwelling units are proposed when all phases have been completed.
- **Public Consultation:** The applicant hosted a Public Information Meeting (“PIM”) on December 4, 2024, which was attended by Town staff and Councillors Xie and Nanda.

## **BACKGROUND**

The eastern part of the subject property, at the corner of Sixth Line and Dundas Street West, was previously granted final site plan approval to permit a two-storey commercial building comprised of retail at grade with a medical office above. The building was not constructed, and this site plan approval has since lapsed. The subject property is currently vacant.

## **APPLICATION SUMMARY**

**Applicant/Owner:** Shoppers Realty Inc.

**Purpose of Application:** The purpose of the application is to amend the Town's Zoning By-law, to implement a phased, residential and mixed-use development consisting of four residential apartment buildings ranging in height from eight to nine storeys, four townhouse blocks, outdoor amenity space and an interim one-storey



retail building and introduce site specific regulations. A total of 693 dwelling units are proposed when all phases have been completed.

An aerial photograph, existing Official Plan land use schedules, and an existing zoning excerpt from By-law 2009-189 are included in **Appendix ‘A’**.

**Effect of the Application:** The effect of the Zoning By-law amendment application is to:

- Provide consistent zoning regulations and performance standards across the entire site.
- Implement the DUC zone, introducing site specific regulations pertaining to Floor Space Index, development setbacks, building height and parking space size.
- Permit townhouse dwellings within the DUC zone.

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

A copy of the applicant’s draft, site specific zoning by-law is included as **Appendix ‘C’**.

#### **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 has been undertaken. The following studies and supporting documentation are accessible on the Town’s website by visiting [www.oakville.ca](http://www.oakville.ca) and searching Z.1316.12.

**Property Location:** The subject property is located on the northwest corner of Dundas Street West and Sixth Line and is municipally known as 3000 Sixth Line and 21 Dundas Street West.

#### **Surrounding Land Uses:**

Surrounding the site is the following:

- North – Existing Town-owned stormwater management pond and trail and low-rise residential dwellings.
- East – Munns United Church and Munns Child Care Centre.
- South – Low rise residential dwellings.
- West – five and seven storey residential apartment building.

## KEY MILESTONES

Pre-Consultation Meeting	November 27, 2024
Public Information Meeting	December 4, 2024
Pre-submission Review	N/A
Application Deemed Complete	February 7, 2025
P & D Council - Public Meeting	April 7, 2025
Date Eligible for Appeal for Non-decision of the zoning by-law amendment	May 8, 2025

## PLANNING POLICY CONTEXT

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

- Provincial Planning Statement, 2024
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189

A full analysis of the Provincial Planning Statement (2024), Halton Region Official Plan, and North Oakville East Secondary Plan will be included within the future recommendation report.

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

## MATTERS UNDER REVIEW

This application was recently received and is under review by Town departments and external 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 and Council comments/concerns
- Climate change/sustainability goals
- Consideration of applicable Provincial and Regional policy
- Conformity with North Oakville East Secondary Plan
- 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
- Transportation implications (including travel demand management strategies, and parking utilization)
- Transportation Impact Study
- Pedestrian connections and walkability
- Tree preservation
- Stormwater management
- Functional servicing
- Overhead Hydroelectric Utilities
- Waste management
- Archaeological significance

## **CONCLUSION**

Planning staff will continue to review and analyze the rezoning application 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.

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## **CONSIDERATIONS**

### **(A) PUBLIC**

The applicant held a Public Information Meeting on December 4, 2024, which was attended by Town staff and Councillors Xie and Nanda. The applicant has included a Public Information Meeting Report which includes a summary of comments received during the Public Information Meeting. All other public comments received as of the date of this report are included as **Appendix 'F'**.

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 the *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**

The report addresses Council's strategic priority/priorities:

- Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

### **(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 draft by-law

Appendix 'D': Official Plan Extracts

Appendix 'E': Zoning By-law extracts

Appendix 'F': Public Written Submissions

Prepared by:

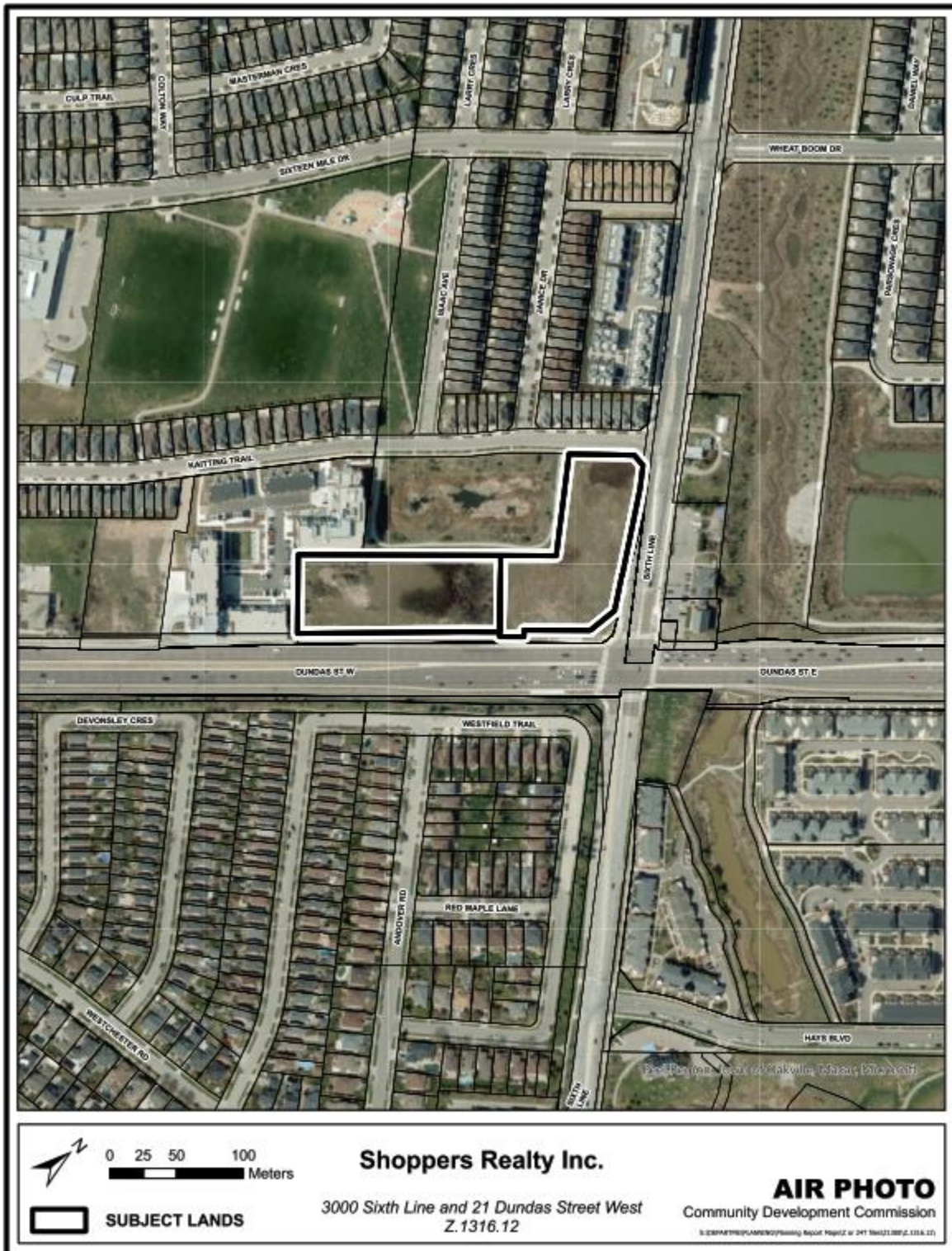
Colin Westerhof, MA, RPP, MCIP

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 & Development

## APPENDIX A: Mapping











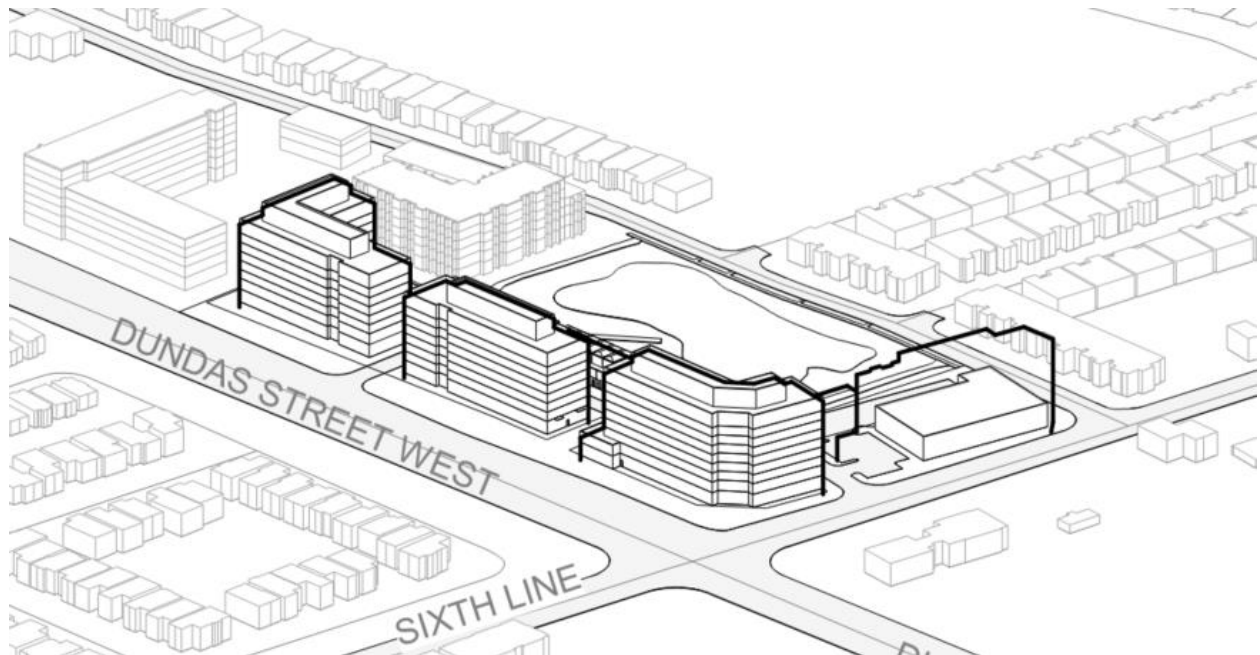
## APPENDIX B: 3D Renderings and Elevations



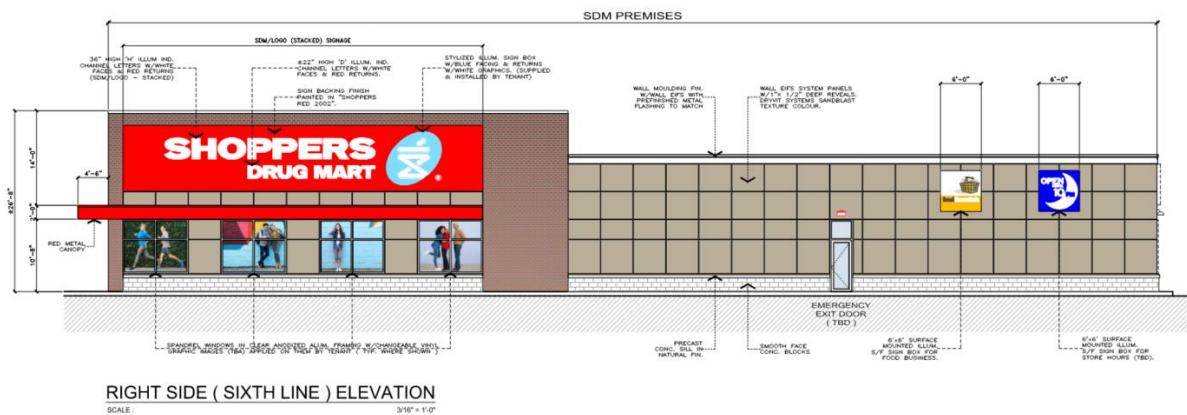
3D Rendering – Building A, B, C South Elevations (from Dundas St W looking north east)



3D Rendering – Building A, B, C, and D South and East Elevations (from the corner of Dundas St W and Sixth Line looking north west)



3D Rendering – Building A, B, C, D (ghosted) and interim one-storey retail building



Phase 1 – Interim one-storey retail commercial building (from Sixth Line looking west)



Phase 2 – Building A + B South Elevation (from Dundas St W looking north)



Phase 2 – Townhouse Block 1 + 2 North and South Elevations







Phase 3 – Building C East Elevation (from Sixth Line looking west)



Phase 4 – Building D East Elevation (from Sixth Line looking west)



**3** | Phase 4 - TH 3 & 4 - East Elevation  
1:200



**1** | Phase 3 - TH 3 & 4 - West Elevation  
1:200

Phase 4 – Townhouse Blocks 3 + 4 East and West Elevations

## APPENDIX C: Applicant's Draft By-law

### THE CORPORATION OF THE TOWN OF OAKVILLE

#### BY-LAW NUMBER 2025-XXX

A by-law to amend the North Oakville Zoning By-law 2009-189 to permit the use of the lands described as  
3000 Sixth Line & 21 Dundas Street West, Town of  
Oakville

#### COUNCIL ENACTS AS FOLLOWS:

1. Map 12(4) of By-law 2009-189 is further amended by rezoning the lands as depicted on Schedule 'A' to this By-law from "FD – Future Development" Zone and "H5-DUC-1-sp:1 – Dundas Urban Core – Special Provision" to "DUC-1 - Dundas Urban Core – Special Provision" Zone.
2. Part 8, Special Provisions, of By-law 2009-189 is further amended by adding a new Section 8.XX as follows:

XX	3000 Sixth Line and 21 Dundas Street West	Parent Zone: DUC-1
Map 12(2)	(Part of Lot 16 and Block 114, Conc. 1, Trafalgar N.D.S)	(2025-XXX)
<b>8.XX.1 Zone Provisions</b>		
The following regulations apply:		
a)	The lands shown as "Subject Lands" on Schedule 'A' to this By-law shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of Plan of Condominium, Consent, Conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply.	
b)	Notwithstanding the provisions of By-law 2009-189, previously approved and legally existing uses, as of the date of the approval of this amendment, shall be permitted. Minor additions to legally existing uses shall also be permitted.	
c)	For the purpose of this By-law, the <i>lot line abutting</i> Dundas Street West shall be deemed the front lot line.	
d)	Where a lot has streets on three or four sides, the front and flankage yard requirements shall apply to all yards abutting a street.	

e)	Commercial buildings with a minimum overall height of 5 metres shall be permitted. Height shall be determined from the finished floor at grade.
f)	Additional permitted building type: <i>Townhouse dwelling</i>
g)	Maximum <i>floor space index</i> 3.28
h)	Maximum <i>front yard setback</i> 9.17 m
i)	Minimum <i>rear yard setback</i> 0.90 m
k)	Maximum <i>building height</i> 9 storeys
<b>8.XX.2 Parking Regulations</b>	
The following parking regulations apply:	
a)	Notwithstanding Section 5.4.1.3, the minimum parking space size of not more than 10% of such required parking spaces shall be a width of 2.3 metres and length of 4.9 metres and provided that any such parking space is clearly identified as being reserved for the parking of small cars only.

3. Section 9, Holding Provisions, of By-law 2009-189 is amended by adding a new Section 9.3.XX as follows:

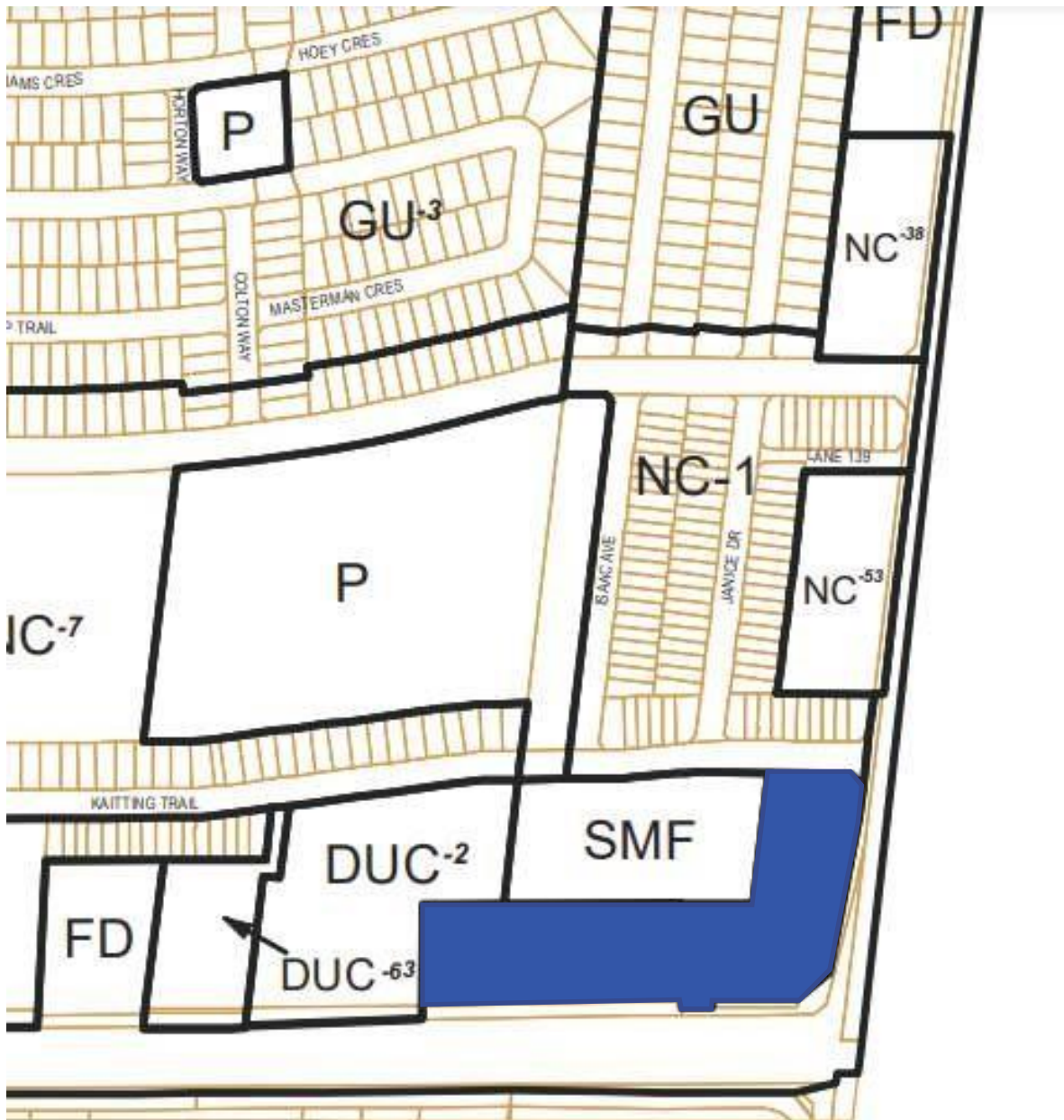
"HXX	3000 Sixth Line and 21 Dundas Street West (Part of Lot 31, Conc. 1, N.D.S)	Parent Zone: DUC-1
Map 12(4)		(2025-XXX)
9.3.XX.1 Only Permitted Uses Prior to Removal of the "H"		
For such time as the "H" symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal uses, <i>buildings</i> and <i>structures</i> existing on the <i>lot</i> .	
9.3.XX.2 Conditions for Removal of the "H"		
The "H" symbol shall, upon application by the landowner, be removed by <i>Town</i> Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
i)	Halton Region water and wastewater servicing allocation has been assigned to this block; and, ii) Halton Region advises that item i) above has been satisfied.	

4. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended. PASSED this xx day of xxxx, 2024

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

SCHEDULE "A"  
TO BY-LAW 2025-XXX



AMENDMENT TO BY-LAW 2009-189

Rezoned from Future Development (FD) and Dundas Urban Core (H5-DUC-1) to Dundas Urban Core - Special Provision (DUC-1 sp: XX)

Excerpt from Map 12(4)



North Oakville Secondary Plan

**7.2 COMMUNITY VISION**

**7.2.1 PURPOSE**

The community vision and objectives on which the Secondary Plan is based were developed when the North Oakville East lands were designated as "Urban Special Study Area". They have been modified to reflect the results of the Secondary Plan process and are outlined in the following sections.

The community vision and objectives represent expressions of general intent and are not to be interpreted as direct statements of planning policy, rather they form a basis for the policies contained in the Secondary Plan. In particular, it is not proposed that they be applied directly in the evaluation of any development or redevelopment proposal.

**7.2.2 VISION**

North Oakville's development as an urban community shall reflect Oakville's distinct historical roots and small-town heritage and Trafalgar Township's village rural heritage, with nodal development, prestige industry, and green linkages continuing to define Oakville's unique landscape.

North Oakville should also be forward-looking. It should be a model of smart growth and social diversity. It should enhance the Town's reputation for excellence and its capacity to link the past, present and future.

The design of North Oakville East will generally reflect the "Transect"<sup>1</sup>, a system of classification of human habitats from the most rural which is reflected in the natural heritage and open space system, to the most urban conditions, which is reflected in urban core areas. The goal of the transect-based system is to make it possible for North Oakville East to sustain a complete palette of neighbourhoods and employment opportunities.

In keeping with the Transect, North Oakville East is planned as a compact, pedestrian-oriented, urban community containing a broad range of housing opportunities ranging from executive housing on large lots to high rise apartment units.

The character and pattern of the community will be significantly influenced by a planned natural heritage and open space system. This natural heritage and open space system is designed to protect the natural environment, provide a balance between active and passive recreation needs and contribute to the quality of life in North Oakville and the Town as a whole. A key component of the system will be the provision of an opportunity for residents and employees to use an extensive open space trail system.

The natural heritage and open space system helps to create definable neighbourhoods. These neighbourhoods will be known for their walkable streets and their central nodes, which will include civic uses such as a transit stop and mail services, and may include a few small shops and services. These nodes will be popular neighbourhood meeting

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<sup>1</sup> The Transect was developed by the firm of Duany Plater-Zyberk & Company

places and will generally be located within a five minute walk of the entire neighbourhood.

The community will be well served by an interconnected transit network which will provide residents and employees opportunities for an attractive alternative travel mode within North Oakville, and connections to the rest of the Town, as well as transit facilities which serve the Region and the Greater Golden Horseshoe.

A business park located along Highway 407 provides a range of employment opportunities to residents of Oakville including prestige employment and office development at Trafalgar Road. The jobs available in the North Oakville East Secondary Plan Area, in combination with those jobs in the North Oakville West Secondary Plan Area, help to create a live-work community.

### **7.2.3 GENERAL DEVELOPMENT OBJECTIVES**

The following general development objectives will guide the future urban development of the Planning Area.

#### **7.2.3.1 Environment and Open Space**

- a) To establish as a first priority of the Town, a natural heritage and open space system, within the context of an urban setting, the majority of which is in public ownership.
- b) To create a sustainable natural heritage and open space system which provides a balance between active and passive recreational needs and links to the existing open space system within the Town.
- c) To identify, protect and preserve natural heritage features within the natural heritage component of the natural heritage and open space system and ensure that their use respects their functional role as natural areas within the ecosystem.
- d) To incorporate measures intended to achieve the goals of environmental protection and enhancement including energy conservation, greenhouse gas reduction, and increased utilization of public transit.
- e) To preserve and protect ESA's, ANSI's, provincially significant wetlands and significant woodlands which form the core of the natural heritage component of the natural heritage and open space system, together with required buffers and adjacent lands intended to protect the function of those features and ensure the long term sustainability of the natural heritage component of the system within the urban context.

#### **7.2.3.2 Residential**

- a) To create residential communities which complement the existing built form elements that are intended to remain within the community, and incorporate the best community planning and urban design practices available while protecting, enhancing and integrating the area's natural heritage component of the natural heritage and open space system.

- b) To establish overall development densities that equal or exceed the density established by the Halton Urban Structure Plan and which are commensurate with the type and frequency of transit service planned for the area.
- c) To reflect the land use objectives as set out within the Halton Urban Structure Plan (April 1994).
- d) To minimize travel time, traffic, greenhouse gases, servicing costs and energy costs through a variety of mechanisms, and particularly by providing an efficient land use arrangement and a mix of housing forms and tenures.
- e) To encourage a closer relationship between the workplace and home through land use planning decisions.
- f) To create varied and distinguishable residential neighbourhoods which provide a strong, identifiable sense of place for the residents.
- g) To provide for a variety of residential densities and unit types throughout the planning area, responding to the varied needs of the future population, while directing the highest densities and intensity of use to the Trafalgar Road Corridor in support of a broad range of services including high frequency transit, shopping, personal services and community facilities.

#### **7.2.3.4 Urban Design**

- a) To provide integrated community design that coordinates land use, the natural heritage and open space system, the street network and built form to reinforce the community vision.
- b) To integrate important views and vistas of the natural heritage and open space system within community design.
- c) To create an urban fabric characterized by a connected street system that is responsive to the natural heritage and open space system and existing land uses.
- d) To promote building design variety that promotes an active, safe pedestrian realm within the streetscape.
- e) To design street sections that promote a sense of scale and provide for pedestrian comfort.
- f) To promote building forms that address the street and minimize the impact of garages and service areas on the streetscape.
- g) To encourage mixed use development along strategic corridors and at neighbourhood centres.
- h) To create retail and service commercial development that has a strong relationship to streetscapes and major pedestrian ways.

- i) To integrate community and institutional uses at landmark locations.
- j) To promote a variety of housing with diverse architecture.
- k) To create high quality employment areas which are easily accessed by trucks and other vehicular traffic, as well as transit, bicycles and pedestrians.

#### **7.2.3.5 Transportation**

- a) To create a system of roads and transportation corridors which promotes the safe, efficient circulation of traffic including transit and non-vehicular traffic.
- b) To establish an efficient and linked, safe pedestrian movement system (cycleways and walkways) along with an appropriate distribution of land uses so that residents do not need to rely on the automobile to meet the recreational, shopping and commuter needs of daily life.
- c) To establish a transportation system that complements and supports the existing and future urban structure and land use pattern.
- d) To promote transit opportunities through community design, including a “transit first” policy to ensure that development including the phasing of development, proceeds in a manner which will be supportive of the early provision of transit services.
- e) To explore all modes of transportation including the use of HOV lanes, express bus lanes and transit rights-of-way on the existing and future road network in Oakville, as well as other innovative approaches to transit.
- f) To plan residential development and its road network so that residents are predominantly within a 400 metre walking distance of transit services.
- g) To promote both local and higher order transit opportunities through land use arrangements, building orientation and streetscape design.

#### **7.2.3.6 Servicing**

- a) To provide for water and wastewater services, together with storm drainage works, reflecting the requirements of the various levels of government and minimizing their impact on the natural environment.
- b) To ensure that the development industry absorbs its share of the cost in the provision of the necessary infrastructure.



## **7.3 COMMUNITY STRUCTURE**

### **7.3.1 PURPOSE**

Figure NOE1, the Community Structure Plan, establishes a range of components which define the general arrangement of land use and activity for the Planning Area.

Each component of the Community Structure Plan has its own function which is described in the following sections, together with the ultimate population, housing and employment targets.

### **7.3.6 POPULATION/HOUSING TARGETS**

#### **7.3.6.1 Population**

The North Oakville East Planning Area capacity or ultimate population target, which may not be achieved within the 2021 planning period, is a population of between 45,000 and 55,000 at an overall density that equals or exceeds the requirements of the Halton Urban Structure Plan of 30 units per hectare on a net basis as defined in Section 7.10.13 of this Secondary Plan. The achievement of these targets on a yearly basis shall not be required, however, the Town will review the achievement of the targets every five years and will monitor on an annual basis. Further, the total population target which will be achieved in North Oakville will reflect the population target for North Oakville East in combination with the population target for North Oakville West established in the North Oakville West Secondary Plan. The total of these two targets will fulfill the population target of Official Plan Amendment No. 198.

#### **7.3.6.2 Housing Mix Target**

- a) The housing unit mix targets for the ultimate development of North Oakville East, which may not be achieved within the 2021 planning period, are outlined below and for each density type a target range is provided. The achievement of a housing mix which lies between the target ranges on a yearly basis shall not be required, however, the Town will review the achievement of the targets every five years and will monitor on an annual basis. Any such review shall not result in a reduction of the population target contained in Section 7.3.6.1 or the population related component of the employment target. Sections 7.9.5.2 and 7.9.5.3 of this Plan set out the Monitoring Program and Monitoring Report requirements.

	<b><u>Low</u></b>	<b><u>High</u></b>
Low Density	55%	45 %
Medium Density	25%	20 %
High Density	20%	35 %

- b) The Town will also seek to encourage a balance between rental and ownership housing in accordance with the policies of Part C, Section 3 of the Official Plan.

## **7.4 SUSTAINABLE DEVELOPMENT STRATEGY**

### **7.4.1 PURPOSE**

In keeping with the objectives of this Secondary Plan, the Town of Oakville is committed to the principle of sustainable development<sup>2</sup> in the development of North Oakville East.

The Sustainable Development Strategy provides policies with respect to the implementation of this principle as it relates to development form, and specifically to the protection, conservation and enhancement of air, water and ecological features and functions, energy and other resources, and heritage resources.

### **7.4.2 DEVELOPMENT FORM**

The North Oakville East Secondary Plan has been based on a conceptual design which maximizes the potential for sustainable development through such features as mixed use development, a modified grid road system which enhances the opportunity to provide transit, and a Natural Heritage and Open Space System.

In addition to the general direction implicit in the Plan, the Town will actively encourage development which is specifically based on the principle of sustainable development, including the development of Town facilities. The Town will also work with other public agencies to encourage them to follow these principles. Such development will be designed to:

- a) reduce the consumption of energy, land and other non-renewable resources;
- b) minimize the waste of materials, water and other limited resources;
- c) create livable, healthy and productive environments; and,
- d) reduce greenhouse gases.

### **7.4.3 AIR/ENERGY EFFICIENCY**

The Town recognizes that air quality in North Oakville East will be significantly influenced by air pollutant emissions from outside the area. However, the Town will work to improve air quality and energy efficiency in North Oakville East:

- a) by directing through the Secondary Plan policies, and their implementation, through the evaluation of development applications, and through the initiation of municipal programs and works, consideration of the following land use and transportation strategies to minimize the amount of vehicular travel and emissions:

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<sup>2</sup> The Bruntland Commission (1983) defined sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”

- i) concentrate activity centres such as places of worship, recreation centres and schools;
  - ii) encourage mixed-use development;
  - iii) encourage increased density near transit stops/stations and along transit routes commensurate with the type and frequency of transit service planned for that area and/or corridor;
  - iv) provide pedestrian and bicycle facilities;
  - v) ensure an interconnected street network;
  - vi) develop a strategy for the provision of public parking facilities at key locations; and,
  - vii) provide convenient and efficient transit service.
- b) by directing where the Town has jurisdiction, including through its engineering standards, and encouraging where it does not, measures to reduce the “urban heat island effect” including installation of reflective (or high albedo) roofs, installation of green roofs, increasing the reflective nature of pavement and planting of shade trees; and,
- c) by encouraging at the development application stage, the reduction of energy and residential combustion emissions through a range of approaches including the development of R-2000 homes and similar commercial construction standards such as LEED or other published standards, the incorporation of Energy Star appliances, the physical layout of the plan having regard to energy conservation, and buildings powered by renewable energy sources, both passive and active.

#### **7.4.4 APPLICATION REVIEW**

- a) Development which incorporates initiatives to reflect the principle of sustainable development, including three or more matters set out in Section 7.4.4 b)i) and b)ii) or other initiatives, may proceed as soon as servicing can be made available, regardless of the development phase in which it is located, subject to approval by the Town and the Region of Halton.
- b) Such development must comply with the other policies of this Plan and shall also:
- i) implement efficient and effective methods of providing energy through:
    - 1) the incorporation of alternative energy systems including the use of renewable energy resources and/or district energy facilities; and/or,
    - 2) minimizing energy needs and flat-lining the energy profile of the design of the neighbourhood or development.

- ii) increase energy efficiency and minimize environmental impacts in building design through approaches including or similar to some or all of the following:
  - 1) utilizing the standard for residential construction at a minimum of R-2000 and for commercial buildings, similar commercial construction standards such as LEED or other published standards;
  - 2) incorporating opportunities for efficiencies through orientation and the use of passive solar energy and landscaping options;
  - 3) incorporating the potential for future alternative uses and life stages in building design;
  - 4) maximizing opportunities for waste reduction, reuse and recycling in the construction process, building design and community design;
  - 5) maximizing opportunities for stormwater and grey water reuse including the use of permeable materials for the surfaces of parking lots and internal driveways/roads;
  - 6) maximizing opportunities for application of stormwater management at the site level;
  - 7) incorporating water conservation measures in all buildings and landscaping; and,
  - 8) incorporating measures to reduce the "urban heat island effect" including installation of reflective (or high albedo) roofs, installation of green roofs, increasing the reflective nature of pavement and planting of shade trees.

#### **7.4.5 WATER MANAGEMENT**

The management of water resources within the North Oakville East Planning Area shall be undertaken in accordance with the directions established in the North Oakville Creeks Subwatershed Study. No amendments to the Secondary Plan shall be required to implement the recommendations of the Subwatershed Study or for changes to the number or location of stormwater management facilities in accordance with the policies of Section 7.6.2.2 a) of this Plan.

It is an objective of the Town that there be no net increase in phosphorus loadings as a result of development. It is recognized that this objective is achieved by requiring stormwater management ponds in North Oakville East to meet the MOE's Enhanced (Level 1) Guidelines. Provided the MOE's Enhanced (Level 1) Guidelines are met, there is no requirement to further analyze the total phosphorus during development approval.

Further, prior to draft approval of plans of subdivision, Environmental Implementation Reports will be required for each subcatchment area (See Appendix 7.2) in which they are located, in accordance with the policies in Section 7.8.3 a). The Environmental Implementation Reports, in concert with the North Oakville Creeks Subwatershed Study, fulfill the EIS requirements of the Region of Halton Official Plan.



## **7.5 COMMUNITY DESIGN STRATEGY**

### **7.5.1 PURPOSE**

This section outlines general design policies for North Oakville East, as well as specific policies for the Neighbourhoods as designated on Schedule NOE1, and the Trafalgar Urban Core Area, Neyagawa Urban Core Area, the Dundas St. Urban Core Area, Employment Districts, and existing development.

### **7.5.2 MASTER PLAN**

- a) The North Oakville East Master Plan in Appendix 7.3 to the Official Plan is intended to illustrate graphically the design of the North Oakville East Planning Area and how the policies and Figures of the North Oakville East Secondary Plan are to be implemented. The spacing, function and design of intersections of Local Roads with Major Arterial/Transit Corridors (i.e. Regional arterials) shown on Appendix 7.3 have not been approved by the Region, and such intersections shown on Appendix 7.3 and on any subsequent area design plan, plan of subdivision, or other development plan, are subject to Regional approval.
- b) Prior to the commencement of the development of any:
  - i) neighbourhood in accordance with the neighbourhood boundaries established on Figure NOE1 and, where applicable, the portion of the Dundas Urban Core that abuts the neighbourhood;
  - ii) sub-area within the Trafalgar Urban Core Area identified on Figure NOE1, except that lands in any sub-area on one side of Trafalgar Road may proceed independently of the lands in that sub-area on the other side of Trafalgar Road;
  - iii) part of the Neyagawa Urban Core Area; or
  - iv) sub-area within the Employment Area or the Transitional Area identified by the Town, in consultation with all affected landowners, based on boundaries created by Arterial, Avenue or Connector roads or natural features, provided that a sub-area may include adjacent Employment and Transitional Areas.

The Town shall determine, after consultation with all affected landowners in the specific area, whether proposed plans of subdivision or other development plans for the affected lands are generally consistent with the Master Plan in Appendix 7.3. Where such plans are determined to be generally consistent with the Master Plan, development may be permitted to proceed without the preparation of an area design plan.

- c) The Town shall require the preparation of an area design plan to the satisfaction of the Town, prior to draft plan approval or approval of other development plans in a specific area identified in subsection b), where:

- i) proposed plans of subdivision or other development plans for the area are not generally consistent with the Master Plan in Appendix 7.3;
  - ii) the Town after consultation with all affected landowners, determines that an area design plan is required to address coordination issues between landowner plans;
  - iii) the Town, after consultation with all affected landowners, determines that an area design plan is required to address coordination issues between areas identified in 7.5.2 b) i) to iv); or
  - iv) any significant development is proposed in the Transitional Area designation.
- d) The area to be addressed by the area design plan will include, as applicable, one or more of the areas identified in subsection b).
- e) The area design plan will be designed to demonstrate conformity with the policies and Figures of the Secondary Plan and will provide details including:
  - i) the size and location of schools, neighbourhood parks, village squares and urban squares;
  - ii) the location, size and general configuration of stormwater management ponds;
  - iii) the detailed road pattern;
  - iv) the specific boundaries of neighbourhood land use categories and other designations;
  - v) the density and distribution of housing types;
  - vi) how the proposal addresses the Town's Implementation Strategy;
  - vii) the location, alignment and boundaries of Medium Constraint Streams;
  - viii) co-ordination with land uses and road patterns for lands outside, but adjacent to the lands which are the subject of the area design plan; and
  - ix) the requirements for Transitional Areas as set out in Section 7.6.9.3 a).
- f) Such area design plans shall be prepared in accordance with terms of reference approved by the Town and the applicant(s), by a consultant approved by the Town and the applicant(s), and retained by, and at the cost of, the applicant(s).
- g) In the preparation of the terms of reference, the Development Review provisions of Section 7.8 of this Plan will be used as a guide.
- h) A proposed plan of subdivision or other development plan shall be considered to

be inconsistent with the Master Plan, as referenced in subsection c) i), if it does not conform to the General Design Directions in Section 7.5.4, or results in coordination issues between areas identified in subsection b. The following will generally not be considered to be inconsistent with the Master Plan, provided that the Town determines that the plan of subdivision or other development plan conforms with the policies and Figures of the Secondary Plan:

- i) modifications to, or relocations of portions of the road pattern;
  - ii) modifications to Medium or Low Constraint Stream Corridors or Hydrologic Features "A" and "B";
  - iii) relocation of public facilities including parks, schools and stormwater ponds; or
  - iv) reconfiguration of the neighbourhood land use categories generally in accordance with the neighbourhood land use category requirements of Table 1. However, any reconfiguration of neighbourhood land use categories proposed by a plan of subdivision or other development plan that necessitates significant changes to the distribution of neighbourhood land use categories on other land ownerships, in order to maintain general conformity with Table 1, will require the preparation of an area design plan.
- i) The approval of an area design plan by the Town shall not require an amendment to this Plan.

### **7.5.3 DESIGN GUIDELINES**

Urban Design and Open Space Guidelines, which will include guidelines with respect to matters set out in Section 7.5 as well as heritage resources, will be prepared by the Town as part of the North Oakville East Implementation Strategy prior to the approval of any development applications. All development applications will be evaluated by the Town to ensure that they are consistent with the Urban Design and Open Space Guidelines.

### **7.5.4 GENERAL DESIGN DIRECTIONS**

- a) All development, particularly in the Urban Core Areas, Neighbourhood Centre and General Urban Areas, shall be designed to be compact, pedestrian and transit friendly in form. Mixed use development will be encouraged.
- b) A hierarchy of civic, institutional and commercial uses shall be established in locations which form part of mixed use areas (rather than isolated in single-use complexes) which allow them to serve as focal points for the Planning Area as a whole, neighbourhoods and sub-neighbourhoods. In particular, the ordinary activities of daily living shall occur within walking distance of most dwelling units.
- c) Development shall be based on a modified grid road system with interconnected networks of roads designed to disperse and reduce the length of vehicular trips

and support the early integration and sustained viability of transit service. For local roads not shown on Figure NOE4, the modified grid road system will respond to topography and the Natural Heritage System component of the Natural Heritage and Open Space System. Cul-de-sacs will generally be permitted only when warranted by natural site conditions

- d) The Natural Heritage component of the Natural Heritage and Open Space System forms a central feature of the Planning Area and the development form should reflect this fact. In addition, an associated comprehensive, interconnected system of trails will be developed which will generally reflect the major trail system on Figure NOE4.
- e) Public safety, views and accessibility, both physically and visually, to the Natural Heritage component of the Natural Heritage and Open Space System, as well as to parks, schools and other natural and civic features, will be important consideration in community design. This will be accomplished through a range of different approaches including, but not limited to, the use of single loaded roads, crescent roads, combining public open space with other public or institutional facilities (e.g. school/park campuses, easements, stormwater ponds adjacent to the Natural Heritage component of the System) and the location of high density residential and employment buildings. With respect to the Natural Heritage component of the Natural Heritage and Open Space System, priority will be given to maintaining views and accessibility at key trail access points where Arterial, Avenue and Connector roads are adjacent to the System. Where there is no significant Natural Heritage edge exposed at Arterial, Avenue or Connector roads, Neighbourhood Parks, Village Squares or local roads will be encouraged to provide access and visibility.

With respect to other public facilities particularly schools and parks, of the total linear perimeter distance around such uses in the order of 50% of the perimeter will be bounded by a combination of roads and open space which will allow public access or, at a minimum private open space which will allow significant views of the feature or facility. Where only road frontage is provided the frontage shall be in the order of 40% of the perimeter of the features and facilities.

- f) Parks, neighbourhood activity nodes, and other civic areas will serve as central "meeting places" for residents, particularly within neighbourhoods and sub-neighbourhoods
- g) Building densities and land uses designed to support the use of transit and the level of transit service proposed for specific areas shall be located within walking distances of transit stops and lines.
- h) The incorporation of cultural heritage resources into the community, including their use and adaptive reuse, shall be encouraged.
- i) The location of *active transportation* facilities should conform with Schedule D, Active Transportation Plan, to the Livable Oakville Plan, recognizing that the alignments are diagrammatic. An official plan amendment will not be required for changes to the alignments of *active transportation* facilities provided that the general intent and purpose of Schedule D to the Livable Oakville Plan is



### **7.5.5 STREETScape**

The streetscape consists of streets and public frontages. The streets provide the traffic and parking capacity. The public frontages provide for pedestrian circulation and contribute to the character of the streetscape. The design of the streetscape is defined by the type of sidewalk, curbing, planters and street trees. The policies of Section 7.7.2 of this Plan provide detailed direction with respect to the design of typical streets, while the Urban Design and Open Space Guidelines will address directions for public frontages and other design treatments.

The Urban Design and Open Space Guidelines will establish five types of streets with respect to typical design treatment. Variations may be considered by the Town based on circumstances such as topography, proposed abutting land use, relationship to the Natural Heritage and Open Space System and achievement of other design objectives:

#### **7.5.5.1 Arterial/Transit Corridors**

Arterial/Transit Corridors as designated on Figure NOE4 are high capacity roads which serve as major gateways into the community, including both the Town as a whole, and North Oakville East. A balance must be achieved between their transportation function, including accommodation for transit, and their ability to provide access to flanking land uses, and to act as socially vibrant public space. To assist in achieving this balance, these streets will have the highest form of design treatment, including wide sidewalks, special tree and feature planting, paving, lighting and signage design.

### **7.5.13 URBAN CORE AREAS – INTERIM USES & PHASED DEVELOPMENT**

Urban Core Areas, particularly the Trafalgar Urban Core Area, are intended to ultimately provide for a primarily mixed use development which is the densest in North Oakville. In order to ensure that the ultimate development form is not constrained by interim land uses and the development of initial phases, the following planning and design principles will form the basis for development:

- a) Buildings shall be planned on the basis that intensification will occur, either by future phases of development around them, by intensification or redevelopment of the buildings themselves, or both. Nevertheless, except for minor buildings and structures, buildings and other facilities shall be viewed as if permanent (i.e., potentially remaining for the long term). Accordingly, buildings shall be located on the site to the urban standards set out in this section and planned so that future phases of intensification are not inhibited.
- b) Development shall be designed to be pedestrian and transit friendly from the outset. In particular, development shall generally be oriented to the street and designed to promote a vital and safe street life and to support the early provision of transit. However, large retail stores, which are permitted within the Urban Core Areas, are often not conducive to a vibrant and active street life. Design alternatives to address such stores may include, among other possible

alternatives, locating these stores in the interior of commercial or mixed use development blocks with smaller stores and buildings oriented to surrounding Arterial, Avenue or Connector Roads to create a strong street presence. Alternatively, the frontage of the large retail store facing the Arterial, Avenue or Connector Road could be lined with smaller stores or multiple entrances.

- c) The highest density development should be concentrated on Trafalgar Road in the Trafalgar Urban Core Area.
- d) Design guidelines shall be developed to ensure appropriate relationships between different forms of development recognizing that development in the Urban Core Areas will include a variety of built-forms, and will change and evolve over time.
- e) A street and open space network that fosters connections within the Urban Core Areas and between the Urban Core Areas and the wider community will be created.
- f) Design excellence shall be promoted and shall convey aspects of the Town's local character throughout the Urban Core Areas.

#### **7.5.15 DUNDAS URBAN CORE**

The Dundas Urban Core Area as designated on Figures NOE1 and NOE2 is intended to allow the creation of a band of mixed use development at high and medium densities along the Dundas St. corridor. Key design elements of this area include:

- a) Mixed use development shall be permitted throughout the Urban Core Area, however, retail and service commercial development shall be restricted to locations at the intersections with north/south streets.
- b) The full range of uses and densities of development, including live/work units, would be permitted throughout the Urban Core Area, with the exception that retail and service commercial development shall generally be located at the intersections of Minor Arterials, Avenues and Connectors with Dundas Street. It is also anticipated that the highest density uses would be encouraged to locate at these intersections.
- c) Where retail and service commercial development is permitted it will be encouraged in a "main street" format where retail and service commercial uses are oriented to the street creating a pleasant, pedestrian shopping environment. These retail and service commercial uses may be in stand alone stores or in the ground floor of mixed use buildings. In areas of commercial development:
  - i) the principal public entrance should provide direct access onto the public sidewalk;

- ii) the primary windows and signage should face the street;
  - iii) buildings facing the street should be encouraged to have awnings, canopies, arcades or front porches to provide weather protection;
  - i) no parking, driveways, lanes or aisles should be permitted between the buildings and public sidewalks;
  - v) buildings should have a consistent setback and parking lots abutting the street should be limited and designed in accordance with the provisions of Section 7.5.7.1;
  - vi) the location and design of any large retail stores shall consider the design alternatives set out in Section 7.5.13 b); and,
  - vii) any commercial nodes including large retail stores should be integrated into the pattern of streets and blocks of which they are a part. The pattern of blocks and the physical design of the buildings in relation to the street should encourage pedestrian circulation to, from and within this commercial area. Streets, sidewalks and the orientation of buildings shall be designed to create comfortable, enjoyable pedestrian movement in a vibrant public realm.
- d) Minimum and maximum setbacks, densities and other standards will be implemented through the zoning by-law to ensure that development will result in the creation of an area which is compatible with this major transportation route in accordance with the policies of Section 7.5.5.7 and 7.5.5.8. No reduction in standards will be permitted unless it can be demonstrated that this objective can be achieved.

## **7.6 LAND USE STRATEGY**

### **7.6.1 PURPOSE**

The land use designations on Figure NOE2 establish the general pattern of development for the existing and future use of the North Oakville East Planning Area during the planning period. The policies for these designations are set out in this section.



## **7.6.5 DUNDAS URBAN CORE AREA**

### **7.6.5.1 Purpose**

The Dundas Urban Core Area designation on Figure NOE2 is intended to allow the creation of a band of mixed use development at medium and high densities with a clustering of retail and service commercial development and/or high density buildings at the intersections with north/south streets.

### **7.6.5.2 Permitted Uses, Buildings and Structures**

- a) The permitted uses shall be the full range of office, commercial, including retail and service commercial, health and medical, institutional and medium and high density residential uses.
- b) Permitted uses shall be primarily located in medium and high density residential, office and institutional buildings. Both mixed use and single use buildings shall be permitted. Commercial uses shall be restricted to locations in nodes primarily in mixed use buildings at the intersections with north-south roads, although single use retail and service commercial buildings will be permitted at such nodes in accordance with the applicable policies of Section 7.6.5, including 7.6.5.2 (c) and 7.6.5.3(c) and the design policies of Section 7.5, particularly 7.5.15.
- c) The total retail commercial development in this designation shall not exceed a total of 32,000 sq. metres gross leaseable floor area. Other commercial development such as financial institutions, service stations, restaurants and service commercial uses shall not be subject to this floor area limit. No single user or retail store shall exceed a maximum of 7,000 sq. metres of gross leaseable floor area. Of the total 32,000 sq. metres gross leaseable floor area, a maximum of 19,000 sq. metres of gross leaseable floor area, which may include supermarkets located at the Dundas/Neyagawa intersection.
- d) High density residential uses shall generally be clustered at the nodes.
- e) Stand-alone townhouses shall not be permitted adjacent to Dundas Street.

### **7.6.5.3 Land Use Policies**

- a) Development will be visually connected by establishing a coherent streetscape along Dundas Street through a number of design features and mechanisms, identified in the applicable urban design guidelines, including provisions for landscaping, signage, street furniture and other features in the public right of way, and guidelines for the siting and massing of adjacent buildings. Development will also be physically connected by road, transit, pedestrian and bicycle linkages.



b) Building Heights

- i) A minimum height of 3 storeys shall be permitted.
- ii) A maximum building height of 8 storeys shall be permitted.
- iii) A commercial building permitted as part of a comprehensive development, including implementing zoning, shall be a minimum height of 5 metres.
- iv) In accordance with Section 7.6.2.2.a.v) increases of up to 4 storeys beyond the maximum permitted building height, exclusive of bonusing, may be considered where adjacent to a stormwater management pond.
- v) Increases of up to 4 storeys beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.

**7.6.2.2 Permitted in Most Land Use Designations**

The following land uses shall be permitted in all designations except the Core and Linkage Preserve Areas, and High Constraint Stream Corridor Area designations, or where Medium Constraint Stream Corridors are ultimately located, unless otherwise noted:

- v) Where a pond has been minimized in accordance with Section 7.6.2.2.a.iv), increased height to a maximum of 4 additional storeys, exclusive of bonusing, may be considered on adjacent lands.

**7.10 IMPLEMENTATION AND INTERPRETATION**

**7.10.2 ZONING BY-LAW**

This Secondary Plan will be implemented by appropriate amendments to the Town's zoning by-law in accordance with the policies of this Secondary Plan and Part F, Section 1.3 of the Official Plan, in conjunction with draft plans of subdivision or other specific development applications. With respect to the bonus provisions of Section 1.3 b), in addition to the matters listed, bonusing for development in the Trafalgar Urban Core may be considered for the provision of urban squares where the provision of such facilities would exceed the 5% parkland dedication requirements, municipal parking structures, underground parking, structured parking, and enhanced streetscape facilities. However, the maximum height of any building in Trafalgar Urban Core Area, including any bonus for height, shall be 30 storeys.

## APPENDIX E: Zoning By-law Extracts

### Zoning By-law 2009-189

#### 2.1 Zones *(2012-001), (2013-065)*

This By-law establishes the following *zones* and places all lands subject to this By-law in one or more of the following *zones*:

Table 2.1.1: Zones in the North Oakville Zoning By-law		
Zone	Symbol	Uses / Standards (non-operative)
Trafalgar Urban Core	TUC	5.1 and 7.1
Dundas Urban Core	DUC	5.1 and 7.2
Neyagawa Urban Core Area	NUC	5.1 and 7.3
Palermo Village North Urban Core	PUC	5.1 and 7.4
Neighbourhood Centre	NC	5.1 and 7.5
General Urban	GU	5.1 and 7.6
Sub-urban	S	5.1 and 7.7
High Density Residential	HDR	5.1 and 7.8
Light Employment	LE	5.1 and 7.9
General Employment	GE	5.1 and 7.10
Service Area - Employment	SA	5.1 and 7.11
Institutional	I	5.1 and 7.12
Future Development <i>(2022-007)</i>	FD	5.1 and 7.13
Natural Heritage System	NHS	5.1 and 7.14
Cemetery	CE	5.1 and 7.15
Park	P	5.1 and 7.12
Stormwater Management Facility	SMF	5.1 and 7.12
Automotive Service	AS	5.1 and 7.17

## Future Development Zone

### 7.13 Future Development (FD) Zone Regulations *(2012-001)* *(2022-007)*

#### 7.13.1 Permitted Uses

- i. The uses as permitted in Section 4.3.1.
- ii. Infrastructure for which an Environmental Assessment has been completed or which are required as a condition of approval under the Planning Act, subject to the following provisions:
  - a. Notwithstanding any other provision of this By-law, any *building* or *structure* for the purpose of providing or sheltering infrastructure shall not be subject to Section 7.13.2;
  - b. Any *building* or *structure* used for a *general office use*, *public works yard*, or *warehouse* shall not be permitted.
- iii. The *use* of legally existing *buildings* and *structures* by new *accessory uses*.

#### 7.13.2 Permitted Expansion of Legal Buildings and Structures

The existing *lot coverage* on the day of the passage of this by-law, for all existing *buildings* or *structures* and existing *accessory buildings* or *structures*, may be increased by a maximum of 10% subject to regulations of this section and section 5.

#### 7.13.3 Maximum Height

10 metres except for *agricultural buildings*

#### 7.13.4 Minimum Yards

*Front Yard* and *Flankage* - 9 m  
*Side Yard* - 2.4 m  
*Rear Yard* - 7.5 m

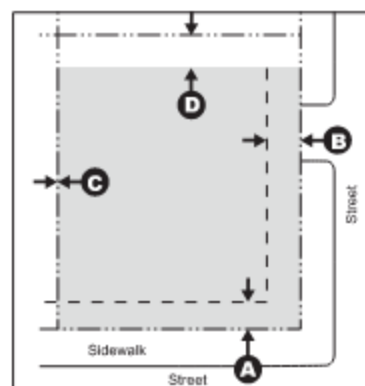
*(Performance zones relocated by 2012-001 and 2013-065)*

# Dundas Urban Core Zone

## 7.2 Dundas Urban Core (DUC) Zone Regulations

### 7.2.1 Uses Permitted

- i. See Section 6.
- ii. *Retail Uses*
  - a. No single *retail use* shall exceed a maximum of 7,000 square metres of *leasable floor area*; and,
  - b. The maximum total *retail development* in the DUC Zone, including any DUC Performance Zone, shall not exceed 32,000 square metres *leasable floor area* of *retail development*, of which a maximum of 19,000 square metres of *leasable floor area* of *retail development*, which may include a *supermarket*, shall be located within 300 metres of the intersection of Dundas St. and Neyagawa Blvd.



The grey represents potential building area. The internal dashed line represents the maximum yard.

### 7.2.2 Building Types Permitted and Related Standards

Building Type	Min. Floor Space Index	Max. Floor Space Index	Min. Front Yard and Flankage <b>A B</b>	Max. Front Yard and Flankage <b>A B</b>	Min. Interior Side Yard Setback <b>C</b>	Minimum Rear Yard Setback <b>D</b>
<ul style="list-style-type: none"> <li>Mixed use building;</li> <li>Apartment;</li> <li>Office building;</li> <li>Hotel;</li> <li>Institutional building;</li> <li>Parking garage;</li> <li>Commercial/residential building</li> </ul>	0.5	2.5	0.0 m	6 m	0.0 m <sup>1</sup>	1 m with rear lane access, unless there is a residential use at grade where the setback shall be 0.75 m 6 m without rear lane access, except abutting lands in the NHS, CE, or P Zones where the setback shall be a minimum of 3 m

<sup>1</sup> Minimum Interior Side Yard Setback – Notwithstanding this requirement, if the side yard abuts lands in the GU or S Zone and the building on the lot has a height of 4 storeys or less, the setback shall be 1.5 m; and if the building has a height of more than 4 storeys the setback shall be 7 m.

### 7.2.3 Permitted Yard Encroachments

See Section 4.21

# Dundas Urban Core Zone

## 7.2.4 Height

- H** Minimum height for all buildings, other than accessory buildings and structures - 2 storeys

Maximum height - 8 storeys

## 7.2.5 Parking Standards

See Section 5

## 7.2.6 Accessory Buildings and Structures

See Sections 4.14 through 4.20 inclusive

## 7.2.7 Performance Zone Categories - Dundas Urban Core (DUC) Zone

### 7.2.7.1 Dundas Urban Core Performance (DUC-1) Zone 1

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-1) Zone 1, however, in addition *commercial buildings* with a minimum *overall height* of 5 metres shall be permitted.

### 7.2.7.2 Dundas Urban Core Performance (DUC-2) Zone 2

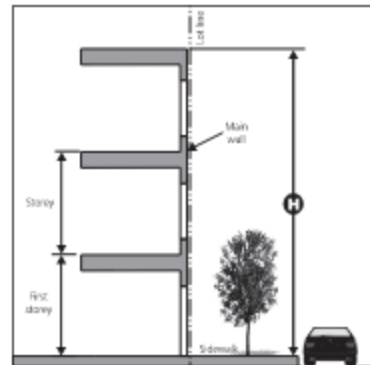
In addition to the permitted *uses* and regulations of the DUC Zone, in the Dundas Urban Core Performance (DUC-2) Zone 2, the *uses and buildings* in the GU Zone will also be permitted and the regulations of the GU Zone shall apply to those *uses and buildings*. Notwithstanding the regulations of the GU Zone, however, the *minimum rear yard* shall be 6 m.

### 7.2.7.3 Dundas Urban Core Performance (DUC-3) Zone 3

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-3) Zone 3, however, the minimum *height* for all *buildings*, other than *accessory buildings and structure* shall be three storeys.

### 7.2.7.4 Dundas Urban Core Performance (DUC-4) Zone 4

The permitted *uses, buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-4) Zone 4, however, where a *lot* has *streets* on three or four sides, the *front and flankage yard* requirements shall apply to all *yards* abutting a *street*.



Height is measured to the tallest point of a building, excluding a number of rooftop features (see Section 4.28).

# Dundas Urban Core Zone

## 7.2.7.5 Dundas Urban Core Performance (DUC-5) Zone 5

The permitted *uses*, *buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-5) Zone 5, however, notwithstanding the provisions of Section 5.1.3, Location of *Parking Spaces*, the required *parking spaces* for any use may be located on the *lot* on which the *use* is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.

## 7.2.7.6 Dundas Urban Core Performance (DUC-6) Zone 6

The permitted *uses*, *buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-6) Zone 6, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, Maximum *Height* for *private garages*, the maximum *height*, if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

## 7.2.7.7 Dundas Urban Core Performance (DUC-7) Zone 7

In addition to the permitted uses and regulations of the DUC Zone, in the Dundas Urban Core Performance (DUC-7) Zone 7, the *uses* and *buildings* in the GU Zone will also be permitted and the regulations of the GU Zone shall apply to those *uses* and *buildings*. However, notwithstanding the permitted *building* types and related standards (Section 7.6.2) of the GU Zone, *single-detached* and *semi-detached building* types shall not be permitted.

## 7.2.7.8 Dundas Urban Core Performance (DUC-8) Zone 8

The permitted *uses*, *buildings* and regulations of the DUC Zone shall apply in the Dundas Urban Core Performance (DUC-8) Zone 8, however where a *lot* has *streets* on three or four sides, the *front* and *flankage yard* requirements shall apply to all *yards* abutting a *street*. In addition, the *height* for *commercial uses* shall be a minimum of 5 metres.

(DUC-9 and higher relocated by 2013-065)

## APPENDIX F: Public Written Submissions

### Pauley, K – March 4, 2025

Office of the Mayor and Council  
Town of Oakville  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

Dear Mayor and Council Members,

I am writing to you on behalf of the residents of Westfield Trail and Andover Road to formally express concerns regarding the proposed construction site at 3000 Sixth Line in Oakville. While development is an essential aspect of community growth, it must be carried out in a way that considers the well-being of existing residents. Unfortunately, the proposed construction at this site threatens to exacerbate a multitude of problems we have already been subjected to for decades. We strongly urge the Town of Oakville to reconsider or delay this project, as the proposed development will have significant and lasting negative effects on the health, wellness, and quality of life of local residents.

For many years, residents in this area have endured ongoing and continuous construction as part of the widening of Dundas Street, followed by the addition of condominium buildings. These construction projects have subjected us to severe noise pollution, light pollution, and the constant disruption of our daily lives. Now, with the introduction of yet another construction project, we face the prospect of living in an ever-evolving construction zone for the foreseeable future. It is important to note that these developments are not just nuisances but are directly tied to a range of negative effects on both physical and mental health.

Numerous studies have shown that prolonged exposure to noise pollution, which is a given in a construction zone, is linked to increased stress, anxiety, sleep disturbances, and even cardiovascular issues. According to the *National Institute for Environmental Health Sciences*, exposure to excessive noise can elevate cortisol levels, increase the risk of hypertension, and reduce quality of life. This ongoing exposure to noise in our community is having a tangible impact on residents' mental health and wellness.

Additionally, light pollution resulting from construction sites and the proliferation of tall buildings exacerbates the issue. The disruption of natural sleep patterns caused by excessive artificial lighting is linked to higher levels of stress and an increased risk of depression, as outlined in studies by *The American Academy of Sleep Medicine*. Residents who previously enjoyed peaceful, dark nights are now forced to live in the shadows of ever-growing condo complexes, further diminishing our quality of life.

Beyond the immediate physical and mental health implications, these ongoing construction projects have long-term environmental consequences as well. Increased traffic congestion, air pollution, and disruption of local ecosystems all come as part and parcel of development. We have already witnessed the effects of previous construction projects, and the introduction of yet another large-scale development will only compound these issues, further degrading the environment we cherish.

Moreover, the value of our homes continues to decrease, as these construction projects make our once-quiet residential area a less desirable place to live. Residents continue to pay rising property taxes, yet we are left with diminished property values as a direct result of the ongoing and expanding construction. It is becoming increasingly difficult to maintain a sense of pride in our neighborhood when the very essence of it is being overshadowed by monstrous condo developments that offer no added value to the residents who have lived here for many years.

It is crucial to recognize that the residents of Westfield Trail and Andover Road are not simply asking for protection from the noise and disruption but are pleading for a consideration of the human cost associated with continued construction. We are asking the Town of Oakville to acknowledge the negative impact these projects have on our mental and physical well-being, the environment, and the long-term stability of our community.

We urge the Town of Oakville to reconsider the approval of this proposed construction site at 3000 Sixth Line. We ask for a halt to the project until a thorough impact assessment, considering the cumulative effects of construction in the area, is completed. We ask that the Town take into account not just the economic benefits of this development but the profound social, environmental, and health-related costs that we, the residents, will bear.

Thank you for your attention to this critical matter. We trust that you will make the well-being of your existing residents a priority when making decisions about the future of Oakville.

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### **Dos Santos, F. – February 25, 2025**

My name is Fatima Dos Santos, and I would like to express my opinion regarding the proposed zoning by-law amendment for 3000 Sixth Line and 21 Dundas Street West (File Z.1316.12, Ward 7) submitted by Shoppers Realty Inc.

I strongly believe that this space should remain a public green area or recreational space for the benefit of the community rather than being converted into residential and commercial developments. Public green spaces and recreational areas are essential for the well-being and quality of life of Oakville residents, providing a place for relaxation, recreation, and social interaction.

Isaak Park is already too small for the community, and adding more residential buildings in this area will only increase congestion and further reduce the limited outdoor space available for residents.



This type of development would also lead to increased population density and traffic, impacting the peace and livability of the neighborhood.

Instead, keeping this space as a park or green area would allow residents to enjoy a natural environment, promoting health, well-being, and environmental sustainability. I kindly ask that this alternative be considered before approving any zoning changes for this land.

I would appreciate being notified of any updates or decisions regarding this application.

---

**Lei, W. – February 12, 2025**

Hello,

I would like to be added to preserving appeal rights for development application of 3000 Sixth Line and 21 Dundas Street West - Z.1316.12.

Thanks

Lei

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**Mitchell, P. – February 14, 2025**

Dear Dana Anderson and Andrew Hannaford,

This letter is to confirm receipt of the project-related correspondence sent by the Town of Oakville, on February 10, 2025, regarding Shoppers Reality Inc.

The Mississaugas of the Credit First Nation (MCFN) are the Treaty Holders of the land on which the project will take place – specifically, the Head of the Lake, Treaty No. 14. The MCFN holds Indigenous and Treaty Rights specific to the project location and its environs, which may be adversely impacted by it. The Department of Consultation and

Accommodation (DOCA) is designated by the MCFN to handle consultation matters on its behalf.

The DOCA consultation team has filed the project-related correspondence identified above. **We have no questions or comments for you at this time.** This does not indicate a position of support for the project, that the Duty to Consult and Accommodate the MCFN has been met, or that there are no adverse impacts to the MCFN's Indigenous and Treaty Rights.

DOCA expects to be notified of any and all future project updates and/or changes. Additionally, DOCA must be notified of, invited to participate in, and provided the opportunity to review any environmental and/or archaeological assessments. At its discretion, DOCA may request capacity funding from the proponent for its consultation and engagement activities relating to the project.

If you have any questions for the DOCA consultation team, please feel free to contact us.

Thank you,

Payton Mitchell

Consultation Assistant

Department of Consultation and Accommodation

Phone: 905-768-4260



## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2025-090

A by-law to declare that certain land is not subject to part lot control (Blocks 268 and 270, Plan 20M-1288 – Mattamy (Joshua Creek) Limited)

**WHEREAS** By-law 2006-125 delegates to the Director of Planning and Development the authority to approve certain applications to designate lands not subject to part lot control; and

**WHEREAS** the Director of Planning and Development has approved such an application for the lands described in Schedule “A”;

#### **COUNCIL ENACTS AS FOLLOWS:**

1. Part lot control pursuant to subsection 5 of Section 50 of the *Planning Act*, R.S.O. 1990, c.P-13, as amended does not apply to lands as set out in Schedule “A” attached hereto.
2. This by-law expires one (1) year from the date it has been passed by Council.
3. Schedule “A” forms part of this by-law.
4. The solicitor is hereby authorized to amend the parcel designation, if necessary, upon registration of this by-law.

PASSED this 22<sup>nd</sup> day of April, 2025

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MAYOR

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CLERK

**SCHEDULE “A”**

1. Block 268, Plan 20M-1288, designated as Parts 1 to 10, inclusive, on Plan 20R-22914, Oakville
2. Block 270, Plan 20M-1288, designated as Parts 11 to 17, inclusive, on Plan 20R-22914, Oakville



**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2025-091**

A by-law to confirm the proceedings of a meeting of Council.

**COUNCIL ENACTS AS FOLLOWS:**

1. Subject to Section 3 of this by-law, every decision of Council taken at the meeting at which this by-law is passed and every resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
2. The execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized.
3. Nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.

PASSED this 22<sup>nd</sup> day of April, 2025

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Rob Burton

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Mayor

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Andrea Holland Acting Town Clerk