

## AGENDA

**Date:** Tuesday, July 8, 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.

---

### Pages

1. Regrets
2. Declarations of Pecuniary Interest
3. Confirmation of Minutes of the previous Planning and Development Council meeting(s)
  - 3.1 Minutes of the Regular Session of the Planning and Development Session of Council, June 16, 2025
4. Advisory Committee Minutes

**4.1 Heritage Oakville Advisory Committee Minutes - June 24, 2025**

18 - 20

Recommendation:

That the Heritage Oakville Advisory Committee Minutes dated June 24, 2025, be received.

**5. Consent Items(s)**

**5.1 Notice of Intention to Demolish – 299 Douglas Avenue**

21 - 99

Recommendation:

1. That the property at 299 Douglas Avenue be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,
2. That, prior to demolition, the property owner allows for the salvage of materials from the house.

**5.2 Notice of intention to demolish – 364 Lakeshore Road East (July 8, 2025)**

100 - 151

Recommendation:

1. That the property at 364 Lakeshore Road East be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,
2. That, prior to demolition, the property owner allows for the salvage of materials from the house.

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

*Item 6.1 see Confidential Addendum to be distributed.*

**6.1 Confidential – OLT Appeals – OLT- 24-001248, Official Plan Amendments 68, 332 and 333 (Employment Lands) and OLT-25-00337 (15 Loyalist Trail)**

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



**7.1 Public Meeting and Recommendation Report for Zoning By-law Amendment at 1287 & 1297 Dundas Street East, and 3022 Meadowridge Drive (Part Lot 8, Concession 1, NDS) by ARGO (Joshua Creek) Developments Ltd., File No. Z.1308.06 – By-law 2025-093**

152 - 176

**Recommendation:**

1. That the proposed Zoning By-law Amendment application submitted by ARGO (Joshua Creek) Developments Ltd. (File No. Z.1308.06) 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 North Oakville East Secondary 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 June 24, 2025.
1. That By-law 2025-093, an amendment to Zoning By-law 2009-189, 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.

**7.2 Public Meeting and Recommendation Report for Zoning By-law Amendment, Part of Lot 8, Concession 1, North of Dundas Street initiated by the Corporation of the Town of Oakville, File No. 42.26.04 – By-law 2025-094**

177 - 190

Recommendation:

1. That the proposed Zoning By-law Amendment application initiated by the Corporation of the Town of Oakville (File No. 42.26.04) 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 North Oakville East Secondary 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 June 24, 2025.
1. That By-law 2025-094, an amendment to Zoning By-law 2009-189, 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.

**8. Discussion Item(s)**

**8.1 Midtown Key Directions for a Community Planning Permit By-law**

191 - 344

Recommendation:

1. That the report entitled "Midtown Key Directions for a Community Planning Permit By-law" be received for information.
2. That Council endorse Key Directions identified in Section 5 of the Midtown Oakville Community Planning Permit By-law Key Directions Report (Attachment A).
3. That Staff prepare a draft Midtown Oakville Community Planning Permit By-law in accordance with the endorsed key directions for public consultation.

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

There are no Confidential Discussion Items listed for this agenda.

**10. New Business**

(Emergency, Congratulatory, Condolence or Notices of Motion)

**11. Requests for Reports**

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

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

**12.1 By-law 2025 - 093**

A by-law to amend the North Oakville Zoning By-law 2009-189 to permit the use of land described as 1287 & 1297 Dundas Street East, and 3022 Meadowridge Drive, Part Lot 8, Concession 1, North of Dundas (ARGO (Joshua Creek) Developments Ltd., File No.: Z.1308.06) **(Re: Item 7.1)**

**12.2 By-law 2025 - 094**

A by-law to amend the North Oakville Zoning By-law 2009-189 to permit the use of land described as Part of Lot 8, Concession 1, North of Dundas (The Corporation of the Town of Oakville, File No.: 42.26.04) **(Re: Item 7.2).**

**12.3 By-law 2025 -117**

345 - 346

A by-law to declare that certain land is not subject to part lot control (Blocks 106 and 122, Plan 20M-1272 – Caivan (Creekside) Limited)

**12.4 By-law 2025 -118**

347 - 348

A by-law to declare that certain land is not subject to part lot control (Blocks 197, 198 and 267, Plan 20M-1270, and Block 255, Plan 20M-1288 – Mattamy (Joshua Creek) Limited)

**12.5 By-law 2025 - 122**

349 - 350

A by-law to declare that certain land is not subject to part lot control (Block 216 and part of Block 207, Plan 20M-1270 – Primont (Joshua Creek) Inc.

**12.6 By-law 2025 -123**

351 - 352

A by-law to declare that certain land is not subject to part lot control (Part of Block 206, Plan 20M-1270 – Primont (Joshua Creek) Inc.)

**12.7 By-law 2025-124**

353 - 353

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

**13.     Adjournment**



**Town of Oakville**  
**Planning and Development Council**  
**MINUTES**

**Date:** June 16, 2025  
**Time:** 6:30 p.m.  
**Location:** Council Chamber

Mayor and Council:

- Mayor Burton
- Councillor Adams
- Councillor Chisholm
- Councillor Duddeck (As of 6:34 p.m.)
- Councillor Elgar
- Councillor Gittings
- Councillor Grant
- Councillor Knoll
- Councillor Lishchyna
- Councillor Longo
- Councillor McNeice
- Councillor Nanda
- Councillor O'Meara
- Councillor Xie

Regrets: Councillor Haslett-Theall

Staff:

- J. Clohec, Chief Administrative Officer
- P. Fu, Commissioner of Community Infrastructure
- P. Damaso, Commissioner of Community Services
- D. Carr, Town Solicitor
- M. Mizzi, Commissioner of Community Development
- S. Ayres, Commissioner of Corporate Services
- G. Charles, Director of Planning Services
- J. Stephen, Director of Transportation and Engineering
- R. Maynard, Assistant Town Solicitor
- P. Barrette, Manager of Planning Services, West District
- K. Biggar, Manager of Policy Planning and Heritage
- R. Diec Stormes, Director Economic Development

S. Campbell, Director Municipal Enforcement Services  
L. Musson, Manager of Planning Services, East District  
K. Cockburn, Senior Planner  
B. Hassan, Senior Planner  
C. Buckerfield, Senior Planner  
D. McPhail, Planner  
S. Rizvi, Transportation Engineer  
W. Short, Town Clerk  
A. Holland, Acting Town Clerk  
J. Radomirovic, Council and Committee Coordinator

**The Town of Oakville Council met in regular session to consider planning matters on this 16 day of June, 2025 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, commencing at 6:30 p.m.**

---

**1. Regrets**

As noted above.

**2. Declarations of Pecuniary Interest**

No declarations of pecuniary interest were declared.

**3. Confirmation of Minutes of the previous Planning and Development Council meeting(s)**

**3.1 Minutes of the Regular Session of the Planning and Development Session of Council, May 20, 2025**

Moved by Councillor Xie

Seconded by Councillor Adams

That the Minutes of the Regular Session of the Planning and Development Session of Council dated May 20, 2025, be approved.

CARRIED

**4. Advisory Committee Minutes**

**4.1 Heritage Oakville Advisory Committee Minutes May 27, 2025**

Moved by Councillor McNeice  
Seconded by Councillor Gittings

That the following recommendations pertaining to Item 4.1 of the Heritage Oakville Advisory Committee minutes from its meeting on May 27, 2025, be approved and the remainder of the minutes be received:

**4.1 Heritage Permit Application HP012/25-42.20A – Construction of a new house at 81 Allan Street**

1. That Heritage Permit Application HP024/24-42.20A for the construction of a new house at 81 Allan Street, as approved by Planning and Development Council on November 25, 2024, be amended to replace the November design of the house with the design attached in Appendix C to the report dated May 13, 2025 from Planning and Development; and
2. That the condition in Heritage Permit Application HP024/24-42.20A, approved on November 25, 2024, remain in effect.

CARRIED

**5. Consent Items(s)**

**5.1 Recommendation Report on Draft Plan of Condominium 24CDM-25001/1318 – 3250 Carding Mill Trail**

Moved by Councillor Nanda  
Seconded by Councillor Xie

That the Director of Planning and Development be authorized to grant draft plan approval of the Draft Plan of Condominium (24CDM-25001/1318) submitted by Mattamy (Carding Mill) Ltd., prepared by Rady-Pentek & Edward Surveying Ltd. dated May 14, 2025, subject to the conditions contained in Appendix 'A' of the Planning and Development report dated June 3, 2025.

CARRIED

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

**6.1 Confidential Labour Relations Report Update**

Moved by Councillor Grant  
Seconded by Councillor Knoll

That Council ratify the Memorandum of Agreement with OPFFA Local 1582 dated May 28, 2025, and that the agreement be executed in accordance with By-law 2013057.

CARRIED

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

**7.1 Public Meeting Report – Oakville Municipal Development Corporation, 2264 Trafalgar Road, File Nos. OPA 1413.35, Z.1413.35 & 24T-25003/1413**

*For the purposes of Planning Act requirements, the following person(s) made an oral submission:*

Mike Bissett, Bousfields Inc, presented the proposed Official Plan Application and Zoning By-law Application and Draft Plan of Subdivision on behalf of the applicant Oakville Municipal Development Corporation.

Prajaval Dixit concerned about traffic congestion, shortage of schools and affordability of the houses, suggested to improve the quality of the new builds.

Wanda Crichton objected to the plan, serious concerned about overpopulation, inadequate transportation, air pollution, noise and the shadow created by the proposed towers, asked for an updated report on the water sewer, storm water, traffic infrastructure and hydroelectric power.

Shirley Cox, concerned about the architect archaeological report that is not available, concerned about the proposed height of the towers, shortage of schools, inadequate transportation, shortage of parking, the impact of the airport such as noise and pollution and shortage of the playgrounds.

Ushnish Sengupta expressed concerns about the proposed rabbit hutches or shoe boxes, worried about shortages of the amenities, restaurants, bars, entertainment districts, retails, infrastructure and affordable houses.

Fei Shuai expressed concerns for the safety of the community and asked a developer about the benefits of the proposed development.

Maria Sotomayar, opposed to development, concerned about commute between the Town and the other Cities, visitor's parking, affordability of the proposed towers.



Sylva Ilchyna concerned about traffic along Glen Ashton along Gatwick, pedestrian safety, requested the traffic assessment along Gatwick.

Moved by Councillor Knoll

Seconded by Councillor Adams

1. That the public meeting report prepared by the Planning and Development department dated June 3, 2025, be received.
2. That comments from the public with respect to the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Bousfields Inc., on behalf of the Oakville Municipal Development Corporation (File Nos. OPA 1413.35, Z.1413.35 and 24T-25003/1413), be received.
3. That staff consider such comments as may be provided by Council.
  - Review of school capacities, new students, existing and new locations, including pre-schools, day cares and potential for lease on site
  - Size, tenure (rental vs. ownership) and types of residential units
  - Phasing and staging of construction
  - Retail parking, including e-commerce and other deliveries
  - Shadow impacts
  - Stormwater management and overall site servicing
  - Hydro power capacity, including increase in EV vehicles
  - Analysis of archeological studies
  - Current traffic and transportation trends including vehicle usage and parking needs, notably for visitors
  - Enforcement of approvals after construction is completed
  - Mechanisms for implementation of Councils direction and repercussions if applications are not supported
  - Affordability and rental opportunities
  - Commercial opportunities for employment on site
  - Yields for family sized units of student population

CARRIED

**RECESS**

The meeting recessed from 7:55 p.m., and resumed at 8:05 p.m.

**7.2 Recommendation Report, Official Plan Amendment, Creditmills Development Group, 1295 Sixth Line, File: OPA.1515.23; By-law 2025-104, By-law 2025-105**

*For the purposes of Planning Act requirements, the following person(s) made an oral submission:*

Thomas Egan strongly opposed the high density development, suggested the installation of the high density fence.

Angela Beatty, asked why there is no medium density proposed, opposed to proposed driveway, concerned about the impact on the green spaces.

Murray Chrystlea, concerned about the impact on the property taxes and worried about the traffic congestion.

Moved by Councillor Knoll

Seconded by Councillor Grant

1. That the proposed Official Plan Amendment and Zoning By-law Amendment applications submitted by Creditmills Development Group (File Nos.: OPA.1515.23 and Z.1515.23) be approved on the basis that the applications are consistent with the Provincial Planning Statement, conform with the Region of Halton Official Plan and the Livable Oakville Plan, have regard for matters of Provincial interest, and represent good planning for the reasons outlined in the report from the Planning and Development Department dated June 3, 2025.
2. That By-law No. 2025-104, a by-law to approve Official Plan Amendment Number 72 to the Livable Oakville Plan, be passed.
3. That By-law No. 2025-105, a by-law to amend the Town of Oakville Zoning By-law 2014-014, as amended, be passed.
4. 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.

5. That, in accordance with Section 34(7) of the *Planning Act*, no further notice is determined to be necessary.

CARRIED

**8. Discussion Item(s)**

**8.1 Recommendation Report - Official Plan Amendment and Zoning By-law Amendment, Garden Residences Corporation, 105-159 Garden Drive, File No. OPA 1617.47 and Z.1617.47; By-law 2025-095, By-law 2025-096**

Moved by Councillor Duddeck

Seconded by Councillor Chisholm

1. That Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Garden Residences Corporation (File No. OPA 1617.47, Z.1617.47 and 24T-25001-1617), be approved;
2. That the Director of Planning and Development be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-25001-1617) submitted by Garden Residences Corporation, prepared by R. Avis Surveying Inc. dated November 25, 2025 subject to the conditions contained in Appendix 'C';
3. That By-law 2025-095, a by-law to adopt an amendment to the Livable Oakville Plan, be passed;
4. That By-law 2025-096, an amendment to Zoning By-law 2014-014, be passed;
5. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary; and,
6. That notice of Council's decision reflects that the comments from the public have been appropriately addressed.

CARRIED

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

There were no Confidential Discussion Items.

**10. New Business**

## 10.1 Ensuring Road Safety and Durability of Line Markings

### **WAIVING OF PROCEDURE**

Moved by Councillor Adams

Seconded by Councillor Duddeck

That in accordance with Section 2(2) of the Procedure By-law, Section 14.1(2) of the Procedure By-law be waived to permit consideration of the Notice of Motion regarding Item 10.1 - Ensuring Road Safety and Durability of Line Markings.

CARRIED

Moved by Councillor Lishchyna

Seconded by Councillor Adams

**Whereas** the federal government regulates the chemical composition of traffic marking paint, including limits on volatile organic compounds (VOCs), which restrict the use of more durable and reflective materials during key painting months; and

**Whereas** the Town of Oakville is in compliance with the 2023 federal regulations; and

**Whereas** the Town of Oakville uses more than 60,000 liters of paint annually to delineate over 900 km of lines; and

**Whereas** these regulations have led to faster deterioration of road lines, reduced nighttime visibility, and the need for more frequent repainting—posing both safety risks and financial pressures for municipalities; and

**Whereas** senior representatives of the Federation of Canadian Municipalities have publicly expressed concern—through media interviews and municipal committee work—that recent changes to federal paint regulations have led to road markings deteriorating faster, increasing municipal repainting costs, and creating roadway safety risks for drivers and pedestrians; and

**Whereas** municipalities such as the City of Vancouver, in a 2025 engineering report, identified that only 17% of crosswalks were rated in “good” condition and noted significant annual overspending to maintain line visibility under current regulations, while public complaints and media coverage—such as those from British Columbia’s Sea-to-Sky Highway—

highlight dangerous driving conditions linked to fading road lines and the loss of more durable, oil-based paints; and

**Whereas** municipalities across Canada, including Oakville, are experiencing similar challenges with faded markings and increased repainting costs, without federal flexibility or support;

**Therefore be it resolved that** the Town of Oakville calls upon the Honourable Julie Dabrusin, Minister of Environment and Climate Change, to conduct a comprehensive review of the federal VOC regulations for traffic marking paint to ensure roadway safety and financial sustainability for municipalities;

**Be it further resolved that** the Town of Oakville urges the federal government to provide interim funding to municipalities to offset the increased maintenance costs resulting from current road paint regulations;

**And be it further resolved that** a copy of this motion be sent to the Honourable Julie Dabrusin, the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO), and all Halton-area Members of Parliament for their support and endorsement.

CARRIED

## **11. Requests for Reports**

### **11.1 Infill Development Project Improvements - Oversight and Additional Measures**

Moved by Councillor O'Meara  
Seconded by Councillor McNeice

That staff report back on current oversight and additional measures that the Town of Oakville can implement to improve communications, reduce adverse impacts on neighbouring properties, and require greater accountability from developers, contractors, and workers during infill development projects.

CARRIED

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

### **12.1 By-law 2025-095**

A by-law to adopt Official Plan Amendment No. 71 to the Livable Oakville Plan to establish policies for 105, 115 to 159 Garden Drive (Garden Residences Corporation, File No. OPA 1617.47)(Re: Item 8.1)

**12.2 By-law 2025-096**

A by-law to amend Zoning By-law 2014-014, as amended, to permit the use of lands described as 105, 115 to 159 Garden Drive (Garden Residences Corporation, File No. Z.1617.47) (Re: Item 8.1)

**12.3 By-law 2025-104**

A by-law to approve Official Plan Amendment Number 72 to the Livable Oakville Plan (Re: Item 7.2).

**12.4 By-law 2025-105**

A by-law to amend the Town of Oakville Zoning By-law 2014-014, as amended, to permit the use of lands described as 1297 Sixth Line – formerly 1295 Sixth Line (Creditmills Development Group, File No.: Z.1515.23)(Re: Item 7.2)

**12.5 By-law 2025-107**

A By-law to declare that certain land is not subject to part lot control (Blocks 263, 264, 265, 266, 267 and 269, Plan 20M-1288 – Mattamy (Joshua Creek) Limited)

**12.6 By-law 2025-116**

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

Moved by Councillor Longo

Seconded by Councillor Nanda

That the by-laws noted above, be passed.

CARRIED

*The Mayor gave written approval of the by-law(s) noted above that were passed during the meeting.*

**13. Adjournment**

The Mayor adjourned the meeting at 8:30 p.m.

---

Andrea Holland, Acting Town  
Clerk

## **Heritage Oakville Advisory Committee**

### **MINUTES**

**Date:** June 24, 2025  
**Time:** 9:30 am  
**Location:** Council Chamber

**Members:** Drew Bucknall, Chair  
Gerarda (Geri) Tino, Vice-Chair  
Councillor Gittings  
Councillor McNeice  
Russell Buckland  
George Gordon  
Jason Judson  
Bob Laughlin

**Regrets:** Kerry Colborne  
Emma Dowling  
Susan Hobson

**Staff:** G. Charles, Director, Planning and Development  
K. Biggar, Manager of Policy Planning and Heritage  
C. Van Sligtenhorst, Heritage Planner  
K. McLaughlin, Heritage Planner  
L. Harris, Council and Committee Coordinator

**A meeting of the Heritage Oakville Advisory Committee was held on June 24, 2025 in the Council Chamber of the Oakville Municipal Building, commencing at 9:30 a.m.**

**These minutes will go forward to the Planning and Development Council meeting of July 8, 2025 for approval. Please view those minutes to note any changes Council may have made.**

---

#### **1. Regrets**



As noted above.

**2. Declarations of Pecuniary Interest**

No declarations of pecuniary interest were declared.

**3. Confirmation of Minutes of Previous Meeting(s)**

**3.1 Minutes May 27, 2025**

Moved by George Gordon

That the minutes of the Heritage Oakville Advisory Committee meeting of May 27, 2025, be approved.

CARRIED

**4. Discussion Item(s)**

**4.1 Notice of intention to demolish – 299 Douglas Avenue (June 24, 2025)**

*A separate staff report(s) will be forwarded to a future Planning and Development Council meeting for consideration.*

Moved by Bob Laughlin

1. That the property at 299 Douglas Avenue be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,
2. That, prior to demolition, the property owner allows for the salvage of materials from the house.

CARRIED

**4.2 Notice of intention to demolish – 364 Lakeshore Road East (June 24, 2025)**

*A separate staff report(s) will be forwarded to a future Planning and Development Council meeting for consideration.*

Moved by Russell Buckland

1. That the property at 364 Lakeshore Road East be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,

2. That, prior to demolition, the property owners allow for the salvage of materials from the house.

CARRIED

**5. Information Item(s)**

**5.1 Delegated Heritage Permits, March to June 2025**

Moved by Gerarda (Geri) Tino

That the information item be received.

CARRIED

**6. Date and Time of Next Meeting**

July 22, 2025

Council Chamber

Oakville Municipal Building

**7. Adjournment**

The meeting adjourned at 10:04 a.m.

## REPORT

### Planning and Development Council

Meeting Date: July 8, 2025

---

**FROM:** Planning and Development Department

**DATE:** June 24, 2025

**SUBJECT:** Notice of Intention to Demolish – 299 Douglas Avenue

**LOCATION:** 299 Douglas Avenue

**WARD:** Ward 3

Page 1

---

### RECOMMENDATIONS

1. That the property at 299 Douglas Avenue be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,
2. That, prior to demolition, the property owner allows for the salvage of materials from the house.

### KEY FACTS

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

- The subject property is on the Oakville Register of Properties of Cultural Heritage Value or Interest as a listed property.
- A notice of intention to demolish has been received with a supporting Cultural Heritage Evaluation Report.
- It is recommended that the property at 299 Douglas Avenue not be designated under the *Ontario Heritage Act* and that the property be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest.
- Council must make a decision on the subject notice by July 27, 2025.

### BACKGROUND

The subject property at 299 Douglas Avenue is located on the east side of Douglas Avenue between Galt Avenue and Sheddon Avenue. The property contains a 1930s two-storey single detached frame stucco-clad house. A location map and more details on the property are included in the Cultural Heritage Evaluation Report, attached as Appendix A.

The Cultural Heritage Evaluation Report was completed by heritage consultant LHC Heritage Planning & Archaeology Inc. and submitted by the owner along with a notice of intention to demolish for the property.

The property was listed on the Oakville Register of Properties of Cultural Heritage Value or Interest as a non-designated property in 2009 based on its potential cultural heritage value or interest “as an example of Craftsman architecture”. The property was not identified as a priority for designation as part of the 2023-2025 Heritage Designation Project in response to the Province’s Bill 23.

The notice of intention to demolish application was completed on May 28, 2025. In accordance with the *Ontario Heritage Act*, Council has 60 days to consider the request. The 60-day notice period expires on July 27, 2025.

## **COMMENTS**

### Process

When a notice of intention to demolish is submitted for a listed property, Heritage Planning staff assess the property to determine if it meets the requirements of Ontario Regulation 9/06 under the *Ontario Heritage Act* (OHA). The regulation requires that a property meet two or more of its nine criteria, as they relate to design/physical, historical/associative, and contextual merits of the property. If the property meets two or more criteria outlined in the regulation, it can be designated under section 29, Part IV of the OHA.

Staff can require that a Cultural Heritage Evaluation Report be completed by a heritage consultant and submitted along with the notice of intention to demolish to assist staff in the assessment of the property’s cultural heritage value.

If the staff assessment of the property concludes that the property merits designation, a recommendation can be made to the Heritage Oakville Advisory Committee and to Council that the property be designated under section 29, Part IV of the OHA. If Council supports a recommendation to designate, Council must move that a notice of intention to designate be issued within 60 days of the notice of intention to demolish being submitted to the Town.

If the staff assessment of the property does not conclude that the property merits designation, a recommendation may be made to remove the property from the Heritage Register. If Council supports the staff recommendation and does not issue a notice of intention to designate the property within the 60 days, the property is removed from the Heritage Register and the owner may then proceed with applying for demolition.

### Cultural Heritage Evaluation Report

The owner has submitted a Cultural Heritage Evaluation Report that provides an overview of the property and the house and an assessment of its cultural heritage value. The report concludes that the property does not meet two or more of the criteria outlined in Ontario Regulation 9/06.

Regarding design/physical value, the report concludes that while the building exhibits influences from the Colonial Revival architectural style, numerous alterations to the building and removal of architectural elements obscure the original architectural style. The report concludes that the house is not a clear representative example of the style, nor is it a rare, unique or early example of a Colonial Revival style house. The report further notes that the building does not display a high degree of craftsmanship or artistic merit, nor does it demonstrate a high degree of technical or scientific achievement.

Regarding historical/associative value, the report indicates that the property is generally associated with the Anderson family who developed the surrounding Brantwood neighbourhood, but there is no direct association between the property and the Anderson family. Further, the report concludes that there is no evidence that the property has potential to yield significant information about a community or culture, and it is not known to be associated with a significant architect, artist, builder, designer or theorist.

Regarding contextual value, the report concludes that the property is important in maintaining the character of the area which is defined by single detached one to two-and-a-half storey houses composed of a range of materials including brick, clapboard, vinyl siding, stucco and stone. The subject property helps maintain the character of the Brantwood subdivision with its moderate setback, mature trees and the siting of the house on the property. However, the report notes that the property does not have contextual value for its physical, functional, visual or historical links to its surroundings, and is not considered to be a landmark.

Based on an assessment of the property and a review of the submitted Cultural Heritage Evaluation Report, the property does not have sufficient heritage value to merit designation under section 29, Part IV of the *Ontario Heritage Act*.

---

## Review of Applicable Planning Policies

### *Provincial Policy*

The Province of Ontario has made a commitment to the conservation of significant cultural heritage resources through its legislation and policies, including the *Ontario Heritage Act*, the *Planning Act*, and the Provincial Planning Statement. These documents function together by the shared principle that cultural heritage resources shall be conserved.

The OHA sets out the procedures for evaluating and protecting heritage resources at the provincial and municipal levels. This includes the use of Ontario Regulation 9/06 as the means for determining if a property has cultural heritage value. A property must meet two or more of the criteria outlined in this regulation. The evaluation of the property at 299 Douglas Avenue has not demonstrated that the property meets two or more of these criteria and therefore does not have sufficient cultural heritage value to warrant designation under the OHA.

### *Town Policy – Livable Oakville Plan*

Section 5 of the Livable Oakville Plan states, “Conservation of cultural heritage resources forms an integral part of the Town’s planning and decision making. Oakville’s cultural heritage resources shall be conserved so that they may be experienced and appreciated by existing and future generations, and enhance the Town’s sense of history, sense of community, identity, sustainability, economic health and quality of life.”

Further, Section 5.3.1 of the Livable Oakville Plan states, “The Town shall encourage the conservation of cultural heritage resources identified on the register and their integration into new development proposals through the approval process and other appropriate mechanisms.” The Livable Oakville Plan is clear that cultural heritage resources should not only be conserved, but also incorporated into new developments.

As the property at 299 Douglas Avenue has not been identified as having sufficient cultural heritage value or interest for designation through the application of Provincial policies such as Ontario Regulation 9/06, it is not required to be conserved through the cultural heritage policies of the Livable Oakville Plan.

## **CONCLUSION & NEXT STEPS**

Based on an assessment of the property, including the Cultural Heritage Evaluation Report, the property is not considered to have sufficient cultural heritage value for designation and therefore does not merit designation under section 29, Part IV of the *Ontario Heritage Act*.

Staff recommend that the owner allow for the salvaging of architectural elements of the building where possible. It is a standard practice to include salvaging as a condition as it allows for the retention and re-use of these materials and keeps these items from going to the landfill.

A separate report regarding this matter was presented to the Heritage Oakville Advisory Committee on June 24, 2025. The Committee supported the staff recommendation in this report.

## **CONSIDERATIONS**

### **(A) PUBLIC**

There are no public considerations.

### **(B) FINANCIAL**

There are no financial considerations.

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

There is no direct impact on other departments and users.

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

This report addresses Council's strategic priority of Accountable Government.

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

A Climate Emergency was declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. The recommendation to salvage materials from the house helps to contribute to the Town's initiatives to reduce carbon footprints.

## **APPENDICES**

Appendix A – Cultural Heritage Evaluation Report

Prepared by:

Carolyn Van Sligtenhorst, MCIP, RPP,  
CAHP  
Heritage Planner

Recommended and submitted by:

Gabe Charles, MCIP, RPP  
Director, Planning and Development

# CULTURAL HERITAGE EVALUATION REPORT

299 Douglas Avenue, Town of Oakville, ON



## FINAL REPORT

Date: 27 May 2025

Project #: LHC0505

**LHC Heritage Planning & Archaeology Inc.**

400-837 Princess Street

Kingston, Ontario K7L 1G8

Phone: (613)507-7817

Toll Free: 1-833-210-7817

Email: [info@lhcheritage.com](mailto:info@lhcheritage.com)

Web: [www.lhcheritage.com](http://www.lhcheritage.com)





*This page has been left blank deliberately*

---

<b>Report prepared for:</b>	Paul and Christine Elliott (Owner) 299 Douglas Avenue Oakville, ON L6J 3S5
<b>Report prepared by:</b>	Lisa Coles, MPI RPP MCIP CAHP
<b>Graphics prepared by:</b>	Jordan Greene, BA
<b>Reviewed by:</b>	Christienne Uchiyama, MA CAHP Benjamin Holthof, MPI MMA RPP MCIP CAHP
<b>Other Contributors:</b>	Ben Daub, MPI RPP MCIP CAHP-Intern

## RIGHT OF USE

The information, recommendations, and opinions expressed in this report are for the sole benefit of the Owner. Any other use of this report by others without permission is prohibited and is without responsibility to LHC. The report, all plans, data, drawings, and other documents as well as all electronic media prepared by LHC are its professional work product and shall remain the copyright property of LHC, who authorizes only the Owner and approved users (including municipal review and approval bodies) to make copies of the report, but only in such quantities as are reasonably necessary for the use of the report by those parties. Unless otherwise stated, the suggestions, recommendations, and opinions given in this report are intended only for the guidance of the Owner and approved users.

## REPORT LIMITATIONS

The qualifications of the heritage consultants who authored this report are provided in Appendix A. This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies.

All comments regarding the condition of any buildings on the Property are based on a superficial visual inspection and are not a structural engineering assessment of the building unless directly quoted from an engineering report. The findings of this report do not address any structural or physical condition related issues associated with any buildings on the property or the condition of any heritage attributes.

Concerning historical research, the purpose of this report is to evaluate the property for cultural heritage value or interest. The authors are fully aware that there may be additional historical information that has not been included. Nevertheless, the information collected, reviewed, and analyzed is sufficient to conduct an evaluation using *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest*.

The review of policy and legislation was limited to information directly related to cultural heritage management and is not a comprehensive planning review. Additionally, soundscapes, cultural identity, and sense of place analyses were not integrated into this report.

Soundscapes, cultural identity, and sense of place analyses were not integrated into this report.

Archaeological potential has not been assessed as part of this CHER.

---

## EXECUTIVE SUMMARY

*The Executive Summary only provides key points from the report. The reader should examine the complete report including background, results, as well as limitations.*

LHC was retained in February 2025 by the Owner to prepare a Cultural Heritage Evaluation Report (CHER) for the property at 299 Douglas Avenue (the **Property**) in the Town of Oakville, Ontario (the **Town**). The Property is currently listed on the Town's Municipal Heritage Register and this CHER is being prepared to evaluate the cultural heritage value or interest of the Property to assess its candidacy for removal from the Municipal Heritage Register.

This CHER was undertaken following guidance from the *Ontario Heritage Tool Kit* (2006) and the Town of Oakville's *Development Application Guidelines – Cultural Heritage Evaluation Report* (2024). The process included background research into the site, an on-site assessment, and evaluation of the cultural heritage value of the property based on the criteria of *Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest* under the *OHA*. This CHER is an independent assessment of the Property's potential for cultural heritage value or interest.

In LHC's professional opinion, the Property at 299 Douglas Avenue **meets** criterion 7 of *O. Reg. 9/06* for its contextual value. Because the Property meets one criterion, the Property exhibits cultural heritage value or interest but is **not eligible** for individual designation under Section 29 Part IV of the *OHA*.

## TABLE OF CONTENTS

1	Introduction.....	1
1.1	Property Location.....	1
1.2	Property Description .....	1
1.3	Property Heritage Status.....	1
2	Study Approach.....	4
2.1	Legislation and Policy Review .....	4
2.2	Historical Research.....	4
2.3	Site Visit .....	5
2.4	Evaluation.....	5
3	Policy and Legislation Context.....	7
3.1	Provincial Context .....	7
3.2	Local Planning Context .....	8
3.2.1	Halton Region Official Plan (Consolidated November 2022).....	8
3.2.2	Livable Oakville: Town of Oakville Official Plan (2009 Updated August 2021).....	8
3.2.3	Regional and Local Context Summary .....	9
4	Historic Context.....	10
4.1	Early Indigenous History .....	10
4.1.1	Paleo Period (9500 – 8000 BCE) .....	10
4.1.2	Archaic Period (8000 – 1000 BCE) .....	10
4.1.3	Woodland Period (1000 BCE – CE 1650) .....	10
4.2	Seventeenth- and Eighteenth-Century Historic Context (1600s and 1700s) .....	11
4.3	Trafalgar Township Survey and Early Euro-Canadian Settlement.....	12
4.4	Town of Oakville History .....	14
4.5	Brantwood Plan.....	16
4.6	Property History .....	17
4.6.1	Concession 3 South of Dundas Street Lot 12 .....	17
4.6.2	Plan 113 Lots 163 & 164 and Part Lot 165.....	17
4.7	Anderson Family.....	24

5	Existing Conditions.....	27
5.1	Surrounding Context.....	27
5.2	The Property .....	31
5.2.1	House Exterior .....	32
5.2.2	House Interior.....	35
5.3	Colonial Revival Architecture.....	37
6	Understanding of Cultural Heritage Value or Interest.....	39
6.1	Summary of Evaluation.....	42
6.2	Proposed Statement of Cultural Heritage Value or Interest .....	42
6.2.1	Description of the Property.....	42
6.2.2	Statement of Cultural Heritage Value or Interest.....	43
6.2.3	Heritage Attributes .....	43
7	Conclusion.....	44
8	Signatures.....	45
9	References .....	46

## List of Appendices

APPENDIX A - Qualifications.....	52
APPENDIX B Glossary .....	55
APPENDIX C Town of Oakville's <i>Development Application Guidelines – Cultural Heritage Evaluation Report</i> Requirements .....	57
APPENDIX D Land Registry Records.....	60

## List of Tables

Table 1. <i>Ontario Regulation 9/06</i> Evaluation for the Property at 299 Douglas Street .....	39
Table 2. Town of Oakville Cultural Heritage Evaluation Report Requirements .....	58
Table 3. Land Registry Records for Concession 3 South of Dundas Street Lot 12.....	61
Table 4. Land Registry Records for Lot 163 Plan 113.....	62
Table 5. Land Registry Records for Lot 164 Plan 113.....	64
Table 6. Land Registry Records for Part Lot 165 Plan 113.....	65

## List of Images

Image 1. Ajetance Treaty, No. 19 Map .....	14
Image 2. View of the Property in 1989 (Image provided by Town of Oakville).....	19
Image 3. Photo of Cyrus and Margaret Anderson.....	25
Image 4. Photo of Anderson & Sons Bank in Oakville in 1897 .....	25
Image 5. Photo of Grit Anchorage in 1890, Cyrus Anderson's House on the Anderson Farm Estate (Demolished 1960s) .....	26
Image 6. View east along Douglas Avenue from the Property .....	28
Image 7. View west along Douglas Avenue from the Property .....	29
Image 8. View of 291 Douglas Avenue .....	29
Image 9. View of 294 Watson Avenue .....	30
Image 10. View of 298 Watson Avenue .....	30
Image 11. View of 305 Douglas Avenue .....	31
Image 12. View north showing the facade and front lawn of the house .....	31
Image 13. View northwest of the facade and east elevation of the house .....	33
Image 14. View southwest of the north elevation of the house .....	33
Image 15. View southeast of the rear verandah .....	34
Image 16. View east of the west elevation of the house .....	34
Image 17. View south along the second storey landing / hallway.....	35
Image 18. View of the finished basement.....	36
Image 19. View southeast of the living room showing the wainscoting and ceiling medallion	36
Image 20. View south of the dining room showing the crown moulding and ceiling medallion .....	37

## List of Figures

Figure 1. Location of the Property .....	2
Figure 2. Current Conditions of the Property .....	3
Figure 3. 1806 (June 18), 1806 (June 28), and 1858 Historic Maps Showing the Property .....	20
Figure 4. 1909, 1919, 1938, 1952, and 1964 Topographic Maps Showing the Property .....	21
Figure 5. 1931, 1934, 1954, 1969, 1974, 1985, and 1988 Aerial Photographs Showing the Property .....	22
Figure 6. 1949 Fire Insurance Plan Showing the Property .....	23

---

## 1 INTRODUCTION

LHC was retained in February 2025 by the Owner to prepare a Cultural Heritage Evaluation Report (CHER) for the property at 299 Douglas Avenue (**the Property**, Figure 1 and Figure 2) in the Town of Oakville, Ontario (**the Town**).

This CHER is being prepared to evaluate the cultural heritage value or interest of the Property to assess its candidacy for removal from the Municipal Heritage Register. This cultural heritage evaluation was undertaken following guidance from the *Ontario Heritage Tool Kit* (2006) and the Town of Oakville's *Development Application Guidelines – Cultural Heritage Evaluation Report* (2024). The process included background research into the site, an on-site assessment, and evaluation of the cultural heritage value of the property based on the criteria of *Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest* under the *OHA*. This CHER is an independent assessment of the Property's potential for cultural heritage value or interest.

### 1.1 PROPERTY LOCATION

The Property is located on the north side of Douglas Avenue between Galt Avenue and Sheddon Avenue in the Town of Oakville (Figure 1).

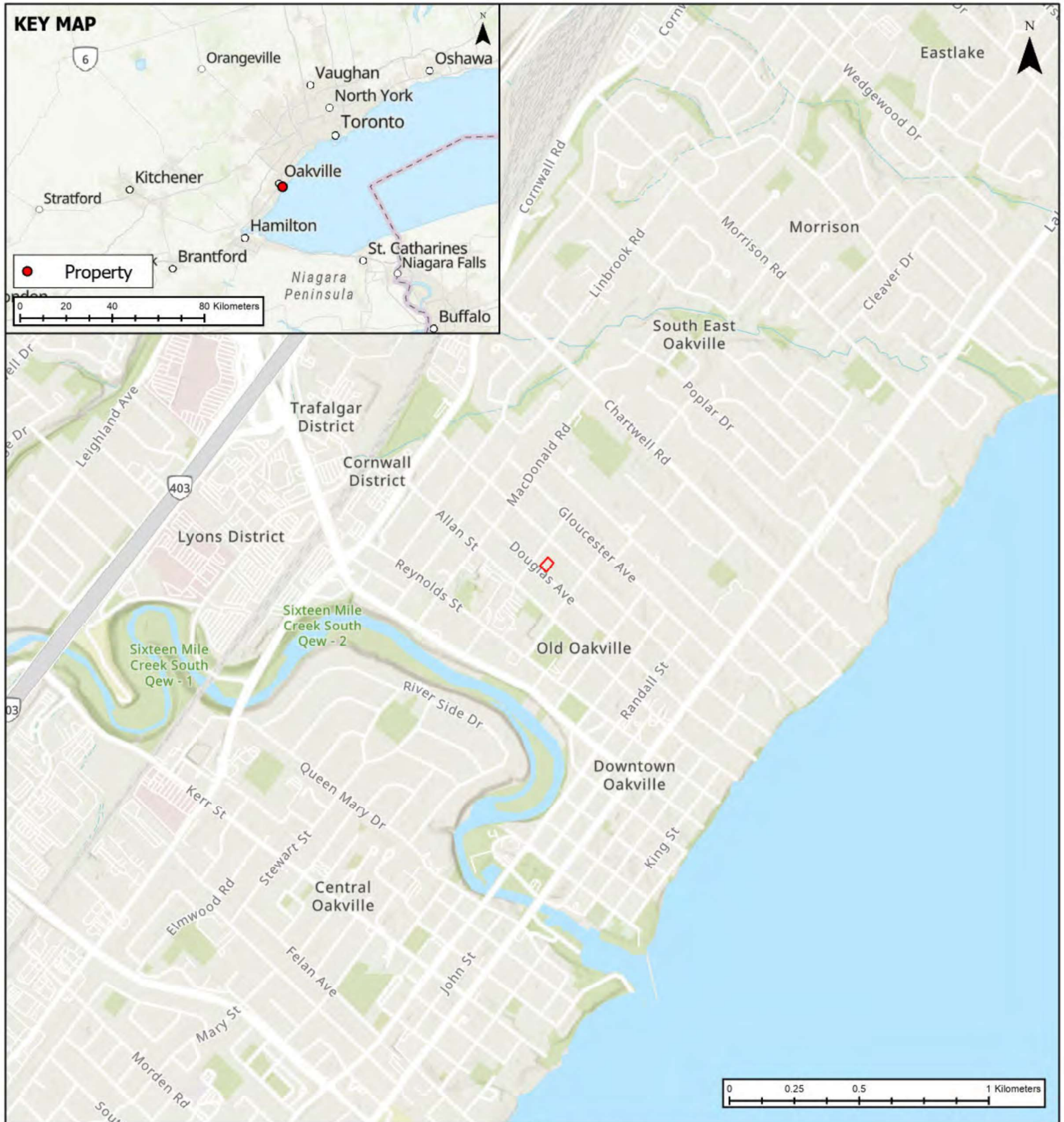
### 1.2 PROPERTY DESCRIPTION

The Property is a rectangular shaped lot of approximately 0.15 hectares (ha) or 1520 square metres (m<sup>2</sup>). It includes a two-storey single detached house offset to the west side of the lot with a two-storey attached garage on the east side of the house. The Property is accessed from a paved driveway located on the east side of the house leading to the garage and a paved pathway leading to the main entrance of the house. Mature coniferous and deciduous trees line the property boundaries (Figure 2).

### 1.3 PROPERTY HERITAGE STATUS

The Property is listed on the Municipal Heritage Register as a non-designated property under Section 27 Part IV of the *OHA*.





## Legend

Property

NOTE(S) 1. All locations are approximate.

REFERENCE(S) 1. Esri, NASA, NGA, USGS, FEMA, Esri, CGIAR, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community  
Portions of this document include intellectual property of Esri and its licensors and are used under license.  
Copyright (c) Esri and its licensors. All rights reserved.

## TITLE Location of the Property

CLIENT  
Paul and Christine Elliott

PROJECT  
Cultural Heritage Evaluation Report,  
299 Douglas Avenue, Town of Oakville, ON

PROJECT NO. LHC0505



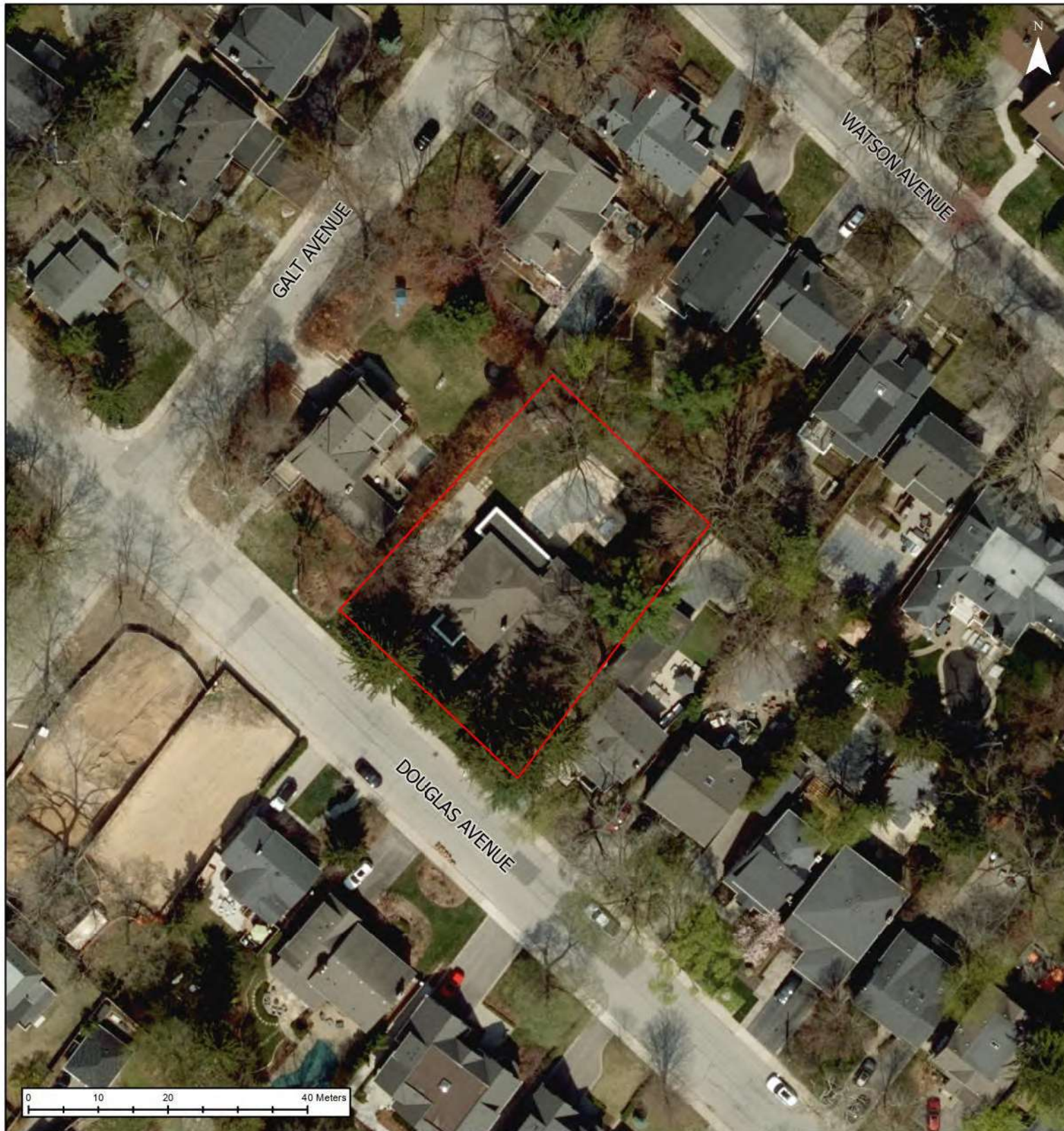
YYYY-MM-DD

2025-05-23

FIGURE #

1





## Legend



Property

NOTE(S) 1. All locations are approximate.  
 REFERENCE(S) 1. Town of Oakville, Maxar, Microsoft, <https://www.ontario.ca/page/open-government-licence-ontario>  
 Portions of this document include intellectual property of Esri and its licensors and are used under license.  
 Copyright (c) Esri and its licensors. All rights reserved.

TITLE  
**Current Conditions of the Property**

CLIENT  
 Paul and Christine Elliott

PROJECT  
 Cultural Heritage Evaluation Report,  
 299 Douglas Avenue, Town of Oakville, ON

PROJECT NO. LHC0505



YYYY-MM-DD

2025-05-23

FIGURE #

2

## 2 STUDY APPROACH

LHC follows a three-step approach to understanding and planning for cultural heritage resources based on the understanding, planning, and intervening guidance from the *Standards and Guidelines for the Conservation of Historic Places in Canada (S&Gs)* and the *Ontario Heritage Tool Kit*.<sup>1</sup> Understanding the cultural heritage resource involves:

- Understanding the significance of the cultural heritage resource (known and potential) through research, consultation, and evaluation—when necessary.
- Understanding the setting, context, and condition of the cultural heritage resource through research, site visit and analysis.
- Understanding the heritage planning regulatory framework around the cultural heritage resource.

This CHER has also been completed following guidance from the Town of Oakville’s *Development Application Guidelines – Cultural Heritage Evaluation Report* (2024). Appendix B includes the Town’s requirements for CHERs and their location in this report.

### 2.1 LEGISLATION AND POLICY REVIEW

This CHER includes a review of provincial legislation, plans and cultural heritage guidance, and relevant municipal policy and plans. This review outlines the cultural heritage legislative and policy framework that applies to the Property.

### 2.2 HISTORICAL RESEARCH

Historical research for this CHER included local history research. LHC consulted primary and secondary research sources including:

- Local histories;
- Aerial photographs; and,
- Online sources about local history.

Online sources consulted included, but were not limited to:

- Town of Oakville Open-Source Data;
- Oakville Historical Society;

---

<sup>1</sup> Canada’s Historic Places, “Standards and Guidelines for the Conservation of Historic Places in Canada,” last modified 2010, accessed 21 February 2024, <https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>, 3.; Ministry of Citizenship and Multiculturalism, “Heritage Property Evaluation,” *Ontario Heritage Tool Kit*, last modified 2006, accessed 21 February 2024, <https://www.publications.gov.on.ca/heritage-property-evaluation-a-guide-to-listing-researching-and-evaluating-cultural-heritage-property-in-ontario-communities>, 18.



- Ancestry.ca; and,
- Government of Canada Census Records.

## 2.3 SITE VISIT

A site visit was conducted on 6 March 2025 by Intermediate Heritage Planner Ben Daub. The purpose of the site visit was to document the current conditions of the house and its surrounding context. Unless otherwise attributed, all photographs in this CHER were taken during the site visit. A selection of photographs from the site visit that document the Property are included in Section 5.

## 2.4 EVALUATION

*Ontario Regulation 9/06 (O. Reg. 9/06)* identifies the criteria for determining cultural heritage value or interest under the *OHA* and is used to create a Statement of Cultural Heritage Value or Interest (**SCHVI**).

The regulation has nine criteria:

- 1) The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method;
- 2) The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit;
- 3) The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement;
- 4) The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
- 5) The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture;
- 6) The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community;
- 7) The property has contextual value because it is important in defining, maintaining, or supporting the character of an area;
- 8) The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings;

- 9) The property has contextual value because it is a landmark.<sup>2</sup>

Properties that meet at least two of these criteria may be designated under Part IV Section 29 of the *OHA*.

The evaluation considers the potential cultural heritage value or interest for the Property. This CHER uses guidance from the *Ontario Heritage Tool Kit* and the Town's *Development Application Guidelines – Cultural Heritage Evaluation Report* (2024) to inform our recommendations.

---

<sup>2</sup> Province of Ontario, "O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest under Ontario Heritage Act, R.S.O. 1990, c. O. 18," last modified 1 January 2023, accessed 10 January 2024, <https://www.ontario.ca/laws/regulation/060009>.

---

## 3 POLICY AND LEGISLATION CONTEXT

### 3.1 PROVINCIAL CONTEXT

In Ontario, cultural heritage resources are managed under Provincial legislation, policy, regulations, and guidelines. Policies, priorities, and programs for the conservation, protection, and preservation of Ontario's heritage are administered from the *OHA*. Cultural heritage is established as a key provincial interest directly through the *Planning Act* with direction for land use planning and development in the *Provincial Planning Statement (PPS)*. Other provincial legislation deals with cultural heritage indirectly or in specific cases. These various acts and the policies under these acts indicate broad support for the protection of cultural heritage by the Province. They also provide a legal framework through which minimum standards for heritage evaluation are established. What follows is an evaluation to understand the property based on applicable legislation and policy.

The *OHA* includes regulations that set criteria for the evaluation of heritage resources in the province. It gives municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest. Properties that meet one criterion outlined in *O. Reg. 9/06* can be listed on a Municipal Heritage Register as a non-designated property under Section 27 Part IV of the *OHA*. Individual heritage properties that meet two or more criteria are designated by municipalities under Section 29, Part IV of the *OHA*. A municipality may designate heritage conservation districts under Section 41 Part V of the *OHA*. An *OHA* designation applies to real property rather than individual structures.<sup>3</sup>

Part IV Section 27 requires that owners of properties listed on a municipal heritage register give Council at least 60 days' notice in writing of their intention to demolish a building or structure. Part IV Sections 33 and 34 and Part V Section 42 of the *OHA* require owners of designated heritage properties to obtain a permit or approval in writing from a municipality/municipal council to alter, demolish, or remove a structure from a designated heritage property. These sections also enable a municipality to require an applicant to provide information or material that council considers it may need to make a decision, which may include a Heritage Impact Assessment (HIA).

*O. Reg. 9/06* under the *OHA* prescribes the criteria for determining CHVI. See Section 2.4 of this CHER for the criteria used to determine CHVI on an individual property.

---

<sup>3</sup> Province of Ontario, "*Ontario Heritage Act*, R.S.O. 1990, c.O.18," last modified 1 January 2025, accessed 3 April 2025, <https://www.ontario.ca/laws/statute/90o18>.

## 3.2 LOCAL PLANNING CONTEXT

### 3.2.1 HALTON REGION OFFICIAL PLAN (CONSOLIDATED NOVEMBER 2022)

The Halton *Region Official Plan (ROP)* was first adopted by the Council of the Regional Municipality of Halton on 30 March 1995 under by-law 49-94 and was most recently consolidated in November 2022. On 1 July 2024, the *ROP* became the responsibility of the local municipalities.<sup>4</sup>

Policies related to the evaluation and conservation of cultural heritage resources are outlined in Part IV of the *ROP*. In general, the management of cultural heritage resources is the responsibility of local area municipalities.<sup>5</sup>

### 3.2.2 LIVABLE OAKVILLE: TOWN OF OAKVILLE OFFICIAL PLAN (2009 UPDATED AUGUST 2021)

The *Livable Oakville: Town of Oakville Official Plan (OP)* was adopted by the Council of the Corporation of the Town of Oakville on 22 June 2009 under by-law 2009-112, approved by the Regional Municipality of Halton on 30 November 2009, and most recently consolidated to 31 August 2021. The *OP* guides growth and development in the Town of Oakville until 2051.<sup>6</sup> Guiding principles include the preservation, enhancement, and protection of “...distinct character, cultural heritage, living environment, and sense of community of neighbourhoods” in the Town.<sup>7</sup>

Policies related to cultural heritage are outlined in Section 5 of Part C in the *OP*. Policies most relevant to the Property, in the context of this CHER, include:

- 5.3.1 The Town shall encourage the conservation of cultural heritage resources identified on the register and their integration into new development proposals through the approval process and other appropriate mechanisms.
- 5.3.2 A cultural heritage resource should be evaluated to determine its cultural heritage values and heritage attributes prior to the preparation of a

<sup>4</sup> Halton Region, “Regional Official Plan,” accessed 3 April 2025, [https://www.halton.ca/The-Region/Regional-Planning/Regional-Official-Plan-\(ROP\)-\(1\).](https://www.halton.ca/The-Region/Regional-Planning/Regional-Official-Plan-(ROP)-(1).); Town of Oakville, “Halton Regional Official Plan,” accessed 3 April 2025, <https://www.oakville.ca/business-development/planning-development/official-plan/halton-regional-official-plan/>.

<sup>5</sup> Halton Region, “Official Plan,” last consolidated November 2022, accessed 20 October 2023, <https://www.halton.ca/Repository/ROP-Office-Consolidation-Text>.

<sup>6</sup> Town of Oakville, “Livable Oakville: Town of Oakville Official Plan,” last consolidated 31 August 2021, accessed 20 October 2023, <https://www.oakville.ca/getmedia/ef94282b-3d17-49b9-8396-3e671d8b7187/business-development-planning-livable-oakville-official-plan.pdf>.

<sup>7</sup> Town of Oakville, “Livable Oakville: Town of Oakville Official Plan,” B-1.

---

heritage impact assessment of a proposed development on the cultural heritage resource.<sup>8</sup>

### 3.2.3 REGIONAL AND LOCAL CONTEXT SUMMARY

The Region and Town have acknowledged the identification and conservation of cultural heritage resources as important processes. Accordingly, the Region has identified the need for cultural heritage resource evaluations and the Town has developed guidelines for the management of built heritage resources and cultural heritage landscapes.

---

<sup>8</sup> Town of Oakville, “Livable Oakville: Town of Oakville Official Plan,” C-12.



---

## 4 HISTORIC CONTEXT

### 4.1 EARLY INDIGENOUS HISTORY

#### 4.1.1 PALEO PERIOD (9500 – 8000 BCE)

The cultural history of southern Ontario began around 11,000 years ago following the retreat of the Laurentide Ice Sheet at the end of the Wisconsinian glacial stage.<sup>9</sup> During this archaeological period - known as the Paleo period (9500-8000 BCE), the climate was similar to the present-day sub-arctic and vegetation was largely spruce and pine forests.<sup>10</sup> The initial occupants of the province had distinctive stone tools. They were nomadic big-game hunters (i.e., caribou, mastodon, and mammoth) who lived in small groups and travelled over vast areas, possibly migrating hundreds of kilometres in a single year.<sup>11</sup>

#### 4.1.2 ARCHAIC PERIOD (8000 – 1000 BCE)

During the Archaic archaeological period (8000-1000 BCE), the occupants of southern Ontario continued their migratory lifestyles but were living in larger groups and transitioning towards a preference for smaller territories of land – possibly remaining within specific watersheds. People refined their stone tools during this period and developed polished or ground stone tool technologies. Evidence of long-distance trade has been found on archaeological sites from the Middle and Later Archaic times including items such as copper from Lake Superior and marine shells from the Gulf of Mexico.<sup>12</sup>

#### 4.1.3 WOODLAND PERIOD (1000 BCE – CE 1650)

The Woodland period in southern Ontario (1000 BC–AD 1650) represents a marked change in subsistence patterns, burial customs, and tool technologies as well as the introduction of pottery making. The Woodland period is sub-divided into the Early Woodland (1000–400 BC), Middle Woodland (400 BC–AD 500), and Late Woodland (AD 500-1650). During the Early and Middle Woodland, communities grew in size and were organized at a band level. Subsistence patterns continued to be focused on foraging and hunting. There is evidence for incipient

---

<sup>9</sup> P.F. Karrow and B.G. Warner, “The Geological and Biological Environment for Human Occupation in Southern Ontario,” in *The Archaeology of Southern Ontario to A.D. 1650*, ed. Christopher Ellis and Neal Ferris (London, ON: Ontario Archaeological Society, London Chapter, 1990), 15.

<sup>10</sup> Toronto Region Conservation Authority, “Chapter 3: First Nations,” in *Greening Our Watersheds: Revitalization Strategies for Etobicoke and Mimico Creeks*, prepared by the Toronto Region Conservation Authority (Toronto, ON, 2001).

<sup>11</sup> D.S. Smith, “The Native History of the Regional Municipality of Halton and the Town of Oakville: Part I,” n.d., accessed 21 August 2023, <http://www.oakville.ca/culturerec/is-firstnations.html>.

<sup>12</sup> Smith, “The Native History of the Regional Municipality of Halton and the Town of Oakville: Part II.”

horticulture in the Middle Woodland as well as the development of long-distance trade networks.

Woodland populations transitioned from a foraging subsistence strategy towards a preference for agricultural village-based communities around AD 500–1000. It was during this period that corn (maize) cultivation was introduced into southern Ontario. The Princess Point Complex (AD500–1000) sites provide the earliest evidence of corn cultivation in southern Ontario. Large Princess Point village sites have been found west of Oakville, at Coote's Point, and east of Oakville in the Credit River valley; however, none have been found within Oakville.

The Late Woodland period in Southern Ontario is divided into three distinct stages: Early Iroquoian (AD 1000–1300); Middle Iroquoian (AD 1300–1400); and Late Iroquoian (AD 1400–1650). The Late Woodland is generally characterised by an increased reliance on cultivation of domesticated crop plants - such as corn, squash, and beans - and a development of palisaded village sites which included more and larger longhouses. These village communities were commonly organized at the tribal level. By the 1500s, Iroquoian communities in southern Ontario – and northeastern North America, more widely – were politically organized into tribal confederacies. South of Lake Ontario, the Five Nations Iroquois Confederacy comprised the Mohawk, Oneida, Onondaga, Cayuga, and Seneca while Iroquoian communities in southern Ontario were generally organized into the Petun, Huron, and Neutral Confederacies. Present-day Oakville is located in a transitional or frontier territory between the Neutral and Huron.

During this period, domesticated plant crops were supplemented by continued foraging for wild food and medicinal plants as well as hunting, trapping, and fishing. Camp sites from this period are often found in similar locations (if not the same exact location) to temporary or seasonal sites used by earlier, migratory southern Ontario populations. Village sites themselves were periodically abandoned or rotated as soil nutrients and nearby resources were depleted. This was a typical cycle for village sites that may have lasted somewhere between 10 and 30 years.<sup>13</sup> A number of late Woodland village sites have been recorded along Bronte (Twelve Mile) Creek.

## **4.2 SEVENTEENTH- AND EIGHTEENTH-CENTURY HISTORIC CONTEXT (1600S AND 1700S)**

When French explorers and missionaries first arrived in southern Ontario during the first half of the 17th century, they encountered the Huron, Petun, and – in the general vicinity of Oakville – the Neutral. The French brought with them diseases for which the Indigenous had no immunity, contributing to the collapse of the three southern Ontario Iroquoian

---

<sup>13</sup> Smith, "The Native History of the Regional Municipality of Halton and the Town of Oakville: Part III."

confederacies. Also contributing to the collapse and eventual dispersal of the Huron, Petun, and Neutral was the movement of the Five Nations Iroquoian Confederacy from south of Lake Ontario. Between 1649 and 1655, the Five Nations waged war on the Huron, Petun, and Neutral, pushing them out of their villages and the general area. As the Five Nations moved across a large hunting territory in southern Ontario, they began to threaten communities further from Lake Ontario, specifically the Ojibway (Anishinaabe). The Anishinaabe had occasionally engaged in conflict with the Five Nations over territories rich in resources and furs as well as access to fur trade routes. However, in the early 1690s, the Ojibway, Odawa, and Patawatomie allied as the Three Fires and initiated a series of offensive attacks on the Five Nations, eventually forcing them back to the south of Lake Ontario. Oral tradition indicates that the Mississauga played a key role in the Anishinaabe attacks against the Iroquois. A large group of Mississauga established themselves in the area between present-day Toronto and Lake Erie around 1695, the descendants of whom are the Mississaugas of the New Credit First Nation.<sup>14</sup>

Throughout the 18th century, the Mississaugas who settled in between Toronto and Lake Erie were involved in the fur trade. Although they did practice agriculture of domesticated food crops, they continued to follow a seasonal cycle of movement for resource harvesting. Families were scattered across the wider hunting territory during winter months, hunting deer, small game, birds, and fur animals. In spring, groups moved to sugar bushes to harvest sap prior to congregating at the Credit River.<sup>15</sup> The Credit River was an important site in the spring for Salmon and was also the location where furs and pelts were brought to trade.

### 4.3 TRAFALGAR TOWNSHIP SURVEY AND EARLY EURO-CANADIAN SETTLEMENT

Survey of Trafalgar Township (historic Halton County) began with Dundas Street in 1793. Dundas Street came to serve as an important and strategic military transportation route between York (Toronto) and the lakehead at Dundas (Hamilton).<sup>16</sup> On 2 August 1805, Treaty 14 (Head of the Lake) was signed with the Mississaugas ceding to the Crown a strip of land along the lake about six miles wide from the Etobicoke Creek to the North West Line, a distance of about 20 miles (Image 1).<sup>17</sup> However, the Mississaugas reserved sole rights of fishery in the Credit River, and one mile on the flat or low grounds on each side of the Bronte (Twelve Mile)

---

<sup>14</sup> Smith, "The Native History of the Regional Municipality of Halton and the Town of Oakville: Part I."

<sup>15</sup> The name for the Credit River and by extension the Mississaugas of the Credit, derives from the practice of French, and later English, traders providing credit to the Mississaugas at that river location.

<sup>16</sup> Oakville Historical Society, "Our Town," accessed 23 October 2023, <https://www.oakvillehistory.org/our-town.html>.

<sup>17</sup> D. Duric, "Head of the Lake, Treaty No. 14 (1806)," in *MCFN, Treaty Lands & Territory*, last modified 28 May 2017, accessed 23 October 2023, <http://mncfn.ca/head-of-the-lake-purchase-treaty-14/>.

and Sixteen Mile creeks, the Etobicoke River, and the flat or low grounds of these riverine areas for camps, fishing, and cultivation.<sup>18</sup>

Deputy Provincial Surveyor Samuel S. Wilmot surveyed the County of Halton - including Trafalgar Township - in 1806, using Dundas Street as a baseline.<sup>19</sup> Dundas Street through Trafalgar Township had been partially cleared by 1800 and the first lots to be granted to settlers were along this route. Two concessions were laid out parallel to the north of Dundas (i.e., Burnhamthorpe Road which was known as Base Line Road until 1968) and to the south from the lakeshore to the base line.<sup>20</sup> It was divided into three townships: Toronto, Trafalgar, and Nelson.<sup>21</sup> Dundas Street served as the main east-west transportation and trade route in the area for goods. A number of villages developed along Dundas Street.<sup>22</sup>

European settlers continued to move into Trafalgar Township with a survey in 1806. On 28 October 1818, Treaty 19 (Ajetance Treaty) was signed and a block of land between the 2nd Concession above Dundas Street to what is now Highway 9, and from the Etobicoke to the North West Line from Burlington was purchased for an annual amount of goods (Image 1). The lands acquired in Treaty 19 were referred to as the 'New Survey' in Trafalgar Township.<sup>23</sup>

In February 1820, William Claus orchestrated the sale of three reserves of land at Twelve Mile Creek, Sixteen Mile Creek, and the Credit River from Mississaugas of the Credit to the Crown. The sale was enabled through Treaty 22.<sup>24</sup> On 16 August 1827, a sale was held of the Mississauga holdings at the mouth of the Sixteen Mile Creek amounting to 960 acres.<sup>25</sup>

---

<sup>18</sup> Halton Women's Institute, "A History and Atlas of the County of Halton," n.d., accessed 23 October 2023, 2-10.

<sup>19</sup> Oakville Historical Society, "Our Town."

<sup>20</sup> Halton Women's Institute, "A History and Atlas of the County of Halton."

<sup>21</sup> Oakville Historical Society, "Our Town."

<sup>22</sup> E. Langlands, *Bronte Creek Provincial Park Historical Report* (Ministry of Natural Resources, 1972), 17.

<sup>23</sup> D. Duric, "Ajetance Treaty, No. 19 (1818)," in *MCFN, Treaty Lands & Territory*, last modified 28 May 2017, accessed 23 October 2023, <http://mncfn.ca/treaty19/>; Province of Ontario, "Map of Ontario treaties and reserves," last modified 23 October 2023, accessed 23 October 2023, <https://www.ontario.ca/page/map-ontario-treaties-and-reserves#treaties>.

<sup>24</sup> D. Duric, "12 Mile Creek, 16 Mile Creek, and Credit River Reserves – Treaty No.s 22 and 23 (1820)," *MCFN, Treaty Lands & Territory*, last modified 28 May 2017, accessed 23 October 2023, <http://mncfn.ca/treaty2223/>.

<sup>25</sup> Halton Women's Institute, "A History and Atlas of the County of Halton," 2-10.

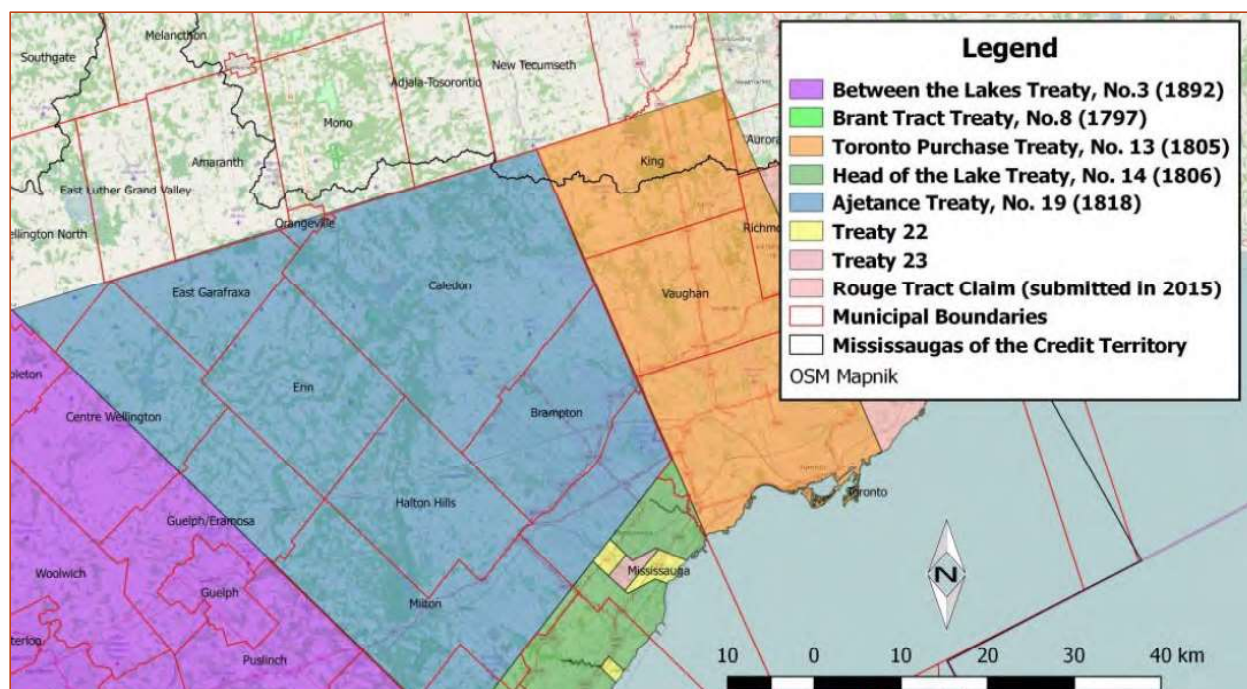


Image 1. Ajetance Treaty, No. 19 Map.<sup>26</sup>

#### 4.4 TOWN OF OAKVILLE HISTORY

Euro-Canadian settlers moved to the area that would become the Town of Oakville in the mid-to-late 1820s following the signing of Treaty 22 in 1820 (see Section 4.3). The person attributed with the establishment and development of Oakville was William Chisholm, who had lived in Nelson Township beginning in the early 19th century. His Loyalist parents, Thomas and Elizabeth, came to Nova Scotia and then to Upper Canada where Thomas purchased land on the North Shore of Burlington Bay. William Chisholm saw the possibilities of building a harbour at the mouth of the Sixteen Mile Creek for the purpose of shipping oak staves, lumber, grain, and other products. The shipment of oak staves on a large scale was profitable as barrels were in great demand in both Canada and the United States for transporting produce of every description.<sup>27</sup>

William Chisholm – who worked in shipment and milling – purchased 960 acres of land from the Crown, and as planned, developed the town around a harbour at the mouth of Sixteen Mile Creek. Chisholm built the harbour with dredging and the construction of piers creating the historic core of present-day Oakville.<sup>28</sup> Following his death in 1842, Chisholm's land was

<sup>26</sup> Mississaugas of the Credit First Nation, "Community Profile."

<sup>27</sup> W. Lewis, "Chisholm, William," in *Dictionary of Canadian Biography*, vol. 7 (University of Toronto/Université Laval, 2003–), accessed 25 October 2023, [http://www.biographi.ca/en/bio/chisholm\\_william\\_7E.html](http://www.biographi.ca/en/bio/chisholm_william_7E.html).

<sup>28</sup> Halton Women's Institute, "A History and Atlas of the County of Halton," 2-10.



sold off with any unsold land transferred to his son, Richard Kerr Chisholm, who continued to develop the town. Oakville's lakefront port experienced an economic boom in the 1840s as goods from the interior travelled along Dundas Street to the harbour.<sup>29</sup> Oakville's main exports from the 1840s-1850s were pine boards, oak and pine timber, whiskey, flour, oats, peas, and wheat.<sup>30</sup>

Between 1835 to 1867, Oakville's lakefront ports developed and expanded to service the interior export boom. This period has been considered one of the most important in Ontario's agricultural history.<sup>31</sup> Between 1851 and 1856, exports of agricultural products increased 280% while the population increased 44%. This growth was not surpassed, even by the mechanization of agriculture 100 years later.<sup>32</sup> A crash in wheat prices in 1857 led to the development of fruit—in particular, strawberry—farms in Trafalgar Township. By 1870, the Oakville area had more than 300 acres of strawberries with orchards thriving in other parts of the township. The 1877 Historical Atlas identified Oakville as the “greatest strawberry growing district in the Dominion.” Among the early strawberry growers were John Cross, J. Hagaman, John A. Chisholm, W.H. Jones, Captain W.B. Chisholm, E. Skelly, J.T. Howell, and A. Mathews.

Beginning in the 1850s, Oakville started to evolve into a resort town for excursionists, who arrived on steamers to take advantage of the waterfront for recreation. The role of the harbour evolved as Oakville transformed into a year-round resort town. Amenities were established along the lakefront to support the growing tourist trade including hotels and boat rentals. During this period, the Toronto and Hamilton Branch of the Great Western Railway cut through the county in 1855 on an east-west course north of Oakville and Bronte, and a Grand Trunk Line through the north to Georgetown in 1856. These railways undermined the economic foundations of the lakefront ports and shipping industries as rail became the major means of transportation to Toronto and beyond.<sup>33</sup> Shipyards - which had been established to support the shipping industry - began producing pleasure craft and by 1871, Oakville's shipyards had ceased production of steam vessels or barges entirely. The inland villages - which serviced rural farms - remained stable into the early 20th century when technological developments in transportation and industry displaced these small crossroad communities.

Oakville was further established as a cottage region along the lake shore on both sides of the mouth of the Sixteen Mile Creek by the 1920s. The area along Lakeshore Road - east of the

---

<sup>29</sup> H. Mathews, *Oakville and the Sixteen: The History of an Ontario Port* (Toronto: University of Toronto Press, 1953), 194-95.

<sup>30</sup> W.H. Smith, *Canada, Past, Present, and Future being a Historical, Geographical, and Statistical Account of Canada West*, Volume 1 (Toronto: T. Maclear, 1851), 26.

<sup>31</sup> Langlands, *Bronte Creek Provincial Park Historical Report*, 28.

<sup>32</sup> Langlands, *Bronte Creek Provincial Park Historical Report*, 28.

<sup>33</sup> Mathews, *Oakville and the Sixteen: The History of an Ontario Port*, 334 and 463: cited in Langlands, 29.

Town centre - became the location of a number of large summer estates with large homes, stables, and elaborately landscaped grounds constructed between 1900 and 1930 for wealthy businessmen. The lakefront became known as Millionaire's Row.<sup>34</sup> Some remaining estate properties of note in the vicinity of the Property include: Dearcroft Montessori School at 1167 Lakeshore Road East; Ballymena Estate at 1198-1208 Lakeshore Road East; Grenvilla Lodge at 1248-1250 Lakeshore Road East; Gairloch Gardens at 1288-1306 Lakeshore Road East; and, Ennisclare at 40 Cox Drive.

With the increase in automobile traffic following the Second World War and the continued growth of Oakville, the landscape was dramatically altered. The expansion of the Queen Elizabeth Way and construction of Highway 401 in the early 1950s resulted in the loss of buildings in the inland service villages. The southern portion of the Township of Trafalgar was amalgamated with the Town of Oakville in 1962.<sup>35</sup>

#### 4.5 BRANTWOOD PLAN

The Brantwood Subdivision was comprised of around 100 acres of Concession 3 Lot 12 and was originally the Cyrus Anderson farm estate. Cyrus Anderson owned and operated a private bank in downtown Oakville until 1902 when the bank failed and the mortgage on his farm estate was foreclosed granting the estate to the Bank of Hamilton. In 1907, the Bank of Hamilton sold the farm to Cumberland Land Limited for the creation of the Brantwood Plan. The subdivision's 100 acres was divided into 381 lots and a sales manager – W. S. Davis – was hired in 1910. A brochure was published in 1913 and distributed to businessmen in Toronto and Hamilton. Most lots were vacant; however, some lots contained pre-existing houses that were being sold alongside the vacant lots. Pre-existing houses generally featured half-timbering and stucco on the second storey with a brick first storey. Sales slowed during the First World War, but they regained traction in the mid-1920s to 1930s.<sup>36</sup>

Sewage, water, and paved roads as well as the close proximity to train stations – and, therefore, easy access to Toronto and Hamilton - were key features of the subdivision.

<sup>34</sup> T. Casas, "Paving the Way to Paradise," last modified 2013, accessed 25 October 2023, <https://teresa.cce.com/wp-content/uploads/2013/10/Paving-word-October-14-2013.pdf>, 8.; Oakville Images, "A History of Oakville: Our Beautiful Town by the Lake, Lifestyle," accessed 25 October 2023, <http://images.oakville.halinet.on.ca/202/Exhibit/7>.

<sup>35</sup> Langlands, *Bronte Creek Provincial Park Historical Report*, 86-87.

<sup>36</sup> City of Oakville, "Heritage Research Report – 376 Douglas Avenue," last modified July 2011, accessed 12 May 2025, <https://pub-oakville.escribemeetings.com/filestream.ashx?documentid=31916>.; Cumberland Land Company Limited, "Brantwood," *Trafalgar Township Historical Society Digital Collections*, last modified 1913, accessed 12 May 2025, <https://images.ourontario.ca/Partners/TTHS/TTHS0022906671T.PDF>.; Oakville Historical Society, "Photo Record – Grit Anchorage," accessed 13 May 2025, <https://oakvillehistory.pastperfectonline.com/photo/A016C142-58B7-498D-81D2-110374286473>.

Building restrictions were included in each sales agreement and generally indicated that the lots would only be used for residential purposes, that the dwelling constructed had to have a minimum value of \$4000, and that buildings, fences, and any other “erections or obstructions” had to be a minimum of 20 feet from the street.<sup>37</sup>

## 4.6 PROPERTY HISTORY

### 4.6.1 CONCESSION 3 SOUTH OF DUNDAS STREET LOT 12

Concession 3 South of Dundas Street Lot 12 was created following the signing of Treaty 14 and was surveyed by Samuel L. Wilmot. Two maps prepared by Wilmot – one on 18 June 1806 and one on 28 June 1806 – depict that the lot had not been subdivided or developed (Figure 3). The Crown Patent for the property was issued on 15 February 1848 to Samuel Fenson.<sup>38</sup> In 1810, Charles Anderson purchased the lot then sold it to Joesph Anderson twenty years later.<sup>39</sup> After his death in 1879, Joesph willed the remaining 140 acres of the lot to his son Cyrus.<sup>40</sup> As noted in Section 4.5, Cyrus’ farm estate was foreclosed, and ownership was transferred to the Bank of Hamilton in 1902. Plan 113 was registered on the 3 June 1907.<sup>41</sup>

### 4.6.2 PLAN 113 LOTS 163 & 164 AND PART LOT 165

Plan 113, also referred to as the ‘Brantwood Plan’, is a large subdivision comprised of 381 lots bounded by Lakeshore Road to the south, Gloucester Avenue to the east, Spruce Street to the north, and Allan Street to the west (Figure 3). The original lots were generally uniform in size and shape. They were rectangles each with a 50-foot frontage and around a 150-foot length. Lots generally fronted onto a north-south road; however, several lots in the northeast corner and southern end of the subdivision fronted onto an east-west street. Plan 113 was registered in 1907 by Cameron Bartlett of the Bank of Hamilton. Plan 113 is bordered by two other early 20<sup>th</sup> century plans of subdivision, including Plan 121 to the southwest called the ‘Brantwood Annex’ or ‘Tuxedo Manor’ – which was registered on 15 July 1909 by Louis Phillip Snyder – and Plan 127 to the north called ‘Tuxedo Park’ – which was registered on 16 April 1910 also by Louis Phillip Snyder.

Despite the planned presence of the Property parcel by 1909, a topographic map from that year does not depict Douglas Avenue or any buildings (Figure 4). By 1919, the subdivision’s roads had been constructed along with some residences; however, the Property was still

---

<sup>37</sup> Cumberland Land Company Limited, “Brantwood.”

<sup>38</sup> Land Registry Ontario, “Halton County (20), Trafalgar, Book 28; Concession 2; South of Dundas Street; Lot 10 to 14,” accessed 13 May 2025, <https://www.onland.ca/ui/20/books/23272/viewer/813793562?page=186>, Patent.

<sup>39</sup> LRO, “Halton County (20), Trafalgar, Book 28; Concession 2; South of Dundas Street; Lot 10 to 14,” 433.

<sup>40</sup> LRO, “Halton County (20), Trafalgar, Book 28; Concession 2; South of Dundas Street; Lot 10 to 14,” 1336.

<sup>41</sup> LRO, “Halton County (20), Trafalgar, Book 28; Concession 2; South of Dundas Street; Lot 10 to 14,” 113.



vacant. Development of the subdivision continued throughout the 1920s and 1930s with several surviving buildings scattered throughout the subdivision having been built during this time. Further development of the area occurred in the 1940s-1960s (Figure 4).

Land in the Brantwood Survey was heavily marketed towards citizens of larger neighbouring cities, including Toronto and Hamilton. A brochure prepared by the Cumberland Land Company Limited describes Oakville as "...becoming an exclusive suburb of the sister cities of Toronto and Hamilton" and subsequently describes Brantwood's social life in contrast to Toronto and Hamilton and its proximity to them.<sup>42</sup> Collectively with the other subdivisions, the creation and development of these subdivisions marked a large-scale urban expansion of the Town of Oakville. Moreover, the marketing strategy employed alongside their development suggests a transformation of Oakville from a seasonal resort town to a bedroom community for Toronto and Hamilton.

On 10 November 1911, Bartlett sold the Property and four other lots to the Cumberland Land Company.<sup>43</sup> In 1920, Gladys Isabella Miller was granted the Property with building restrictions.<sup>44</sup> Two years later, Annie Marguerite Howie was granted the Property alongside another property (Lot 164) then granted the two properties along with the building restrictions to John Wilson (1856-1941) – a farmer - in 1926.<sup>45</sup> In 1951, descendants of John Wilson, Alexander and Daniel Wilson, granted both properties to Robert Frank Winfield.<sup>46</sup> Two years later, Robert Frank Winfield and his wife granted both properties to D. McLean and his wife.<sup>47</sup> In 1978, the McLeans deeded the Property to Monty and Lisa Macrae.<sup>48</sup>

Topographic maps from 1909 and 1919 do not illustrate buildings on the Property (Figure 4). By 1931, two rectangular plan buildings are apparent on the Property and fronting onto Douglas Avenue (Figure 5). The 1938 topographic map is the first topographic map to indicate

<sup>42</sup> Cumberland Land Company Limited. "Brantwood: Beautifully Located, Healthful Surroundings, Inviting Prospects, Pleasing Vistas with City Conveniences." 1913. Accessed 23 November 2023. [https://www.oakvillehistory.org/uploads/2/8/5/1/28516379/1913\\_brantwood\\_survey\\_book.pdf](https://www.oakvillehistory.org/uploads/2/8/5/1/28516379/1913_brantwood_survey_book.pdf).

<sup>43</sup> Land Registry Ontario, "Halton County (20), Halton; Plan 113; Lot 100 to 249," accessed 13 May 2025, <https://www.onland.ca/ui/20/books/23436/viewer/857782576?page=161,4903K>.

<sup>44</sup> LRO, "Halton County (20), Halton; Plan 113; Lot 100 to 249," 7314 N.

<sup>45</sup> LRO, "Halton County (20), Halton; Plan 113; Lot 100 to 249," 8339 and 9959.; Find a Grave, "John Wilson," accessed 14 May 2025, [https://www.findagrave.com/memorial/240927336/john-wilson?\\_gl=1\\*\\_zlnn4q\\*\\_gcl\\_au\\*\\_Mzk5Nzc5OTQ2LjE3NDEzNjU3ODE.\\*\\_ga\\*\\_MTUyMjU2NjUzOS4xNzQxMzY1Nzkw\\*\\_ga\\_4QT8FMEX30\\*\\_czk2NjRiNjA4LWlyNDktNGYzYi1hYTRkLTY1MjQxZDQ2NjhlMSRvMTIkZzEkdDE3NDcxNjExOTMkajEk bDAkaDA.\\*\\_ga\\_QPQNV9XG1B\\*\\_czk2NjRiNjA4LWlyNDktNGYzYi1hYTRkLTY1MjQxZDQ2NjhlMSRvMTIkZzEkdDE3NDcxNjExOTMkajAk bDAkaDA.](https://www.findagrave.com/memorial/240927336/john-wilson?_gl=1*_zlnn4q*_gcl_au*_Mzk5Nzc5OTQ2LjE3NDEzNjU3ODE.*_ga*_MTUyMjU2NjUzOS4xNzQxMzY1Nzkw*_ga_4QT8FMEX30*_czk2NjRiNjA4LWlyNDktNGYzYi1hYTRkLTY1MjQxZDQ2NjhlMSRvMTIkZzEkdDE3NDcxNjExOTMkajEk bDAkaDA.*_ga_QPQNV9XG1B*_czk2NjRiNjA4LWlyNDktNGYzYi1hYTRkLTY1MjQxZDQ2NjhlMSRvMTIkZzEkdDE3NDcxNjExOTMkajAk bDAkaDA.); Government of Canada, "Census of Canada, 1921 – Wilson, John," last modified 1921, accessed 14 May 2025, <https://recherche-collection-search.bac-lac.gc.ca/eng/Home/Record?app=census&ldNumber=63788550&ecopy=e002930076>.

<sup>46</sup> LRO, "Halton County (20), Halton; Plan 113; Lot 100 to 249," 17856.

<sup>47</sup> LRO, "Halton County (20), Halton; Plan 113; Lot 100 to 249," 19679.

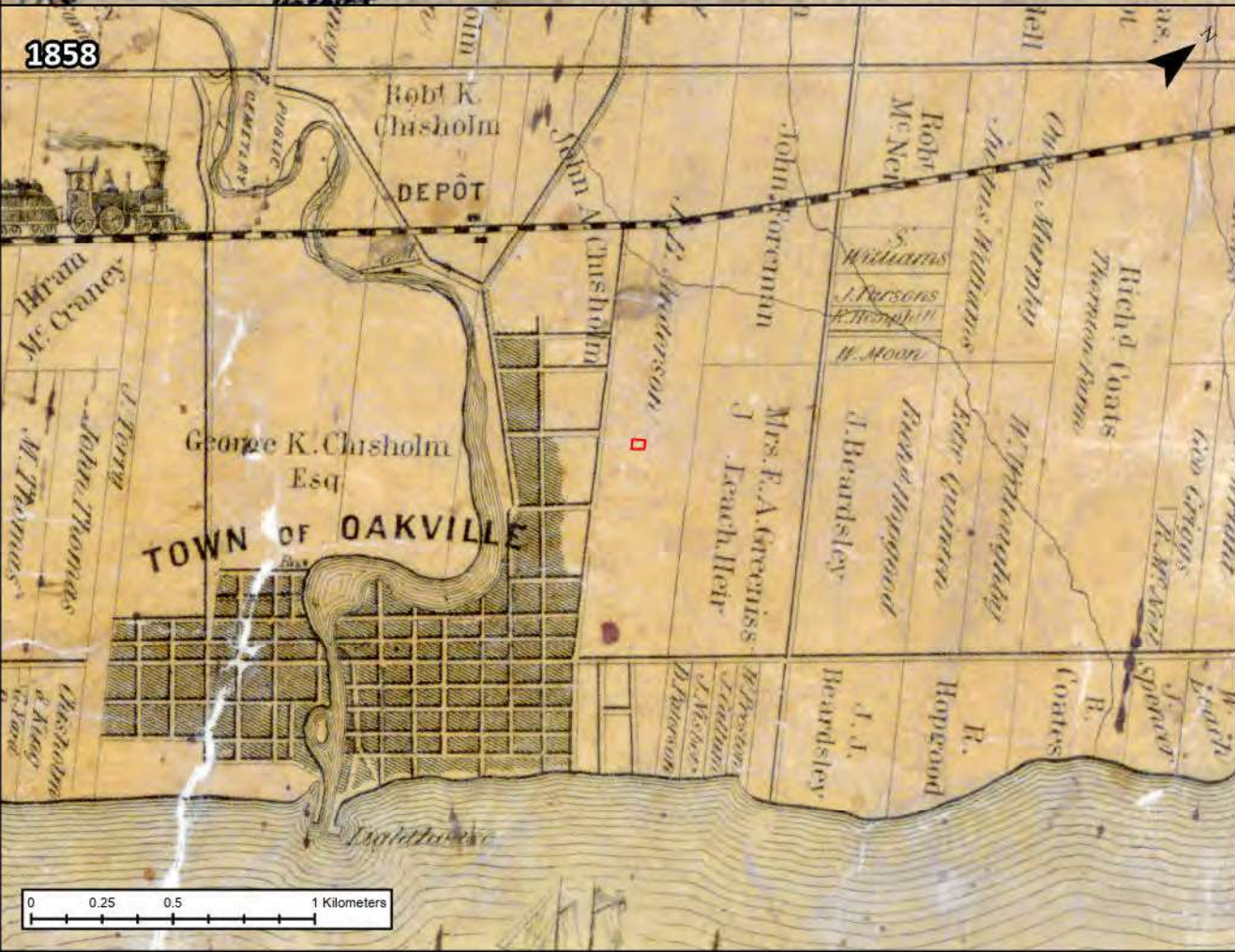
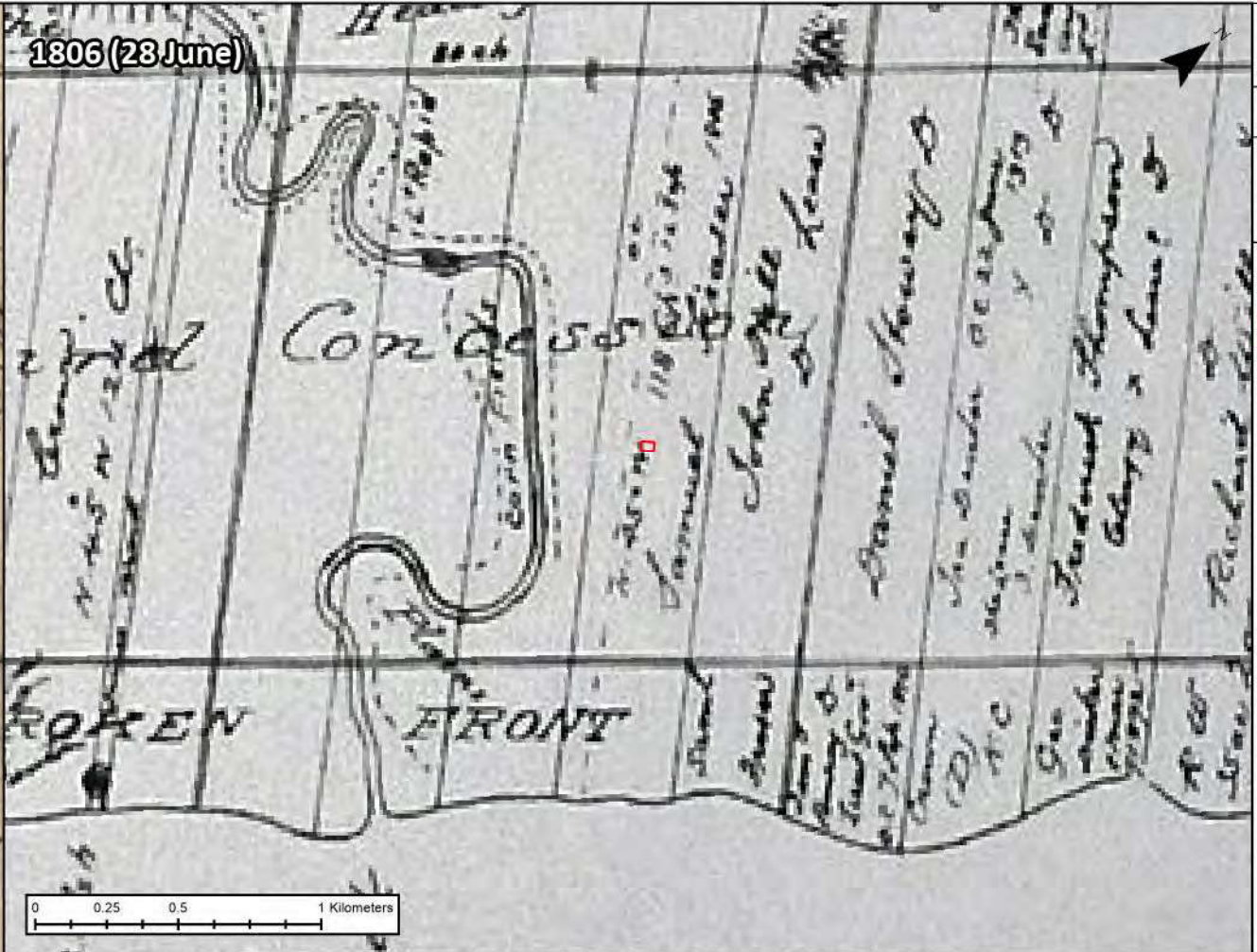
<sup>48</sup> LRO, "Halton County (20), Halton; Plan 113; Lot 100 to 249," 478307.

a building on the Property (Figure 4). In 1949, the Property consisted of a wood frame, rectangular plan house without a garage (Figure 6). The 1969 aerial image depicts a building surrounded by tree cover; however, this image is too grainy to make out any detail. In 1974, a square plan house with a hip roof and a projecting, central, first storey foyer is clearly visible. A one-storey attached garage is present on the house's northeast corner (Figure 5 and Image 2). A discussion with the current owners revealed that the second storey garage addition was added in 1990 and renovations in 2006 included a new entrance with concrete foundation, window replacement, refreshing of stucco cladding and cornerboards, a roof replacement, and a rear addition comprising a living room, mudroom, rear staircase, and part of the kitchen.



Image 2. View of the Property in 1989 (Image provided by Town of Oakville)





**TITLE**  
1806 (June 18), 1806 (June 28), 1858, and 1913  
Historic Maps Showing the Property

**CLIENT**  
Paul and Christine Elliott

**PROJECT**  
Cultural Heritage Evaluation Report,  
299 Douglas Avenue, Town of Oakville, ON

**PROJECT NO.** LHC0505

**Legend**  
 Property

**NOTE(S)** 1. All locations are approximate.

**REFERENCE(S)**  
Davis W.S. 1913. Brantwood Beautifully Located Healthful Surroundings Inviting Prospects Pleasing Vistas with City Conveniences. Cumberland Land Co. Limited. <https://images.ourontario.ca/Partners/TTHS/TTHS0022906671T.PDF>

Tremaine, G.R. 1858. Tremaine's Map of the County of Halton Canada West. Scale 1:31,680. Digitized map. Accessed 26 October, 2025. <https://maps.library.utoronto.ca/hgis/countymaps/halton/halton2.jpg>

Wilmot, S.J. 1806, 18 June. Trafalgar, District of Gore Partial. Scale 1:31,680. Digitized map.

1806, 28 June. Trafalgar, Plan of the Second Township In the tract of Land lately Purchased from the Mississauga Indians. Scale 1:31,680. Digitized map. Accessed 26 October, 2023. <https://images.ourontario.ca/Partners/TTHS/TTHS002703198f.jpg>

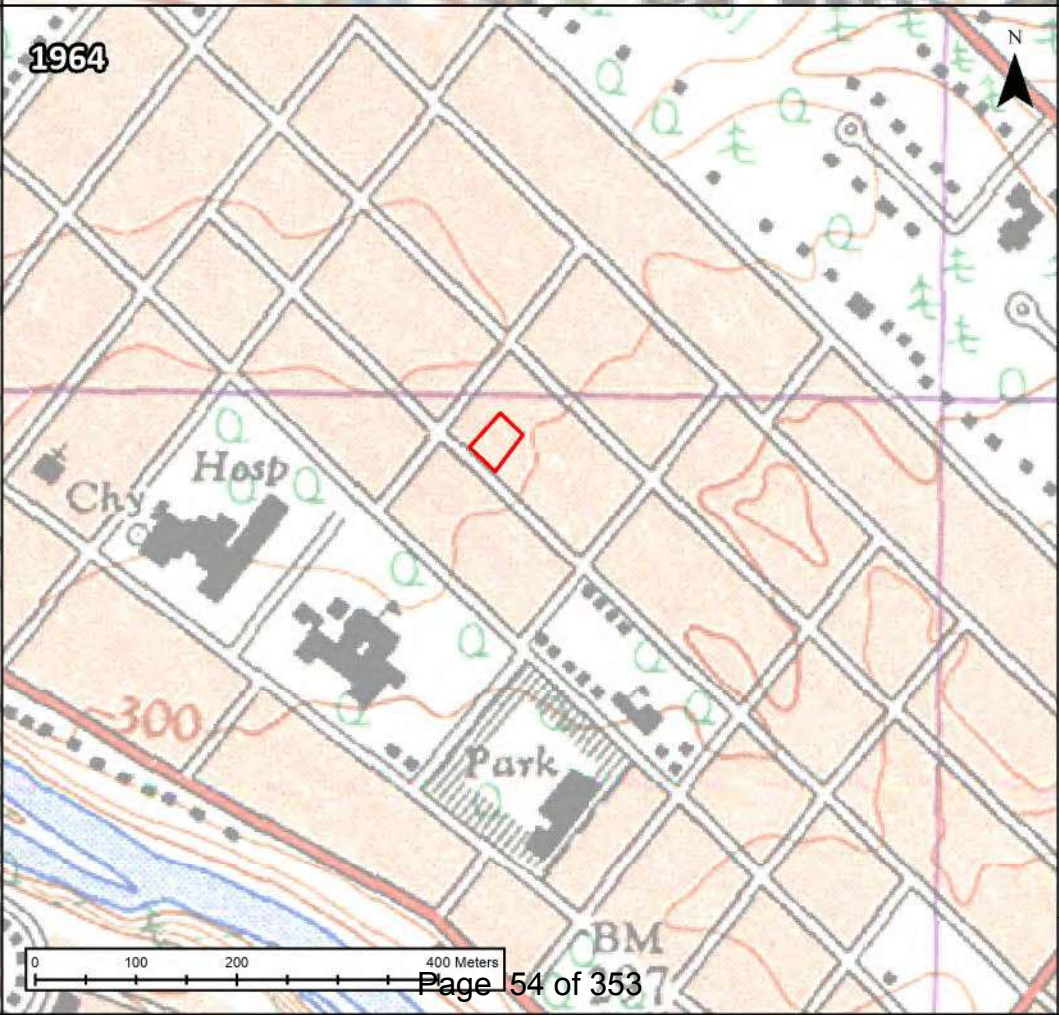
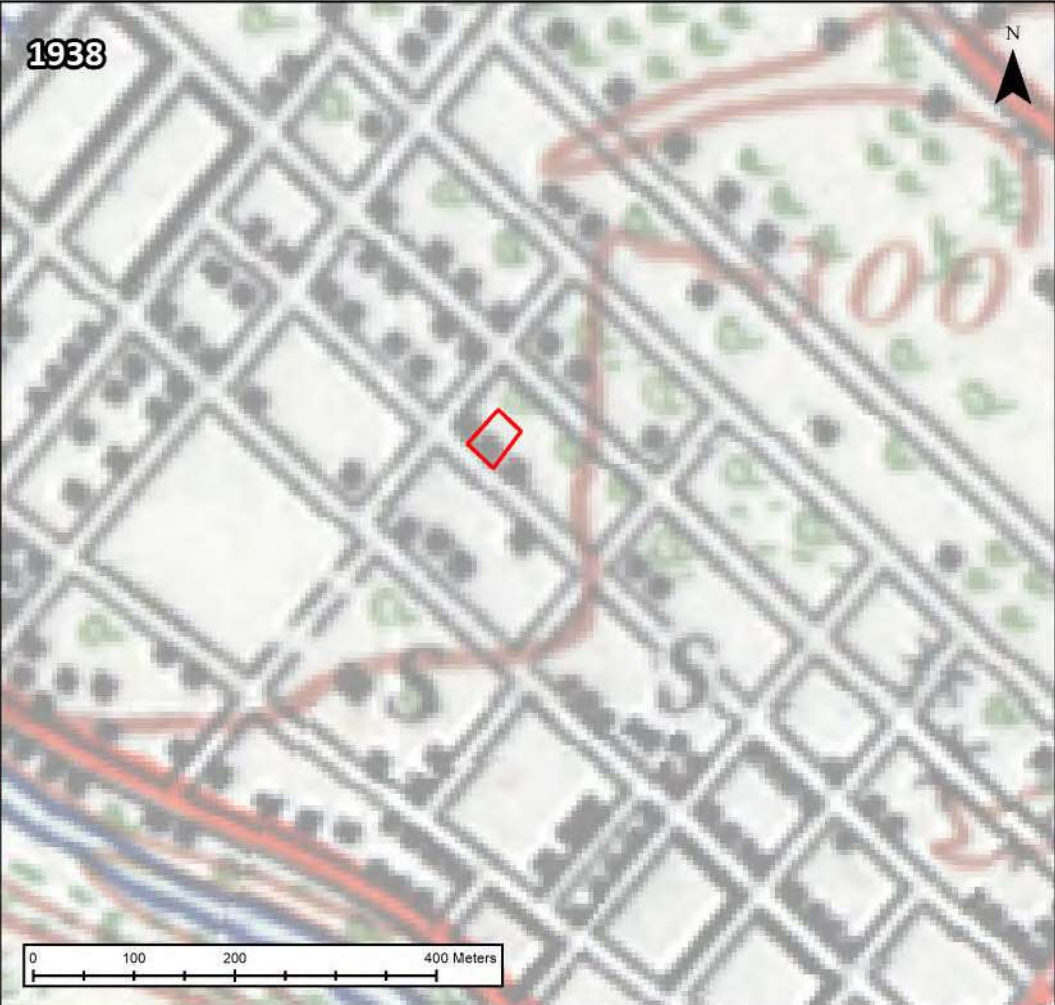
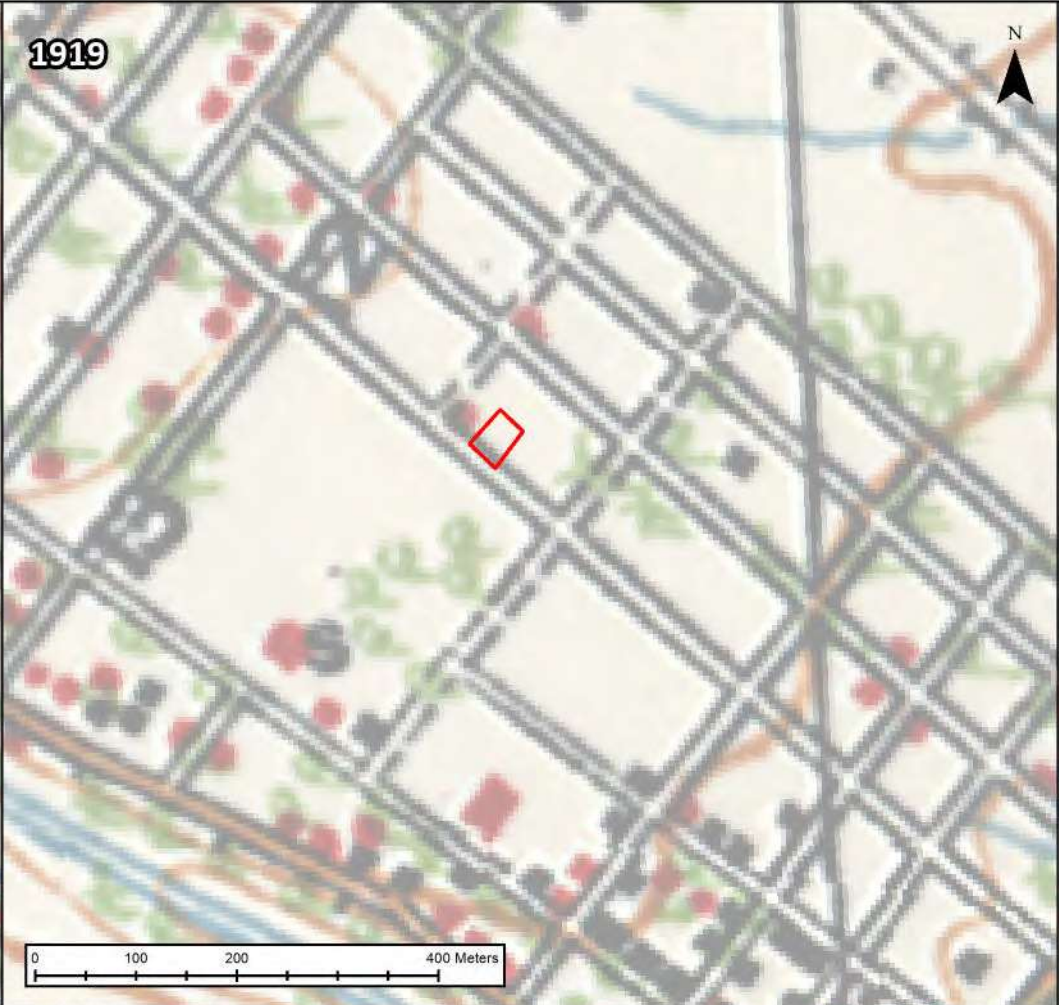
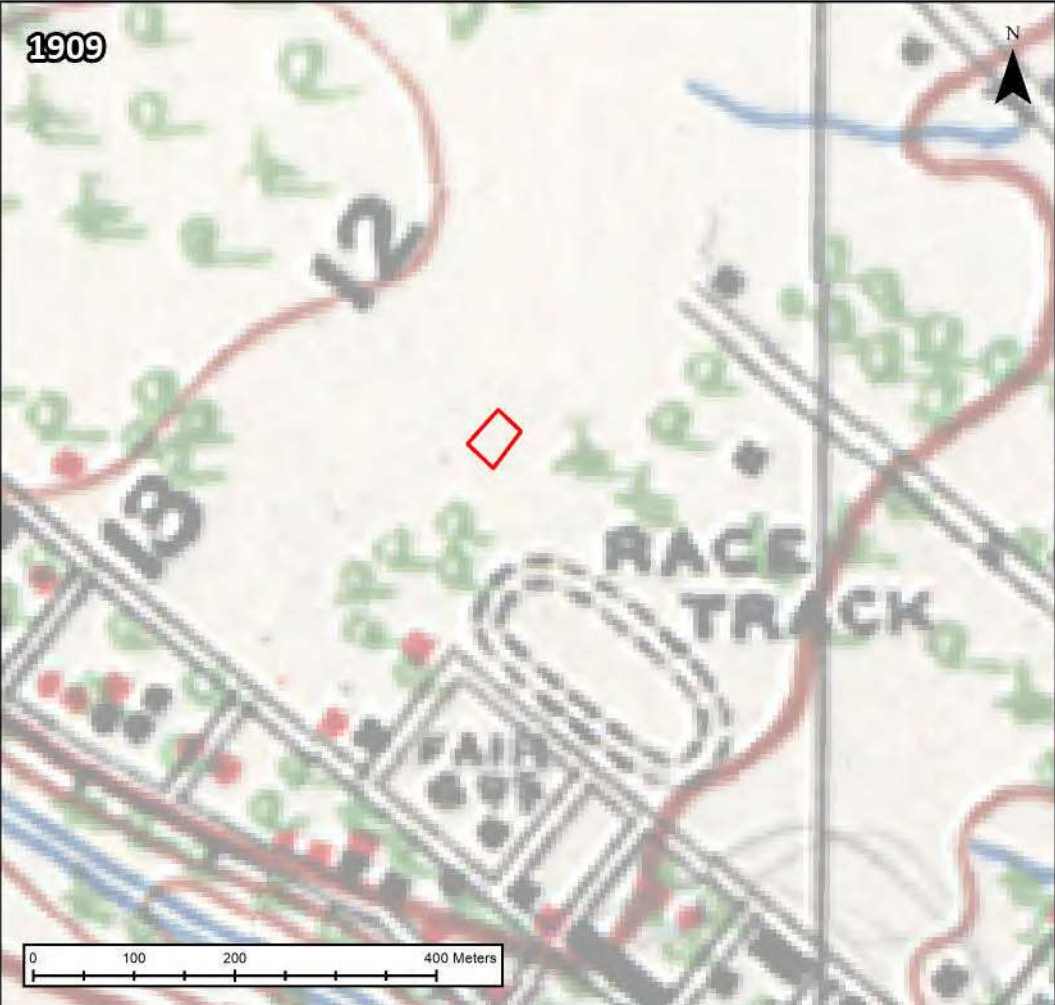
Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (c) Esri and its licensors. All rights reserved.

**LHC**  
HERITAGE PLANNING & ARCHAEOLOGY


YYYY-MM-DD 2025-05-26

FIGURE # 3





**Legend**

 Property

**TITLE**  
1909, 1919, 1938, 1952, and 1964 Topographic Maps Showing the Property

**CLIENT**  
Paul and Christine Elliott

**PROJECT**  
Cultural Heritage Evaluation Report, 299 Douglas Avenue, Town of Oakville, ON

PROJECT NO. LHC0505

**NOTE(S)** 1. All locations are approximate.

**REFERENCE(S)**  
Department of Energy, Mines, and Resources. 1964. Oakville Ontario. Sheet 30 M/5g. Edition 1. Scale 1:25,000. "Scholars Geoportal". Digitized map. Accessed 15 April, 2025. [https://geo.scholarsportal.info/#r/details/\\_uri@=HTDP25K030M05gbh\\_1964TIFF&\\_add=true\\_nozoom=true](https://geo.scholarsportal.info/#r/details/_uri@=HTDP25K030M05gbh_1964TIFF&_add=true_nozoom=true)


Department of Militia and Defence.  
1909. Topographic Map Ontario Hamilton Sheet. Sheet 30 M/5. Edition 1. Scale 1:63,360. "Scholars Geoportal". Digitized map. Accessed 15 April, 2025. [https://geo.scholarsportal.info/#r/details/\\_uri@=HTDP63360K030M05\\_1909TIFF&\\_add=true\\_nozoom=true](https://geo.scholarsportal.info/#r/details/_uri@=HTDP63360K030M05_1909TIFF&_add=true_nozoom=true)

1919. Topographic Map Ontario Hamilton Sheet. Sheet 30 M/5. Edition 3. Scale 1:63,360. "Scholars Geoportal". Digitized map. Accessed 15 April, 2025. [https://geo.scholarsportal.info/#r/details/\\_uri@=HTDP63360K030M05\\_1919TIFF&\\_add=true\\_nozoom=true](https://geo.scholarsportal.info/#r/details/_uri@=HTDP63360K030M05_1919TIFF&_add=true_nozoom=true)

Department of National Defence. 1938. Hamilton Ontario. Sheet 30 M/5. Edition 6. Scale 1:63,360. "Scholars Geoportal". Digitized map. Accessed 15 April, 2025. [https://geo.scholarsportal.info/#r/details/\\_uri@=HTDP63360K030M05\\_1938TIFF&\\_add=true\\_nozoom=true](https://geo.scholarsportal.info/#r/details/_uri@=HTDP63360K030M05_1938TIFF&_add=true_nozoom=true)

Natural Resources Canada. 1952. Hamilton. Sheet 30 M/5. Edition 3. Scale 1:50,000. "Scholars Geoportal". Digitized map. Accessed 15 April, 2025. [https://geo.scholarsportal.info/#r/details/\\_uri@=NTS50K030M05\\_1952ed3ETIFF&\\_add=true\\_nozoom=true](https://geo.scholarsportal.info/#r/details/_uri@=NTS50K030M05_1952ed3ETIFF&_add=true_nozoom=true)

Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (c) Esri and its licensors. All rights reserved.



HERITAGE PLANNING & ARCHAEOLOGY

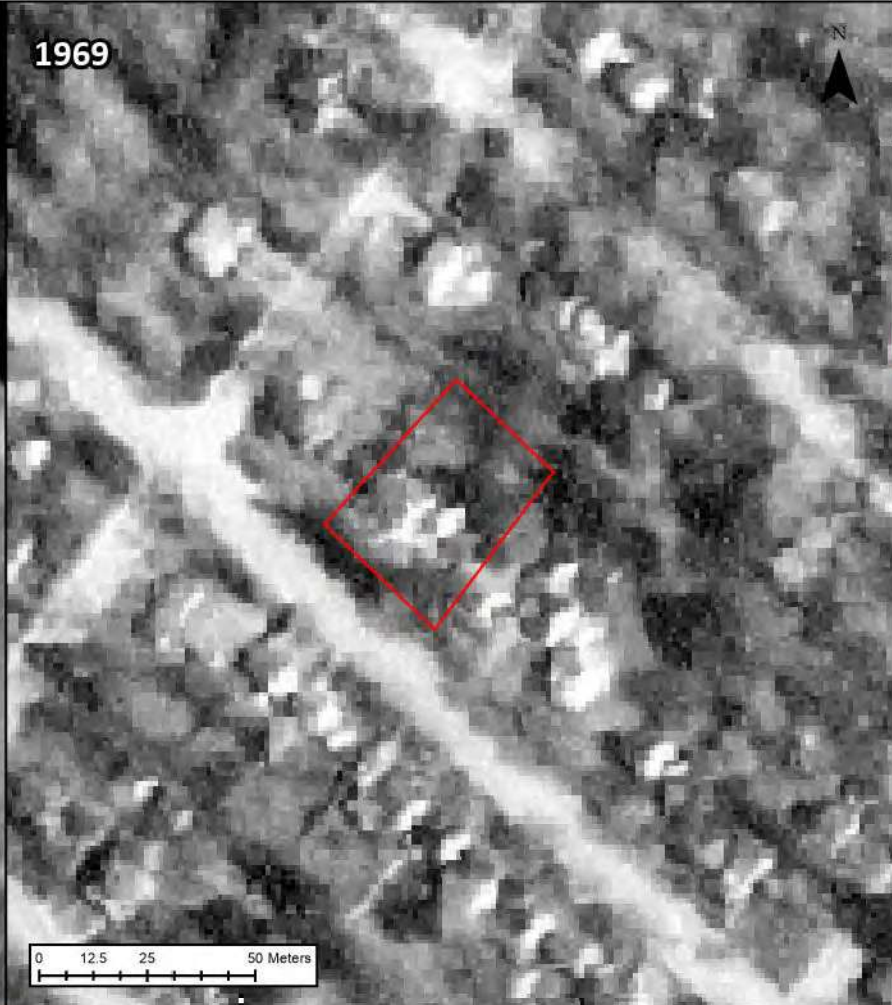
YYYY-MM-DD

FIGURE #

2025-05-23

4





TITLE  
**1931, 1934, 1969, 1974, 1985, and 1988 Historic  
Air Photos Showing the Property**

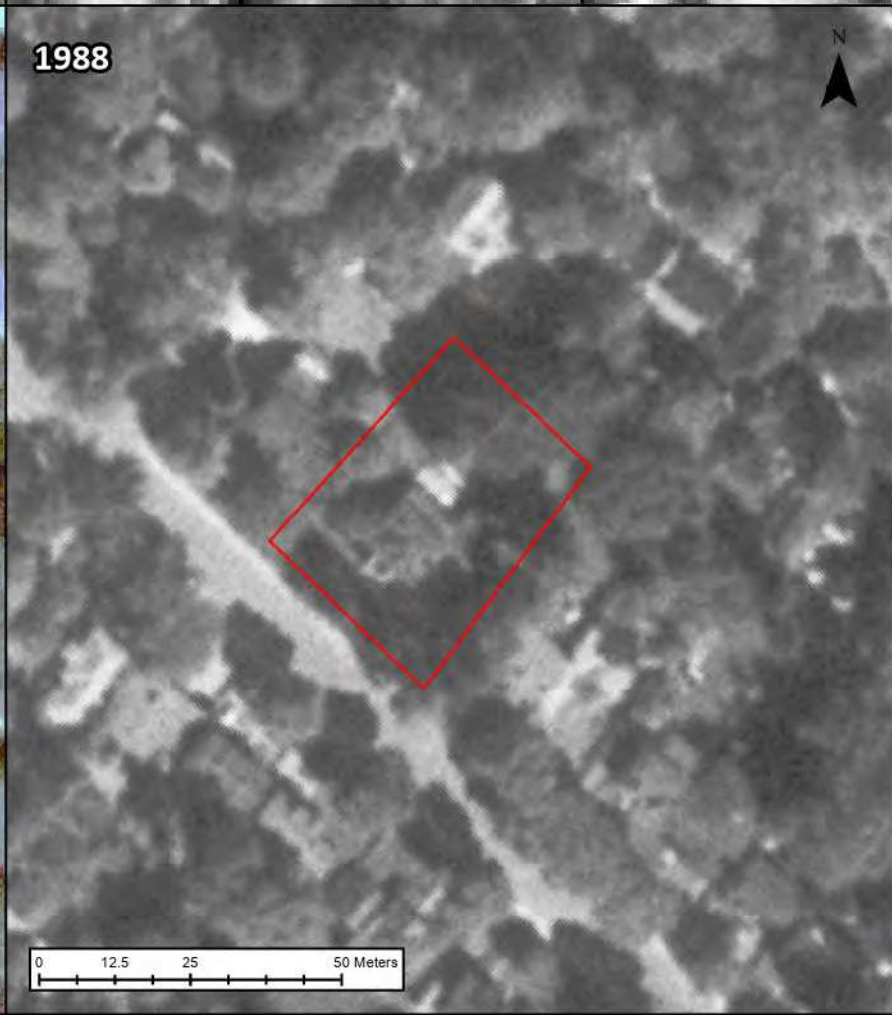
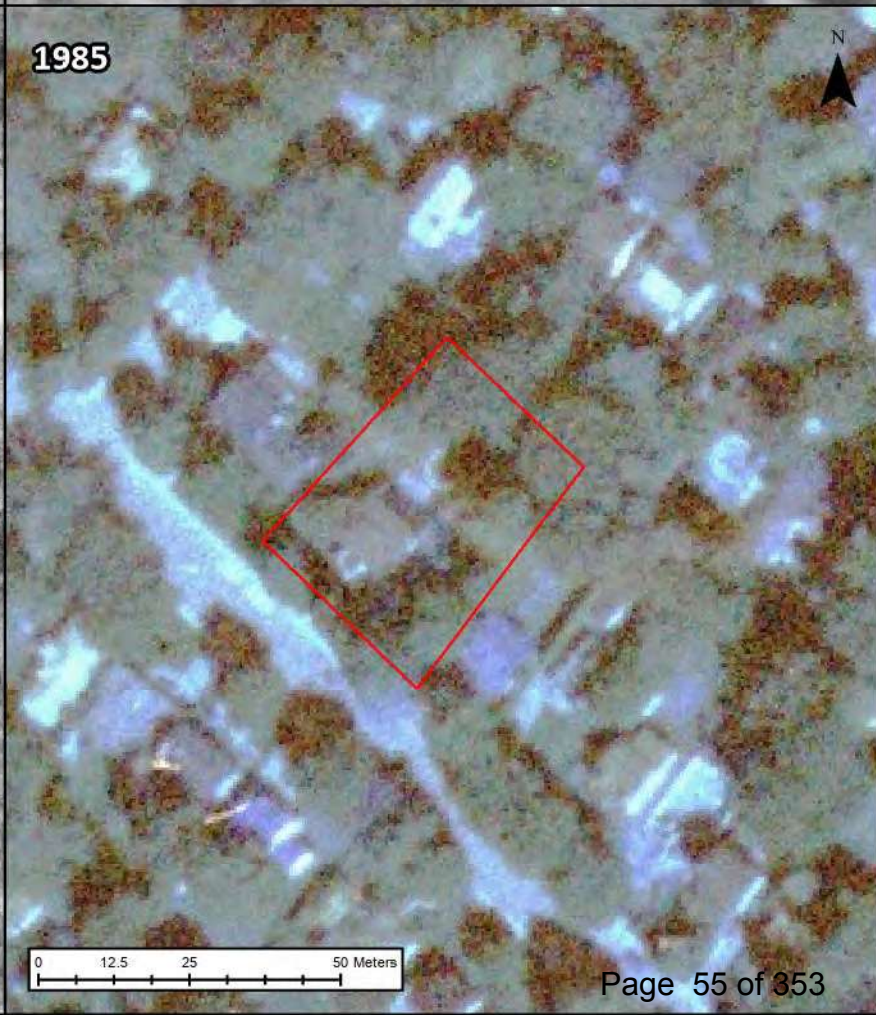
CLIENT  
Paul and Christine Elliott

PROJECT  
Cultural Heritage Evaluation Report, 299 Douglas  
Avenue, Town of Oakville, ON

PROJECT NO. LHC0505

**Legend**

 Property



NOTE(S) 1. All locations are approximate.

REFERENCE(S)  
National Air Photo Library  
1934. A4837-010. Roll A4837 Line 3N Photo 10. Scale 1:20,000.  
1969. A19504-002. Roll A195004 Line 17W Photo 2. Scale 1:30,000.  
1974. A23669-061. Roll A23669 Line 8E Photo 61. Scale 1:25,000.  
1985. A31427-057. Roll A31427 Photo 57. Scale 1:40,000.  
1988. A27356-073. Roll 27356 Line 11W Photo 73. Scale 1:40,000.

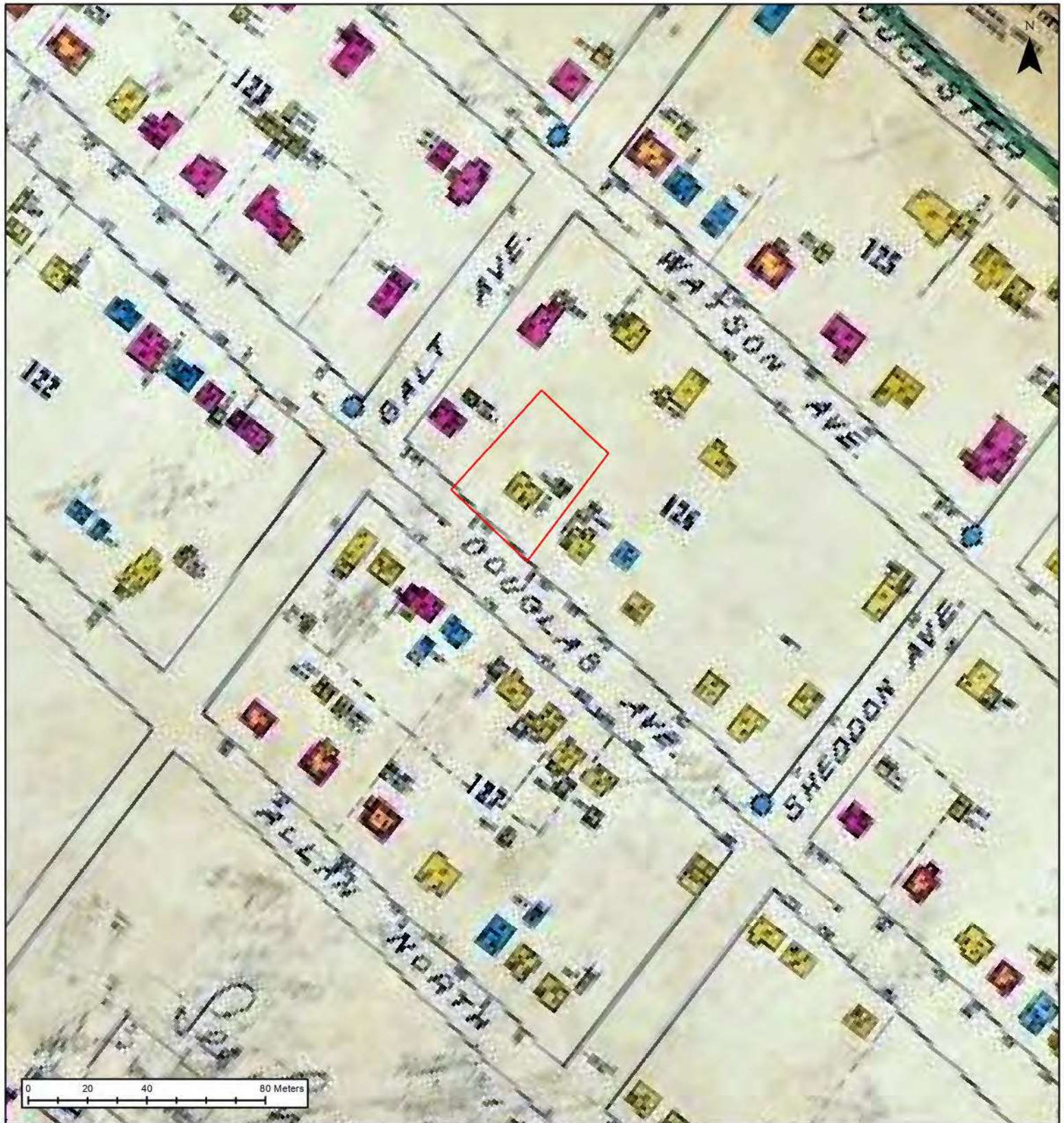
Portions of this document include intellectual property of Esri and its  
licensors and are used under license. Copyright (c) Esri and its licensors. All  
rights reserved.

 HERITAGE PLANNING  
& ARCHAEOLOGY

YYYY-MM-DD 2025-05-23

FIGURE # 7





# Legend

Property

NOTE(S) 1. All locations are approximate.

## REFERENCE(S)

Underwriters Survey Bureau Limited. 1949. Oakville Ont. Scale 1:600. "Oakville Historical Society". Digitized map. Accessed 13 May, 2025. <https://oakvillehistorypastperfectonline.com/archive/43835E3E-1CC5-4CB1-91C4-823574368520>

Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (c) Esri and its licensors. All rights reserved.

TITLE  
1949 Fire Insurance Plan Showing the Property

CLIENT  
Paul and Christine Elliott

PROJECT  
Cultural Heritage Evaluation Report,  
299 Douglas Avenue, Town of Oakville, ON

PROJECT NO. LHC0505



YYYY-MM-DD

2025-05-23

FIGURE #

6



## 4.7 ANDERSON FAMILY

Charles Anderson (1760-1829) was born in County Antrim, Ireland and moved to Grimsby on his own in 1788. He married his first wife Ann Nelles (1774-1811) and purchased Lot 8 Concession 2 in Grimsby from his new father-in-law. He constructed a two-storey house and accessory buildings on this lot. Charles was the overseer of roads for Grimsby Township Council in 1793, then collector in 1798. Many of the early Township Council meetings were held at his house. In addition, Charles and his friend David Cargill owned and operated a hotel known as Anderson Castle until sometime after 1812. Charles and Ann had 11 eleven children: Henry, Robert, William, Benjamin, Charles, Jane, Joseph, Ann, Margaret, Elizabeth, and Hugh. Ann died in childbirth in 1811, and the baby (Hugh Henry Anderson) was cared for – and later adopted – by David and Bridget Cargill. In 1816, Charles married his second wife, Margaret Cochrane.<sup>49</sup>

Charles and Ann's son, Joseph Brant Anderson (1800-1879), married Mary Moore of Grimsby in 1827. By 1851, Joseph was living in Trafalgar Township and was listed as a farmer. Joseph and Mary had three children: Orpha, Cyrus, and John.<sup>50</sup>

Joesph and Mary's son, Cyrus William Anderson (1836-1920), married Margaret Hall in 1861 (Image 3). He was a banker and opened his own bank, Anderson & Sons, in Oakville in 1887 (Image 4). He later expanded his banking operations to Palmerston in addition to running the family farm on Lot 12 Concession 3 South of Dundas. He also served on Town Council for several years as both a Councilor and a Reeve. In 1902, his banks failed and all his property – including his well-known house called Grit Anchorage (Image 5) - was ceased by the Bank of Hamilton. Cyrus and Margaret had 9 children: Orpha, Egbert, James, Charles, William, Mary, Lucy, Cyrus, and Stanley.<sup>51</sup>

<sup>49</sup> H.C. Matthews, "Archive Record – Information Card on Anderson Family (1760-1829)," accessed 13 May 2025, <https://oakvillehistory.pastperfectonline.com/archive/3C6DC3B3-8FD7-4FE4-85E5-739475499456>; Find A Grave, "Charles Anderson," accessed 13 May 2025, <https://www.findagrave.com/memorial/67369427/charles-anderson>.

<sup>50</sup> Matthews, "Archive Record – Information Card."; Government of Canada, "1851 Census of Canada East, Canada West, New Brunswick, and Nova Scotia – Halton, Canada West (Ontario); Schedule A; Roll: C-11726," *Ancestry.ca*, last modified 1851, accessed 13 May 2025, <http://www.ancestry.ca>; Find a Grave, "Joseph Brant Anderson," accessed 13 May 2025, [https://www.findagrave.com/memorial/202464590/joseph\\_brant-anderson](https://www.findagrave.com/memorial/202464590/joseph_brant-anderson).

<sup>51</sup> Oakville Historical Society, "Photo Record – C.W. Anderson, Councilor Ward I and Chairman of Parks & Public Buildings, 1894," accessed 13 May 2025, <https://oakvillehistory.pastperfectonline.com/Photo/3AC7B859-2886-4123-8448-769073456453>; Oakville Historical Society, "Archive Record – Obituary for Cyrus W. Anderson from the Oakville Star (Oct. 29, 1920)," accessed 13 May 2025, <https://oakvillehistory.pastperfectonline.com/archive/AAB95B93-2A85-48F2-A3AD-286908541441>; Find A Grave, "Cyrus William Anderson," accessed 13 May 2025, [https://www.findagrave.com/memorial/75850942/cyrus\\_william-anderson](https://www.findagrave.com/memorial/75850942/cyrus_william-anderson); Nicole Armes, "Nicole Armes Family Tree – Cyrus William Anderson," *Ancestry.ca*, accessed 13 May 2025, [https://www.ancestry.ca/facts?\\_phcmd=u\(%27https://www.ancestry.ca/search/](https://www.ancestry.ca/facts?_phcmd=u(%27https://www.ancestry.ca/search/).



Image 3. Photo of Cyrus and Margaret Anderson<sup>52</sup>

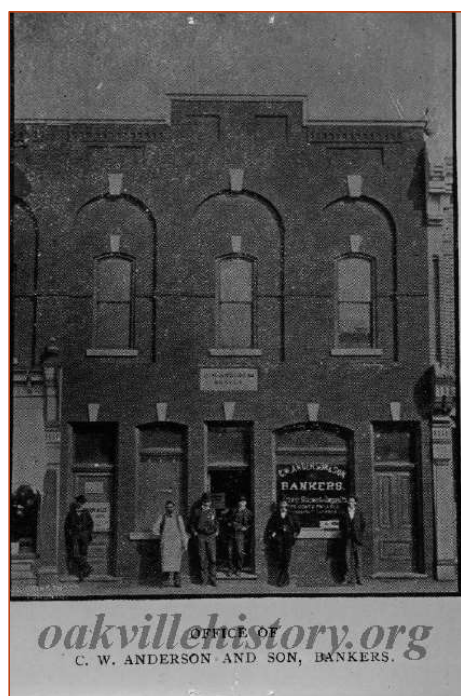


Image 4. Photo of Anderson & Sons Bank in Oakville in 1897<sup>53</sup>

<sup>52</sup> Oakville Historical Society, "Photo Record – Mr. and Mrs. Cyrus Anderson," accessed 13 May 2025, <https://oakvillehistory.pastperfectonline.com/photo/2140DF78-0D22-4B18-B645-902352372300>.

<sup>53</sup> Oakville Historical Society, "Photo Record – C.W. Anderson & Sons, Banker, 1897," accessed 13 May 2025, <https://oakvillehistory.pastperfectonline.com/photo/8E1E45A9-62D1-4C8C-B916-537722327900>.





Image 5. Photo of Grit Anchorage in 1890, Cyrus Anderson's House on the Anderson Farm Estate (Demolished 1960s)<sup>54</sup>

---

<sup>54</sup> Oakville Historical Society, "Photo Record – Grit Anchorage, 1890," accessed 13 May 2025, <https://oakvillehistory.pastperfectonline.com/photo/EE5C69CD-F7A3-40F4-92DB-013475975686>.

---

## 5 EXISTING CONDITIONS

### 5.1 SURROUNDING CONTEXT

The Property is located in the Town of Oakville in Halton Region. The Town is between the City of Mississauga to the north, Lake Ontario to the east, the City of Burlington to the south, and the Town of Milton to the west (Figure 1).

The topography is flat around the Property. Mature deciduous and/or coniferous trees are common in front and rear yards in the area. Hedges, shrubs, juvenile coniferous and/or deciduous, and gardens with perennial flowers and hostas are also common in the front and side yards of the properties in the area (Figure 2, Image 6, and Image 7).

The Property is in east Oakville and is bound by Douglas Avenue to the south, 291 Douglas Avenue to the east, 294 and 298 Watson Avenue to the north, and 305 Douglas Avenue to the west (Figure 2). Douglas Avenue is a local road extending from Lakeshore Road East to Spruce Street. Between Spruce Street and Randall Street, Douglas Avenue is composed of one east-bound and one west-bound lane as well as a parking lane that alternates between the north and south sides of the street. The road has an asphalt driving surface with a concrete curb and sidewalk on both sides. Wood electrical poles are located on the north side of the road with streetlights on alternating electrical poles (Image 6 and Image 7).

The Property's immediate context includes properties on the north side of Douglas Street, the east side of Galt Avenue, and the south side of Douglas Street between MacDonald Road and Sheddon Avenue (Figure 2). Residential properties are generally rectangular shaped in the 'Brantwood Plan'. The primary facades of buildings in the 'Brantwood Plan' are typically parallel with their corresponding street (Figure 2, Image 6, and Image 7). Single-detached houses are the most common building type and most of the houses were developed in the early-to mid-20<sup>th</sup> century as part of the 'Brantwood Plan'. There are some newer latter 20<sup>th</sup>-century and 21<sup>st</sup>-century houses in the area including 288 Douglas Avenue and 376 Galt Avenue. Houses range from one storey to two-and-a-half storeys and are clad in a mix of materials including brick, clapboard, vinyl siding, stone, and stucco. Houses built in, and influenced by, the Craftsman Bungalow, Colonial Revival, Suburban, and Period Revival Styles are particularly notable in the area. Buildings in the Property's immediate context generally have a moderate setback from the street, which is typically no less than 11.0 metres and no more than 18.5 metres, and have narrow side yards, which are typically no less than 2.0 metres and no more than 6.0 metres (Image 6 and Image 7). This general composition seems to have been standard for properties in the 'Brantwood Plan' (Figure 3).

The property at 291 Douglas Avenue is a rectangular lot with an approximate area of 637 m<sup>2</sup>. The house on it is a single-detached, siding-clad two-storey building (Image 4). The property at 294 Watson Avenue is a rectangular lot with an approximate area of 635 m<sup>2</sup>. The house on it is a single-detached, red brick one-and-a-half storey building (Image 5). The property at 298 Watson Avenue is a rectangular lot with an approximate area of 637 m<sup>2</sup>. The house on it is a single-detached, siding and stone-clad two-storey building (Image 6). The property at 305 Douglas Avenue is a parallelogram shaped lot with an approximate area of 1,153 m<sup>2</sup>. The house on it is a single-detached, red brick and siding clad two-storey building (Image 7).



Image 6. View east along Douglas Avenue from the Property





Image 7. View west along Douglas Avenue from the Property



Image 8. View of 291 Douglas Avenue<sup>55</sup>

---

<sup>55</sup> Google Streetview, January 2021.





Image 9. View of 294 Watson Avenue<sup>56</sup>



Image 10. View of 298 Watson Avenue<sup>57</sup>

---

<sup>56</sup> Google Streetview, June 2018.

<sup>57</sup> Google Streetview, June 2018.





Image 11. View of 305 Douglas Avenue

## 5.2 THE PROPERTY

The Property is a rectangular lot with an approximate area of 0.15 hectares or 1520 square metres. It is on the north side of Douglas Avenue and comprises a two-storey stucco-clad house with influences from the Colonial Revival architectural style. The house is located on the south side of the lot fronting onto Douglas Avenue with an approximately 11 metre (m) setback from the road. The Property has a wide asphalt driveway to the southeast of the house and a cut stone walkway extending from the house with a branch to the driveway and another branch to the sidewalk. The walkway divides the front yard into two distinct sides. The east side between the driveway and walkway is grassed with a mature tree. The west side between the walkway and the west property line is grassed with a mature tree mirroring the placement on the other side of the walkway and a garden along the west property line (Image 8).



Image 12. View north showing the facade and front lawn of the house<sup>58</sup>

---

<sup>58</sup> Google Streetview, June 2024.

---

### 5.2.1 HOUSE EXTERIOR

The house is a single-detached, rectangular building with an L-shaped addition. The main house is approximately 12 m wide and 13 m deep. The addition was constructed on the building's north elevation and northeast corner adding an additional 3 m (approximately) to the house's depth and 4 m (approximately) to the house's width (Figure 2). The house is a two-storey stucco-clad building with cornerboards (Image 8 and Image 9). The addition is a two-storey, attached garage on the house's northeast corner with a verandah extending from the garage and along the north elevation of the house (Image 9 and Image 10). It has a full, finished, below grade basement and foundation walls are a combination of rubblestone and concrete.

The house and attached garage addition have a hip roof with projecting and open eaves and a red brick chimney near the southeast corner (Figure 2 and Image 9). The façade of the house has three bays. The central bay contains a projecting entrance foyer on the first storey with a flat roof and moulded fascia; a balcony with a single door flat-headed entrance on the second storey; and a hip roofed dormer with projecting and open eaves on the roofline. The projecting entrance foyer has tall and narrow flat-headed four-over-one sash windows flanking the entrance and flat-headed six-over-one sash windows on the east and west elevations. The side bays contain paired, flat-headed, six-over-one sash windows on the first storey and single, flat-headed six-over-one sash windows on the second storey (Image 8 and Image 9). Additional entrances to the house include single door, flat-headed entrances on the north elevation of the attached garage and east side of the north elevation of the rear verandah (Image 10), and a double door, flat-headed entrance with wide sidelights in the centre of the rear verandah (Image 11).

Windows are found on all elevations. Windows on the main house are generally flat-headed six-over-one sash windows with plain surrounds; however, the main house also features the occasional flat-headed fixed or long rectangular ten-pane fixed window on its side elevations (Image 8, Image 9, and Image 12). The attached garage has a variety of windows including a projecting bay window with a hip roof on the second storey of the façade, a set of three fixed windows with false mullions and muntins at the top to resemble a three-over-one window on the second storey of the north elevation, and a small, flat-headed, four pane casement window on the west elevation looking onto the rear verandah (Image 9, Image 10, and Image 11).





Image 13. View northwest of the facade and east elevation of the house



Image 14. View southwest of the north elevation of the house





Image 15. View southeast of the rear verandah



Image 16. View east of the west elevation of the house

## 5.2.2 HOUSE INTERIOR

The interior of the house generally has a contemporary character with some traditional elements. The house has wood floors on the first and second storeys with laminate and tile flooring in the basement (Image 13 and Image 14). Window and door surrounds are plain and moulded (Image 13), wainscoting is present in some rooms on the first storey (Image 15), and some first storey rooms have crown moulding and ceiling medallions (Image 15 and Image 16). Baseboards are generally tall and plain with some plain and normal height baseboards on the first storey (Image 13, Image 15, and Image 16).



Image 17. View south along the second storey landing / hallway





Image 18. View of the finished basement



Image 19. View southeast of the living room showing the wainscoting and ceiling medallion



Image 20. View south of the dining room showing the crown moulding and ceiling medallion

### 5.3 COLONIAL REVIVAL ARCHITECTURE

Colonial Revival architecture is part of a larger architectural revival movement that began at the beginning of the 20th century. Unlike previous revival styles, this movement recalled North American colonial heritage. The movement originates in the United States and Ontario architects “for the most part accepted the American Revivals with few changes.”<sup>59</sup> As a result of the variety of origins and influences of different locations in North America, this architectural style has many variations. By the 1930s, Canadian architects began incorporating English Upper Canada, French Lower Canada, and Indigenous characteristics to create a Canadian National Colonial style. In the 1980s and 1990s, the style experienced a resurgence that incorporated new elements from the Classic Revival, Gothic Revival, and Italianate styles. Generally, Colonial Revival buildings are distinguished by their use of modern materials, a different scale or proportional system, a mixture of old and new elements, and garages. Sources note that “the resulting composition is often an eclectic mix of historical architectural details executed with modern or reproduction materials to look old

---

<sup>59</sup> John Blumenson, *Ontario Architecture: A Guide to Styles and Building Terms 1784 to the Present* (Markham, ON: Fitzhenry & Whiteside, 1990), 142.

and built to meet twentieth century standards.”<sup>60</sup> Characteristics typical of a residence in the Colonial Revival architectural style include:

- Rectangular, centre hall floor plan;
- Primarily brick construction although stucco, clapboard, stone, and vinyl siding examples can be found;
- Two to two-and-a-half storeys in height;
- Hip, side gable, or gambrel roof with overhanging eaves;
- Single brick chimney located at one end or centrally, or two brick chimneys with one located on each side;
- Three to five bay façade;
- Central main entrance with pediments, sidelights, columns, projecting frontispiece and/or portico;
- Multi-pane over single pane sash windows;
- Decorative or functional shutters;
- Details, which can include quoins, dentils, voussoirs, closed pediments, and dormers; and,
- Garage, generally attached.<sup>61</sup>

The Property exhibits the rectangular, centre hall floor plan, stucco construction, two-storey height, hip roof, single brick chimney at one end, three bay façade, multi-pane over single pane sash windows, and dormer. The main entrance is central and is projecting resembling a portico; however, an enclosed portico is uncharacteristic of the style and partially obscures the architectural style. The simplicity and lack of detail of the house on the Property further obscures the architectural style. Therefore, the house is not readily legible as a representative example of the Colonial Revival architectural style.

---

<sup>60</sup> Blumenson, *Ontario Architecture*, 144.

<sup>61</sup> Blumenson, *Ontario Architecture*, 142-155.; Robert Mikel, *Ontario House Styles: The Distinctive Architecture of the Province's 18<sup>th</sup> and 19<sup>th</sup> Century Homes* (Toronto: James Lorimer & Company Ltd., 2004), 119-126.; Shannon Kyles, “Colonial Revival (1900-2003),” accessed 11 April 2025, <http://www.ontarioarchitecture.com/Colonial.htm>.

## 6 UNDERSTANDING OF CULTURAL HERITAGE VALUE OR INTEREST

The Property at 299 Douglas Street was evaluated against criteria from *O. Reg. 9/06*. This evaluation (see Table 1) was informed by the research and analysis presented in Sections 4 and 5 of this CHER. The purpose of this evaluation is to consider the cultural heritage value or interest of the Property and identify any potential heritage attributes.

Table 1. *Ontario Regulation 9/06* Evaluation for the Property at 299 Douglas Street

Criteria	Criteria Met	Justification
1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.	No	The Property is not a rare, unique, representative, or early example of a style, type, expression, material or construction method. The house was constructed in the 1930s. As discussed in Section 5.3, the house exhibits some of the characteristics of the Colonial Revival architectural style; however, the enclosed portico, simplicity, and lack of detail obscures the architectural style. Therefore, the house does not exemplify the style.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	No	There is no evidence to suggest that the building was constructed with a high degree of craftsmanship or artistic merit.  Based on the site visit as described and illustrated in Section 5.2, the building on the Property appears to be a common frame structure on a rubble stone and concrete foundation clad in stucco with corner posts. No features were identified that demonstrate a high degree of craftsmanship or artistic merit. The building appears to be a common house and consistent with standard building practices from the time.
3. The property has design value or physical value because it demonstrates a high	No	The Property does not demonstrate a high degree of technical or scientific achievement. The building is a common type of construction for the time and there is no evidence to suggest that a high degree of technical or scientific achievement was required to



Criteria	Criteria Met	Justification
degree of technical or scientific achievement.		build it or that it demonstrates a high degree of scientific or technical achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.	No	The Property does not have direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community. As discussed in Section 4.6, the Property is associated with the Anderson family alongside the entirety of the subdivision; however, this particular Property and the house that occupies it is not associated with the Anderson Family. Furthermore, no evidence was found that suggests the other property owners made significant contributions to the community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	No	<p>The Property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.</p> <p>Background research and the site visit to this Property did not reveal new knowledge or a greater understanding of the community's history or the history of culture. The history of the area is well known; the building has no special architectural features and no indication that the people who owned and lived here were part of an understudied or known community or culture.</p> <p>No evidence was found that suggests this Property will meet this criterion.</p>
6. The property has historical or associative value because it demonstrates or reflects the work or	No	The building does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community. There is no evidence to suggest that the Property meets this criterion. No evidence was found that suggests this was an architect designed building

Criteria	Criteria Met	Justification
ideas of an architect, artist, builder, designer, or theorist who is significant to a community.		and the builder is unknown.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.	Yes	<p>The Property is important in maintaining the character of an area. The area is dominated by single-detached, one to two-and-a-half storey houses composed of a range of materials including brick, clapboard, vinyl siding, stone, and stucco.</p> <p>Buildings in the vicinity are generally moderately setback from the street and situated on narrow, rectangular lots with deciduous and/or coniferous trees, hedges, shrubs, and gardens in the front yard. The Property helps maintain the character of Plan 113 because the building is parallel to the street, has a moderate setback, has mature trees and gardens in the front yard, and its form, massing, and siting of its house are consistent with the surrounding area.</p>
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.	No	<p>The Property is not physically, functionally, visually, or historically linked to its surroundings.</p> <p>The Property is not physically linked because there are no material connections between the Property and its surroundings.</p> <p>The Property is not functionally linked because it is not necessary to fulfill a particular purpose. The Property has continuously been used as a house and there is no evidence to suggest that it served any purpose beyond this or was in any way associated with its broader context.</p> <p>The Property is not visually linked because it has no clear visual ties to any objects or conditions in its</p>



Criteria	Criteria Met	Justification
		<p>immediate vicinity.</p> <p>The Property has no historical links because there exists no tangible connections between the house and Plan 113. As noted in Section 4.6.2, the lands of Plan 113 developed over many decades with the Plan forming the basis for the cohesive nature of the surrounding streetscape. No historical links were identified between the Property and surrounding properties.</p>
9. The property has contextual value because it is a landmark.	No	<p>The Property is not a landmark. The MCM defines a landmark as:</p> <p style="padding-left: 40px;">A recognizable natural or human-made feature used for a point of reference that helps orienting in a familiar or unfamiliar environment; it may mark an event or development; it may be conspicuous.<sup>62</sup></p> <p>There is no evidence to suggest that the Property meets this criterion. The mature trees in the front yard largely obscures the house from the street.</p>

## 6.1 SUMMARY OF EVALUATION

In LHC's professional opinion, the Property at 299 Douglas Avenue **meets** one of the criteria (criterion 7) from *O. Reg. 9/06* for its contextual value. It is **not eligible** for individual designation under Section 29 Part IV of the *OHA*. However, since the Property exhibits cultural heritage value or interest, a proposed statement of cultural heritage value or interest has been prepared.

## 6.2 PROPOSED STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

### 6.2.1 DESCRIPTION OF THE PROPERTY

The Property at 299 Douglas Avenue is located on the north side of Douglas Avenue between Galt Avenue and Sheddon Avenue in the Town of Oakville, in the Regional Municipality of

<sup>62</sup> Ministry of Citizenship and Multiculturalism, "*Heritage Identification & Evaluation Process*," last updated 1 September 2014, 17.

Halton. The Property is a rectangular shaped lot with a two-and-a-half storey stucco and corner board clad house.

### 6.2.2 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

The Property has contextual value because it is important in maintaining the character of an area. The area is dominated by single-detached, one to two-and-a-half storey houses composed of a range of materials including, brick, clapboard, vinyl siding, stone, and stucco. Buildings in the vicinity are generally moderately setback from the street and on narrow, rectangular lots. They typically have mature deciduous and/or coniferous trees in their front yards as well as hedges, shrubs, and gardens.

The Property helps maintain the character of the Plan 113 (the 'Brantwood Plan') area because the building is parallel to the street with a moderate setback, has mature trees and gardens in the front yard, and the form, massing, and location of the house on the Property are consistent with the surrounding area. The house is consistent with the generally early to mid-20<sup>th</sup> century character of the area and fits within the evolved landscape.

### 6.2.3 HERITAGE ATTRIBUTES

Heritage attributes that illustrate the cultural heritage value or interest of the Property at 299 Douglas Avenue including the building's:

- Moderate setback from Douglas Avenue (criterion 7 of *O. Reg. 9/06*);
- Primary (south) façade that is parallel to the street (criterion 7 of *O. Reg. 9/06*); and,
- Architectural style reminiscent of Colonial Revival architecture consistent with the generally early to mid-20<sup>th</sup> century character of the area (criterion 7 of *O. Reg. 9/06*).

---

## 7 CONCLUSION

LHC was retained in February 2025 by the Owner to prepare a CHER for the property at 299 Douglas Avenue in the Town of Oakville, Ontario.

In LHC's professional opinion, the Property at 299 Douglas Avenue **meets** criterion 7 of *O. Reg. 9/06* for its contextual value. Because the Property meets one criterion, the Property exhibits cultural heritage value or interest but is **not eligible** for individual designation under Section 29 Part IV of the *OHA*.

---

## 8 SIGNATURES

Sincerely,



Christienne Uchiyama, MA CAHP  
Principal, Manager Heritage Consulting Services  
LHC Heritage Planning & Archaeology Inc.



Lisa Coles, MPL RPP MCIP CAHP  
Intermediate Heritage Planner  
LHC Heritage Planning & Archaeology Inc.

---

## 9 REFERENCES

- Armes, Nicole. N.D. "Nicole Armes Family Tree – Cyrus William Anderson." *Ancestry.ca*. Accessed 13 May 2025.  
[https://www.ancestry.ca/facts?\\_phcmd=u\(%27https://www.ancestry.ca/search/](https://www.ancestry.ca/facts?_phcmd=u(%27https://www.ancestry.ca/search/).
- Blumenson, John. 1990. *Ontario Architecture: A Guide to Styles and Building Terms 1784 to the Present*. Markham, ON: Fitzhenry & Whiteside.
- Canada's Historic Places. 2010. "Standards and Guidelines for the Conservation of Historic Places in Canada." Accessed 21 February 2024.  
<https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>.
- Casas, T. 2013. "Paving the Way to Paradise." Accessed 25 October 2023.  
<https://teresa.cce.com/wp-content/uploads/2013/10/Paving-word-October-14-2013.pdf>.
- City of Oakville. 2011. "Heritage Research Report – 376 Douglas Avenue." Accessed 12 May 2025. <https://pub-oakville.escribemeetings.com/filestream.ashx?documentid=31916>.
- Cumberland Land Company Limited. 1913. "Brantwood: Beautifully Located, Healthful Surroundings, Inviting Prospects, Pleasing Vistas with City Conveniences." Accessed 23 November 2023.  
[https://www.oakvillehistory.org/uploads/2/8/5/1/28516379/1913\\_brantwood\\_survey\\_book.pdf](https://www.oakvillehistory.org/uploads/2/8/5/1/28516379/1913_brantwood_survey_book.pdf).
- Department of Energy, Mines, and Resources. 1964. *Oakville Ontario*. Sheet 30 M/5g. Edition 1. Scale 1:25,000. "Scholars Geoportal." Digitized map. Accessed 15 April 2025.  
[https://geo.scholarsportal.info/#r/details/\\_uri@=HTDP25K030M05gbh\\_1964TIFF&\\_add:true\\_nozoom:true](https://geo.scholarsportal.info/#r/details/_uri@=HTDP25K030M05gbh_1964TIFF&_add:true_nozoom:true).
- Department of Militia and Defence.
1909. *Topographic Map Ontario Hamilton Sheet*. Sheet 30 M/5. Edition 1. Scale 1:63,360. "Scholars Geoportal." Digitized map. Accessed 15 April 2025.  
[https://geo.scholarsportal.info/#r/details/\\_uri@=HTDP63360K030M05\\_1909TIFF&\\_add:true\\_nozoom:true](https://geo.scholarsportal.info/#r/details/_uri@=HTDP63360K030M05_1909TIFF&_add:true_nozoom:true).
1919. *Topographic Map Ontario Hamilton Sheet*. Sheet 30 M/5. Edition 3. Scale 1:63,360. "Scholars Geoportal." Digitized map. Accessed 15 April 2025.  
[https://geo.scholarsportal.info/#r/details/\\_uri@=HTDP63360K030M05\\_1919TIFF&\\_add:true\\_nozoom:true](https://geo.scholarsportal.info/#r/details/_uri@=HTDP63360K030M05_1919TIFF&_add:true_nozoom:true).

Department of National Defence. 1938. *Hamilton Ontario*. Sheet 30 M/5. Edition 6. Scale 1:63,360. "Scholars Geoportal." Digitized map. Accessed 15 April, 2025.  
[https://geo.scholarsportal.info/#r/details/\\_uri@=HTDP63360K030M05\\_1938TIFF&\\_add:true\\_nozoom:true](https://geo.scholarsportal.info/#r/details/_uri@=HTDP63360K030M05_1938TIFF&_add:true_nozoom:true).

Duric, D.

2017. "12 Mile Creek, 16 Mile Creek, and Credit River Reserves – Treaty No.s 22 and 23 (1820)." *MCFN, Treaty Lands & Territory*. Last modified 28 May 2017. Accessed 23 October 2023. <http://mncfn.ca/treaty2223/>.

2017. "Ajetance Treaty, No. 19 (1818)." In *MCFN, Treaty Lands & Territory*. Last modified 28 May 2017. Accessed 23 October 2023. <http://mncfn.ca/treaty19/>;

2017. "Head of the Lake, Treaty No. 14 (1806)." In *MCFN, Treaty Lands & Territory*. Last modified 28 May 2017. Accessed 23 October 2023. <http://mncfn.ca/head-of-the-lake-purchase-treaty-14/>.

Find A Grave.

N.d. "Charles Anderson." Accessed 13 May 2025.  
<https://www.findagrave.com/memorial/67369427/charles-anderson>.

N.d. "Cyrus William Anderson." Accessed 13 May 2025.  
[https://www.findagrave.com/memorial/75850942/cyrus\\_william-anderson](https://www.findagrave.com/memorial/75850942/cyrus_william-anderson).

N.d. "Joseph Brant Anderson." Accessed 13 May 2025.  
[https://www.findagrave.com/memorial/202464590/joseph\\_brant-anderson](https://www.findagrave.com/memorial/202464590/joseph_brant-anderson).

Government of Canada. "1851 Census of Canada East, Canada West, New Brunswick, and Nova Scotia – Halton, Canada West (Ontario); Schedule A; Roll: C-11726." *Ancestry.ca*. Last modified 1851. Accessed 13 May 2025. <http://www.Ancestry.ca>.

Halton Region.

2022. "Official Plan." Last consolidated November 2022. Accessed 20 October 2023.  
<https://www.halton.ca/Repository/ROP-Office-Consolidation-Text>.

N.d. "Regional Official Plan." Accessed 3 April 2025. [https://www.halton.ca/The-Region/Regional-Planning/Regional-Official-Plan-\(ROP\)-\(1\)](https://www.halton.ca/The-Region/Regional-Planning/Regional-Official-Plan-(ROP)-(1)).

Halton Women's Institute. N.d. "A History and Atlas of the County of Halton." Accessed 23 October 2023.

- Karrow, P.F. and B.G. Warner. 1990. "The Geological and Biological Environment for Human Occupation in Southern Ontario." In *The Archaeology of Southern Ontario to A.D. 1650*, ed. Christopher Ellis and Neal Ferris. London, ON: Ontario Archaeological Society, London Chapter.
- Kyles, Shannon. N.d. "Colonial Revival (1900-2003)." Accessed 11 April 2025.  
<http://www.ontarioarchitecture.com/Colonial.htm>.
- Land Registry Ontario.  
N.d. "Halton County (20), Halton; Plan 113; Lot 100 to 249." Accessed 13 May 2025. <https://www.onland.ca/ui/20/books/23436/viewer/857782576?page=161>.  
N.d. "Halton County (20), Trafalgar, Book 28; Concession 2; South of Dundas Street; Lot 10 to 14." Accessed 13 May 2025.  
<https://www.onland.ca/ui/20/books/23272/viewer/813793562?page=186>.
- Langlands, E. 1972. *Bronte Creek Provincial Park Historical Report*. Ministry of Natural Resources.
- Lewis, W. 2003. "Chisholm, William." In *Dictionary of Canadian Biography*, vol. 7. University of Toronto/Université Laval. Accessed 25 October 2023.  
[http://www.biographi.ca/en/bio/chisholm\\_william\\_7E.html](http://www.biographi.ca/en/bio/chisholm_william_7E.html).
- Matthews, H.C. N.d. "Archive Record – Information Card on Anderson Family (1760-1829)." Accessed 13 May 2025.  
<https://oakvillehistory.pastperfectonline.com/archive/3C6DC3B3-8FD7-4FE4-85E5-739475499456>.
- Mathews, H. 1953. *Oakville and the Sixteen: The History of an Ontario Port*. Toronto: University of Toronto Press.
- Mikel, Robert. 2004. *Ontario House Styles: The Distinctive Architecture of the Province's 18<sup>th</sup> and 19<sup>th</sup> Century Homes*. Toronto: James Lorimer & Company Ltd.
- Ministry of Citizenship and Multiculturalism. 2006. "Heritage Property Evaluation." *Ontario Heritage Tool Kit*. Accessed 21 February 2024.  
<https://www.publications.gov.on.ca/heritage-property-evaluation-a-guide-to-listing-researching-and-evaluating-cultural-heritage-property-in-ontario-communities>.
- National Air Photo Library  
1934. A4837-010. Roll A4837 Line 3N Photo 10. Scale 1:20,000.  
1969. A19504-002. Roll A195004 Line 17W Photo 2. Scale 1:30,000.

1974. *A23669-061*. Roll A23669 Line 8E Photo 61. Scale 1:25,000.

1985. *A31427-057*. Roll A31427 Photo 57. Scale 1:40,000.

1988. *A27356-073*. Roll 27356 Line 1W Photo 73. Scale 1:40,000.

Natural Resources Canada. 1952. *Hamilton*. Sheet 30 M/5. Edition 3. Scale 1:50,000. "Scholars Geoportal." Digitized map. Accessed 15 April 2025.

[https://geo.scholarsportal.info/#r/details/\\_uri@=NTS50K030M05\\_1952ed3ETIFF&\\_add:true\\_nozoom:true](https://geo.scholarsportal.info/#r/details/_uri@=NTS50K030M05_1952ed3ETIFF&_add:true_nozoom:true).

Oakville Historical Society.

N.d. "Our Town." Accessed 23 October 2023.

<https://www.oakvillehistory.org/our-town.html>.

1894. "Photo Record – C.W. Anderson, Councilor Ward I and Chairman of Parks & Public Buildings, 1894." Accessed 13 May 2025.

<https://oakvillehistory.pastperfectonline.com/Photo/3AC7B859-2886-4123-8448-769073456453>.

1897. "Photo Record – C.W. Anderson & Sons, Banker, 1897." Accessed 13

May 2025. <https://oakvillehistory.pastperfectonline.com/photo/8E1E45A9-62D1-4C8C-B916-537722327900>.

1890. "Photo Record – Grit Anchorage, 1890." Accessed 13 May 2025.

<https://oakvillehistory.pastperfectonline.com/photo/A016C142-58B7-498D-81D2-110374286473>.

N.d. "Photo Record – Mr. and Mrs. Cyrus Anderson." Accessed 13 May

2025. <https://oakvillehistory.pastperfectonline.com/photo/2140DF78-0D22-4B18-B645-902352372300>.

1920. "Archive Record – Obituary for Cyrus W. Anderson from the Oakville Star (Oct. 29, 1920)." Accessed 13 May 2025.

<https://oakvillehistory.pastperfectonline.com/archive/AAB95B93-2A85-48F2-A3AD-286908541441>.

Oakville Images. N.d. "A History of Oakville: Our Beautiful Town by the Lake, Lifestyle." Accessed 25 October 2023. <http://images.oakville.halinet.on.ca/202/Exhibit/7>.

Province of Ontario.

N.d. "Map of Ontario treaties and reserves." Last modified 23 October 2023.

Accessed 23 October 2023. <https://www.ontario.ca/page/map-ontario-treaties-and-reserves#treaties>.



- 
1990. “*Ontario Heritage Act*, R.S.O. 1990, c.O.18.” Last modified 1 January 2025. Accessed 3 April 2025. <https://www.ontario.ca/laws/statute/90o18>.
2023. “O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest under Ontario Heritage Act, R.S.O. 1990, c. O. 18.” Last modified 1 January 2023. Accessed 10 January 2024. <https://www.ontario.ca/laws/regulation/060009>.
- Smith, D.S. N.d. “The Native History of the Regional Municipality of Halton and the Town of Oakville: Part I.” Accessed 21 August 2023. <http://www.oakville.ca/culturerec/is-firstnations.html>.
- Smith, W.H. 1851. *Canada, Past, Present, and Future being a Historical, Geographical, and Statistical Account of Canada West*, Volume 1. Toronto: T. Maclear.
- Toronto Region Conservation Authority. 2001. “Chapter 3: First Nations.” In *Greening Our Watersheds: Revitalization Strategies for Etobicoke and Mimico Creeks*, prepared by the Toronto Region Conservation Authority. Toronto, ON.
- Town of Oakville.
- “Halton Regional Official Plan.” Accessed 3 April 2025. <https://www.oakville.ca/business-development/planning-development/official-plan/halton-regional-official-plan/>.
2021. “Livable Oakville: Town of Oakville Official Plan.” Last consolidated 31 August 2021. Accessed 20 October 2023. <https://www.oakville.ca/getmedia/ef94282b-3d17-49b9-8396-3e671d8b7187/business-development-planning-livable-oakville-official-plan.pdf>.
- Tremaine, G.R. 1858. *Tremaine’s Map of the County of Halton Canada West*. Scale 1:31,680. Digitized map. Accessed 26 October 2025. <https://maps.library.utoronto.ca/hgis/countymaps/halton/halton2.jpg>.
- Underwriters Survey Bureau Limited. 1949. *Oakville Ont*. Scale 1:600. “Oakville Historical Society.” Digitized map. Accessed 13 May 2025. <https://oakvillehistory.pastperfectonline.com/archive/43835E3E-1CC5-4CB1-91C4-823574368520>.
- University of Toronto. 1954. 434. 793. “1954 Air Photos of Southern Ontario.” Digitized air photo. Accessed 15 April 2025. <https://mdl.library.utoronto.ca/collections/air-photos/1954-air-photos-southern-ontario/index>

Wilmot, S.J.

1806, 18 June. *Trafalgar, District of Gore Partial*. Scale 1:31,680. Digitized map.

1806, 28 June. *Trafalgar, Plan of the Second Township In the tract of Land lately Purchased from the Mississauga Indians*. Scale 1:31,680. Digitized map. Accessed 26 October 2023. <https://images.ourontario.ca/Partners/TTHS/TTHS002703198f.jpg>.

---

# APPENDIX A - Qualifications

## **Lisa Coles, MPI RPP MCIP CAHP – Intermediate Heritage Planner**

Lisa Coles is an Intermediate Heritage Planner with experience working in heritage consulting and the not-for-profit museum sector. She holds a Master of Arts in Planning from the University of Waterloo; a Graduate Certificate in Museum Management & Curatorship from Fleming College; and a B.A. (Hons) in History and French from the University of Windsor.

Lisa has consulting experience in heritage planning, evaluation, heritage impact assessment, cultural heritage policy review, historical research, and interpretive planning. She has been a project manager for cultural heritage evaluation report and heritage impact assessment projects. Lisa has also provided heritage planning support to municipalities including work on heritage permit applications, work with municipal heritage committees, and review of municipal cultural heritage policy and guidance. Her work has involved a wide range of cultural heritage resources including institutional, industrial, commercial, and residential properties, structures, and areas in urban, suburban, and rural environments.

Lisa is experienced in museum and archive policy development, exhibit development, interpretation, and public programming. She has written museum policy, public programs, and interpretive plans. She is a professional member of the Canadian Association of Heritage Professionals (CAHP), a registered professional planner (RPP) and full member with the Ontario Professional Planning Institute (OPPI), and a full member with the Canadian Institute of Planners (MCIP).

## **Ben Daub, MA RPP MCIP CAHP Intern – Intermediate Heritage Planner**

Ben Daub is an intermediate heritage planner with LHC. He holds a Bachelor of Applied Technology in Architecture – Project and Facility Management from Conestoga College and a Master of Arts in Planning from the University of Waterloo. His master's thesis analyzed the relationship between urban intensification and the ongoing management of built heritage resources using a mixed methods approach. During his academic career, Ben gained a detailed understanding of the built environment through exposure to architectural, engineering, and urban planning principles and processes. His understanding of the built environment ranges from building specific materials and methods to large scale planning initiatives.

Ben has been the primary or contributing author of over 60 technical cultural heritage reports with LHC. He has worked on Heritage Impact Assessments, Cultural Heritage Evaluation

Reports, Environmental Assessments, Heritage Conservation District Studies, and Municipal Heritage Register Reviews. He has worked with properties with cultural heritage value recognized at the municipal, regional, provincial, and federal levels and has prepared reports for urban, suburban, and rural sites.

In addition to his work at LHC, Ben instructs the Urban and Community Planning course in Conestoga College's Architecture – Project and Facility Management degree program and has presented his master's thesis research at ICOMOS Canada's Next Generation: Research from Canadian Emerging Professionals event. Ben is a Registered Professional Planner (RPP), full member with the Ontario Professional Planners Institute (OPPI), full member with the Canadian Institute of Planners (MCIP), and an intern member of the Canadian Association of Heritage Professionals (CAHP).

### **Christienne Uchiyama, MA CAHP - Principal LHC**

Christienne Uchiyama MA CAHP is Principal and Manager of Heritage Consulting Services with LHC. She is a Heritage Consultant and Professional Archaeologist (P376) with more than two decades of experience working on cultural heritage aspects of planning and development projects. She received her MA in Heritage Conservation from Carleton University School of Canadian Studies. Her thesis examined the identification and assessment of impacts on cultural heritage resources in the context of Environmental Assessment.

Chris has provided archaeological and heritage conservation advice, support and expertise as a member of numerous multi-disciplinary project teams for projects across Ontario, including such major projects as: all phases of archaeological assessment at the Canadian War Museum site at LeBreton Flats, Ottawa; renewable energy projects; natural gas pipeline routes; railway lines; hydro powerline corridors; and highway/road realignments. She has completed more than 300 cultural heritage technical reports for development proposals at all levels of government, including cultural heritage evaluation reports, heritage impact assessments, and archaeological licence reports and has a great deal of experience undertaking peer reviews. Her specialties include the development of Cultural Heritage Evaluation Reports, under both O. Reg. 9/06 and 10/06, and Heritage Impact Assessments.

### **Benjamin Holthof, MPI MMA RPP MCIP CAHP – Senior Heritage Planner**

Ben Holthof is a heritage consultant, planner and marine archaeologist with experience working in heritage consulting, archaeology and not-for-profit museum sectors. He holds a Master of Urban and Regional Planning degree from Queens University; a Master of Maritime Archaeology degree from Flinders University of South Australia; a Bachelor of Arts degree in Archaeology from Wilfrid Laurier University; and a certificate in Museum Management and Curatorship from Fleming College.

Ben has consulting experience in heritage planning, cultural heritage screening, evaluation, heritage impact assessment, cultural strategic planning, cultural heritage policy review, historic research and interpretive planning. He has been a project manager for heritage consulting projects including archaeological management plans and heritage conservation district studies. Ben has also provided heritage planning support to municipalities including work on heritage permit applications, work with municipal heritage committees, along with review and advice on municipal cultural heritage policy and process. His work has involved a wide range of cultural heritage resources including on cultural landscapes, institutional, industrial, commercial, and residential sites as well as infrastructure such as wharves, bridges and dams. Ben was previously a Cultural Heritage Specialist with Golder Associates Ltd. from 2014-2020.

He is a professional member of the Canadian Association of Heritage Professionals (CAHP).

# APPENDIX B Glossary

Definitions are based on the *Ontario Heritage Act* (**OHA**), the *Provincial Planning Policy* (**PPS**), Halton Region Official Plan (**ROP**), and the Livable Oakville Official Plan (**OP**).

**Alter** means to change in any manner and includes to restore, renovate, repair, or disturb and “alteration” has a corresponding meaning (“transformer”, “transformation”) (**OHA**).

**Built heritage resource** means a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers (**OP**).

**Character** means the collective qualities and characteristics that distinguish a particular area or neighbourhood (**OP**).

**Compatible** means the development or redevelopment of uses which may not necessarily be the same as, or similar to, the existing development, but can coexist with the surrounding area without unacceptable adverse impact (**OP**).

**Conserved (or Conserve)** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decisionmaker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments (**OP**).

**Cultural heritage resource** means built heritage resources, cultural heritage landscapes, and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some cultural heritage resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (**OP**).

**Heritage Attributes** means, as defined under the Ontario Heritage Act, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest (**PPS**).

**Property** means real property and includes all buildings and structures thereon (**OHA**).



**Significant** means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act (*PPS*).

# APPENDIX C

## Town of Oakville's *Development Application Guidelines* – *Cultural Heritage Evaluation Report* Requirements

Table 2. Town of Oakville Cultural Heritage Evaluation Report Requirements

Requirement	Location in this CHIA
<b>Owner and Agent Information</b> <ul style="list-style-type: none"> <li>Name and full contact information, including email address(es), of the owner</li> <li>Name and full contact information, including email address(es), of any agent acting on behalf of the owner</li> </ul>	Page iii
<b>Introduction to the Property</b> <ul style="list-style-type: none"> <li>Location Plan and current site plan of the property</li> <li>Legal description and land use designation of the property</li> <li>Description of the heritage status of the subject property and adjacent properties</li> <li>Written description of the property, location and surroundings</li> <li>Written description of the heritage attributes of the site, including any significant features, buildings, landscapes, vistas and archaeological potential</li> </ul>	Section 1
<b>Assessment of Existing Conditions</b> <ul style="list-style-type: none"> <li>Comprehensive written description of the physical condition of the structures on the site including their exterior and interior</li> <li>Current photographs of the property, including: <ul style="list-style-type: none"> <li>Views of the area surrounding the property show it in context with adjacent properties, including the view from the public realm</li> <li>Exterior views of each elevation of each building</li> <li>Views of the property including all significant landscape features</li> <li>Interior views of buildings, where applicable</li> <li>Close-up view of all significant interior heritage features</li> </ul> </li> </ul>	Section 5

Requirement	Location in this CHIA
<b>Research and Analysis</b> <ul style="list-style-type: none"> <li>• Comprehensive review of the history of the property's development as documented in pictorial and textual records and as observed in as-found evidence</li> <li>• Chronological history of the development of any structures, such as additions, removals, conversions, etc.</li> <li>• Comprehensive review of the landscape, including: land use and activities, circulation networks, patterns of spatial organization, important viewsheds and viewsapes, vegetation related to land use, and relationship to the natural environment</li> <li>• Evaluation of the cultural heritage significance of the site in terms of its history, architecture, local context and cultural traditions</li> <li>• Reproduction of any pictorial records found, including relevant maps, atlases, drawings, photographs, permit records, land title records, assessment rolls, etc.</li> </ul>	Section 4
<b>Statement of Cultural Heritage Value or Interest</b> <ul style="list-style-type: none"> <li>• Statement of cultural heritage value or interest and description of heritage attributes of the cultural heritage resource(s), in accordance with provincial legislation Ontario Regulation 9/06</li> <li>• This statement will be informed by current research and analysis of the site as well as pre-existing heritage descriptions</li> <li>• This statement will be written in a way that does not respond to or anticipate any current or proposed interventions to the site</li> </ul>	Section 6.2
<b>Appendices</b> <ul style="list-style-type: none"> <li>• List of primary and secondary sources consulted</li> </ul>	Section 9
<b>Appendices</b> <ul style="list-style-type: none"> <li>• Summary of the author's background qualifications</li> </ul>	Appendix A

---

# APPENDIX D Land Registry Records

Table 3. Land Registry Records for Concession 3 South of Dundas Street Lot 12<sup>63</sup>

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
	Patent	15 Feb 1848		Crown	Samuel Fenson		East Part
<b>433 (?)</b>	B + Sale	1810	1810	Samuel Fenson	Charles Anderson		
<b>14 F</b>	B + Sale	Jan 1830	9 Feb 1830	Charles Anderson	Joseph Anderson		Lot 12; 200 acres
<b>1336 2872M</b>	Will	30 Sept 1879	11 Dec 1879	Joseph Brant Anderson	Son Cyrus Wm. Anderson		Lot 12 (140 Acres)
<b>8058 333011</b>		1902	14 Mar 1903	C.W. Anderson, E.B. Anderson + C. T. Anderson	Edward R.C. Clarkson		Lot 12, 80 acres land
<b>3805 I</b>	Rel. of Int.	Nov 1906	1 Jan 1907	Margaret Anderson + wife	Bank of Hamilton, W.A. Chisholm, Wm. I. Jennings, and J.A. Spirrout	Prem + \$1	200 acres, Lot 12 + other lands
<b>113</b>	Plan	3 June 1907	5 June 1907	Carmen Bartlett			Lot 12

<sup>63</sup> LRO, "Halton County (20), Trafalgar, Book 28: Concession 3; South of Dundas Street; Lots 10 to 14."



Table 4. Land Registry Records for Lot 163 Plan 113<sup>64</sup>

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
<b>113</b>	Plan	3 June 1907	5 June 1907	C. Bartlett, Owner	-	-	Lot 163
<b>4903 K</b>	B + Sale	10 Nov 1911	20 Dec 1911	Cameron Bartlett, Widower	Cumberland Land Company Ltd.	Val con + \$1	Lot 163. 4 other lots
<b>7314 N</b>	Grant	Apr 1920	23 Apr 1920	Cumberland Land Company Ltd	Gladys Isabella Miller	\$1 + c	Lot 163 with building restrictions
<b>8339</b>	Grant	31 July 1922	3 Aug 1922	Gladys Isabella Miller, married woman	Annie Marguerite Howie, wife of Robert Howie	\$1 + c	Lot 163 + another lot
<b>9959</b>	Grant	19 Oct 1926	28 Oct 1926	Annie Marguerite Howie, wife of Robert Howie	John Wilson	\$1 + c	Lot 163 + another lot with building restrictions
<b>17856</b>	Grant	22 Feb 1951	4 Apr 1951	Alexander and Daniel Wilson	Robert Frank Winfield	-	Lot 163 + another lot

<sup>64</sup> LRO, "Halton County (20), Halton: Plan 113; Lots 100 to 249."

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
19679	Grant	24 Mar 1953	4 May 1953	Robert Frank Winfield + wife	D. Cameron McLean and M. Betsy McLean, his wife, as joint tenants	\$1 + c	Lot 163 + another lot, subject to mortgage
162964	Grant	29 Jan 1964	5 Feb 1964	D. Cameron McLean	M. Betsy McLean	Con + \$2	Lot 163 + other lots
303996	Agreement	6 Nov 1970	24 Nov 1970	Clare Wilks	D. Cameron + M. Betsy McLean	-	Lot 163. See attached sketch. See recitals
478307	Deed	12 Apr 1978	28 Apr 1978	M.B. McLean and D. Cameron McLean, spouse	Monty B and Lisa Macrae, as jt	\$1 + c	Lot etc.

Table 5. Land Registry Records for Lot 164 Plan 113<sup>65</sup>

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
<b>113</b>	Plan	3 June 1907	5 June 1907	C. Bartlett, Owner	-	-	Lot 163
<b>4903 K</b>	B + Sale	10 Nov 1911	20 Dec 1911	Cameron Bartlett, Widower	Cumberland Land Company Ltd.	Val con + \$1	Lot 163. 4 other lots
<b>7108 N</b>	Grant	30 Sept 1919	15 Oct 1919	Cumberland Land Company Ltd	Sydney Frederick Griffin	\$1 + c	Lot 164 + other lots. Subject to building restrictions
<b>7313</b>	Grant	20 Apr 1920	23 Apr 1920	Sydney Frederick Griffin and wife	Gladys Isabella Miller, married woman	\$1 + c	Lot 164 with building restrictions, subject to mort
<b>8339 O</b>	Grant	31 July 1922	3 Aug 1922	Gladys Isabella Miller, married woman	Annie Marguerite Howie, wife of Robert Howie	\$1 + c	Lot 164 + another lot
<b>9959</b>	Grant	19 Oct 1926	25 Oct 1926	Annie Marguerite Howie, wife of Robert Howie	John Wilson	\$1 + c and mort	Lot 164 + another lot with building restrictions
<b>17856</b>	Grant	22 Feb 1951	4 Apr 1951	Alexander and Daniel Wilson, Exors. Of John Wilson, deceased	Robert Frank Winfield	\$1 + c	Lot 164 + another lot

<sup>65</sup> LRO, "Halton County (20), Halton: Plan 113; Lots 100 to 249."

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
<b>19679</b>	Grant	24 Mar 1953	4 May 1953	Robert Frank Winfield + wife	D. Cameron McLean and M. Betsy McLean, his wife, as joint tenants	\$1 + c	Lot 164 + another lot, subject to mort
<b>162964</b>	Grant	29 Jan 1964	5 Feb 1964	D. Cameron McLean	M. Betsy McLean		Lot 164 + other lots, see recitals
<b>478307</b>	Deed	12 Apr 1978	28 Apr 1978	M.B. McLean + D.C. McLean, spouse	Monty B + Lisa Macrae, as jt	\$14C	Lot etc.

Table 6. Land Registry Records for Part Lot 165 Plan 113<sup>66</sup>

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
<b>113</b>	Plan	3 June 1907	5 June 1907	C. Bartlett, Owner	-	-	Lot 163
<b>4903 K</b>	B + Sale	10 Nov 1911	20 Dec 1911	Cameron Bartlett, Widower	Cumberland Land Company Ltd.	Val con + \$1	Lot 163. 4 other lots
<b>7382 N</b>	Grant	26 Apr 1920	17 May 1920	Cumberland Land Company Ltd.	Aenead Mackay Urquhart	\$1 + c	Lot 165 with building covenants
<b>10851 P</b>	Grant	26 May 1930	27 May 1930	Aenead Mackay Urquhart	John Uruquhart	Love + \$1	Lot 165 with building covenants

<sup>66</sup> LRO, "Halton County (20), Halton: Plan 113; Lots 100 to 249."

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
<b>16022 S</b>	Tax Deed	4 Mar 1948	14 Jan 1949	Alfred E. Whitaker and Clarence Harold Byers major and treasurer of Town of Oakville	Evelyn C. McCleary	\$89.77	Lot 165
<b>21605 V</b>	Grant	26 Mar 1954	2 Dec 1954	Evelyn C. McCleary, married woman	D. Cameron McLean + M. Betsy McLean, his wife as joint tenants	\$1200.00	18'
<b>162964</b>	Grant	29 Jan 1964	5 Feb 1964	D. Cameron McLean	M. Betsy McLean		18' + other lots, see recital
<b>478307</b>	Deed	12 Apr 1978	28 Apr 1978	M.B. McLean + D.C. McLean, spouse	Monty B. + Lisa Macrae as jt	\$1 + c	Pt lot etc.



## REPORT

### Planning and Development Council

Meeting Date: July 8, 2025

---

**FROM:** Planning and Development Department

**DATE:** Choose a Department.  
June 24, 2025

**SUBJECT:** Notice of intention to demolish – 364 Lakeshore Road East (July 8, 2025)

**LOCATION:** 364 Lakeshore Road East

**WARD:** Ward 3

Page 1

---

### RECOMMENDATION

1. That the property at 364 Lakeshore Road East be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,
2. That, prior to demolition, the property owner allows for the salvage of materials from the house.

### KEY FACTS

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

- The subject property is on the Oakville Register of Properties of Cultural Heritage Value or Interest as a listed property.
- A notice of intention to demolish has been received with a supporting Cultural Heritage Evaluation Report.
- It is recommended that the property at 364 Lakeshore Road East not be designated under the *Ontario Heritage Act* and that the property be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest.
- Council must make a decision on the subject notice by July 12, 2025.

## **BACKGROUND**

The subject property at 364 Lakeshore Road East is located on the south side of Lakeshore Road East between Allan Street and First Street. The property contains a circa 1913 two-and-a-half storey detached brick veneer house. A location map and more details on the property are included in the Cultural Heritage Evaluation Report, attached as Appendix A.

The Cultural Heritage Evaluation Report was completed by heritage consultant Richard Collins and submitted by the architect, representing the owner, along with a notice of intention to demolish for the property.

The property was listed on the Oakville Register of Properties of Cultural Heritage Value or Interest as a non-designated property in 2009, based on its potential cultural heritage value or interest “for its c.1917 Four Square style brick house”. The property was not identified as a priority for designation as part of the 2023-2025 Heritage Designation Project in response to the Province’s Bill 23.

The notice of intention to demolish application was completed on May 13, 2025. In accordance with the *Ontario Heritage Act*, Council has 60 days to consider the request. The 60-day notice period expires on July 12, 2025.

## **COMMENTS**

### Process

When a notice of intention to demolish is submitted for a listed property, Heritage Planning staff assesses the property to determine if it meets the requirements of Ontario Regulation 9/06 under the *Ontario Heritage Act* (OHA). The regulation requires that a property meet two or more of its nine criteria, as they relate to design/physical, historical/associative, and contextual merits of the property. If the property meets two or more criteria outlined in the regulation, it can be designated under section 29, Part IV of the OHA.

Staff can require that a Cultural Heritage Evaluation Report be completed by a heritage consultant and submitted along with the notice of intention to demolish to assist staff in their assessment of the property’s cultural heritage value.

If the staff assessment of the property concludes that the property merits designation, a recommendation can be made to the Heritage Oakville Advisory Committee and to Council that the property be designated under section 29, Part IV of the OHA. If Council supports a recommendation to designate, Council must move that a notice of intention to designate be issued within 60 days of the notice of intention to demolish being submitted to the town.

If the staff assessment of the property does not conclude that the property merits designation, a recommendation may be made to remove the property from the Heritage Register. If Council supports the staff recommendation and does not issue a notice of intention to designate the property within the 60 days, the property is removed from the Heritage Register and the owner may then proceed with applying for demolition.

#### Cultural Heritage Evaluation Report and Staff Site Visit

The owner has submitted a Cultural Heritage Evaluation Report that provides an overview of the property and the house and an assessment of its cultural heritage value. The report concludes that the property does not meet two or more of the criteria outlined in Ontario Regulation 9/06.

Regarding design/physical value, the report concludes that while the building exhibits aspects of the Edwardian Four Square architectural style, numerous alterations to the building and removal of architectural elements remove its significance as a representative or rare example, and that there are stronger examples of the style in the surrounding neighbourhoods. The report concludes that the house is not a clear representative example of the style, nor is it a rare, unique or an early example of an Edwardian Four Square style house. The report further notes that while the building is well-built, it does not display a high degree of craftsmanship or artistic merit, nor does it demonstrate a high degree of technical or scientific achievement.

Regarding historical/associative value, the report indicates that the property is generally associated with Captain Edward Morden, mariner, who likely owned the property when the house was built circa 1911-1913. The report does not include details about Edward Morden or the Morden family. While not stated in the report, Edward Morden and his family were living at 459 Lakeshore Road West at the time, and probably never lived in the subject property. His brother, William Morden, operated Morden Fuel and Ice Company, and his father George Morden was the founder of the Morden Line, a company of steamers that transported lumber from the north around Georgian Bay. It states further down that some people important to the early development of Oakville owned the subject property prior to construction – such as local builder and developer C.D. Carson – but none of the property owners since 1919 were significant to the community.

However, the report does conclude that the property meets one of the Ontario Regulation 9/06 criteria. It states the property has the potential to yield significant information about a community or culture. This is because the house was built on the fringe of Oakville's growing central residential district and was adjacent to a growing summer home neighbourhood. It therefore has the potential to yield

information that contributes to an understanding of Oakville as a growing suburban community in the early 1900s.

The report states the building is not known to be associated with a significant architect, artist, builder, designer or theorist.

Regarding contextual value, the report concludes that the property is not important in maintaining the character of the area, which to the south is made up of First and Second Heritage Conservation District and historical summer homes, and that the property does not have contextual value for its physical, functional, visual or historical links to its surroundings, as it is now surrounded by larger, multi-unit residential complexes, and is not considered to be a landmark.

In addition to the assessment provided in the CHER, Heritage Planning staff made additional observations through site visits:

1. It was determined that the brick had been sandblasted at some point in history. Evidence of painting is visible in some locations and the entirety of the building's brick is significantly deteriorated;
2. The front second-storey metal porch is a later addition, although the door may have been historically present;
3. There was likely originally a covered front porch that has been removed. Evidence of the roofline can be seen in the brick on the north elevation; and
4. The door surround is not original to the home.

Based on staff's assessment of the property and a review of the submitted Cultural Heritage Evaluation Report, the property does not have sufficient heritage value to merit designation under section 29, Part IV of the *Ontario Heritage Act*.

#### Review of Applicable Planning Policies

##### *Provincial Policy*

The Province of Ontario has made a commitment to the conservation of significant cultural heritage resources through its legislation and policies, including the *Ontario Heritage Act* (OHA), the *Planning Act*, and the Provincial Planning Statement. These documents function together by the shared principle that cultural heritage resources shall be conserved.

The OHA sets out the procedures for evaluating and protecting heritage resources at the provincial and municipal levels. This includes the use of Ontario Regulation 9/06 as the means for determining if a property has cultural heritage value. A property must meet two or more of the criteria outlined in this regulation. The evaluation of the property at 364 Lakeshore Road East has not demonstrated that

the property meets two or more of these criteria and therefore does not have sufficient cultural heritage value to warrant designation under the OHA.

*Town Policy – Livable Oakville Plan*

Section 5 of the Livable Oakville Plan states, “Conservation of cultural heritage resources forms an integral part of the town’s planning and decision making. Oakville’s cultural heritage resources shall be conserved so that they may be experienced and appreciated by existing and future generations, and enhance the Town’s sense of history, sense of community, identity, sustainability, economic health and quality of life.”

Further, Section 5.3.1 of the Livable Oakville Plan states, “The Town shall encourage the conservation of cultural heritage resources identified on the register and their integration into new development proposals through the approval process and other appropriate mechanisms”. The Livable Oakville Plan is clear that cultural heritage resources should not only be conserved but also incorporated into new developments.

As the property at 364 Lakeshore Road East has not been identified as having sufficient significant cultural heritage value or interest for designation through the application of provincial policies such as Ontario Regulation 9/06, it is not required to be conserved through the cultural heritage policies of the Livable Oakville Plan.

## **CONCLUSIONS & NEXT STEPS**

Based on staff’s assessment of the property, including the Cultural Heritage Evaluation Report, the property is not considered to have sufficient significant cultural heritage value for designation under section 29, Part IV of the *Ontario Heritage Act*.

Staff recommends that the owner allow for the salvaging of architectural elements of the building where possible. It is a standard practice to include salvaging as a condition as it allows for the retention and re-use of these materials and keeps these items from going to the landfill.

A separate report regarding this matter was presented to the Heritage Oakville Advisory Committee on June 24, 2025. The committee supported the staff recommendation in this report.

## **CONSIDERATIONS**

### **(A) PUBLIC**

There are no public considerations.



**(B) FINANCIAL**

There are no financial considerations.

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

There is no direct impact on other departments and users.

**(D) COUNCIL STRATEGIC PRIORITIES**

This report addresses Council's strategic priority of Accountable Government.

**(E) CLIMATE CHANGE/ACTION**

A Climate Emergency was declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. The recommendation to salvage materials from the house helps to contribute to the town's initiatives to reduce carbon footprints.

**APPENDICES**

Appendix A – Cultural Heritage Evaluation Report

Prepared by:

Kristen McLaughlin, CAHP  
Heritage Planner

Recommended and submitted by:

Gabe Charles, MCIP, RPP  
Director, Planning and Development



HERITAGE IMPACT ASSESSMENT

**364 LAKESHORE ROAD EAST**

OAKVILLE, ONTARIO



---

## 0.0 CONTENTS

### 1 LOCATION

#### 1.1 Location

- 1.1.1 Location Plan
- 1.1.2 Current Site Plan

#### 1.2 Property Description

- 1.2.1 Written Description of the Property
- 1.2.2 Location
- 1.2.3 Surroundings
- 1.2.4 Status of Development Site
- 1.2.5 Status of Adjacent Properties

### 2 HERITAGE

#### 2.1 Heritage Attributes

- 2.1.1 Written Description of Heritage Attributes
  - significant features
  - buildings
  - landscapes
  - vistas

#### Research and Analysis

#### 2.2 Property History

- 2.2.1 Development History
  - structures
  - additions
  - removals
  - conversions
- 2.2.2 Cultural Heritage Significance
  - history
  - architecture
  - local context
- 2.2.3 Records
  - maps
  - photographs
  - land title records

### 3.0 CULTURAL HERITAGE VALUE

#### 3.1 Statement of Cultural Heritage Value

- 3.1.1 Regulation 9/06

---

<b>3.2</b>	<b>Assessment of Existing Conditions</b>
3.2.1	Physical Condition of Structures <ul style="list-style-type: none"> <li>- exterior</li> <li>- interior</li> </ul>
3.2.2	Current Photographs <ul style="list-style-type: none"> <li>-adjacentproperties</li> <li>-exterior views of each elevation</li> <li>- views of property</li> <li>-interior views of each room</li> <li>- close-up views of significant interior heritage features</li> </ul>
<b>4.0</b>	<b>PROPOSED DEVELOPMENT</b>
<b>4.1</b>	<b>Description of Proposed Development</b>
4.1.1	Description of Development Proposal
4.1.2	Site Plan
4.1.3	Drawings of All Building Elevations
4.1.4	Drawings of Plans
4.1.5	Description of Heritage Attributes to be Retained or Altered
4.1.6	Potential Negative Impact on Cultural Heritage <ul style="list-style-type: none"> <li>- destruction of all, or part of any significant heritage attribute</li> <li>- alteration that is not sympathetic to the heritage attribute</li> <li>- impact of shadows of proposed development</li> <li>- isolation of a heritage attribute</li> <li>- direct or indirect obstruction of significant views or vistas</li> <li>-change in land use which negates cultural heritage value</li> <li>- land disturbances that alters soils and drainage patterns</li> <li>- changes that adversely affect a cultural heritage resource</li> </ul>
<b>5.0</b>	<b>MITIGATION and CONSERVATION</b>
<b>5.1</b>	<b>Considered Mitigation and Conservation Strategies</b>
5.1.1	Assessment of Alternative Options to Limit Negative Impact
5.1.2	Assessment of Mitigation Measures to Limit Negative Impact
5.1.3	Assessment of Conservation Methods to Limit Negative Impact
<b>5.2</b>	<b>Impact of Alternatives</b>
5.2.1	Provincial Policy Statement
5.2.2	Official Plan
5.2.3	Heritage Conservation DistrictPlan
5.2.4	Designation By-law
<b>5.3</b>	<b>Recommendations for additional studies</b>
5.3.1	Recommendations
<b>6.0</b>	<b>APPENDICES</b>
6.1.1	Primary and Secondary Sources
<b>6.2</b>	<b>AUTHOR</b>
6.2.1	Summary of Author's Qualifications

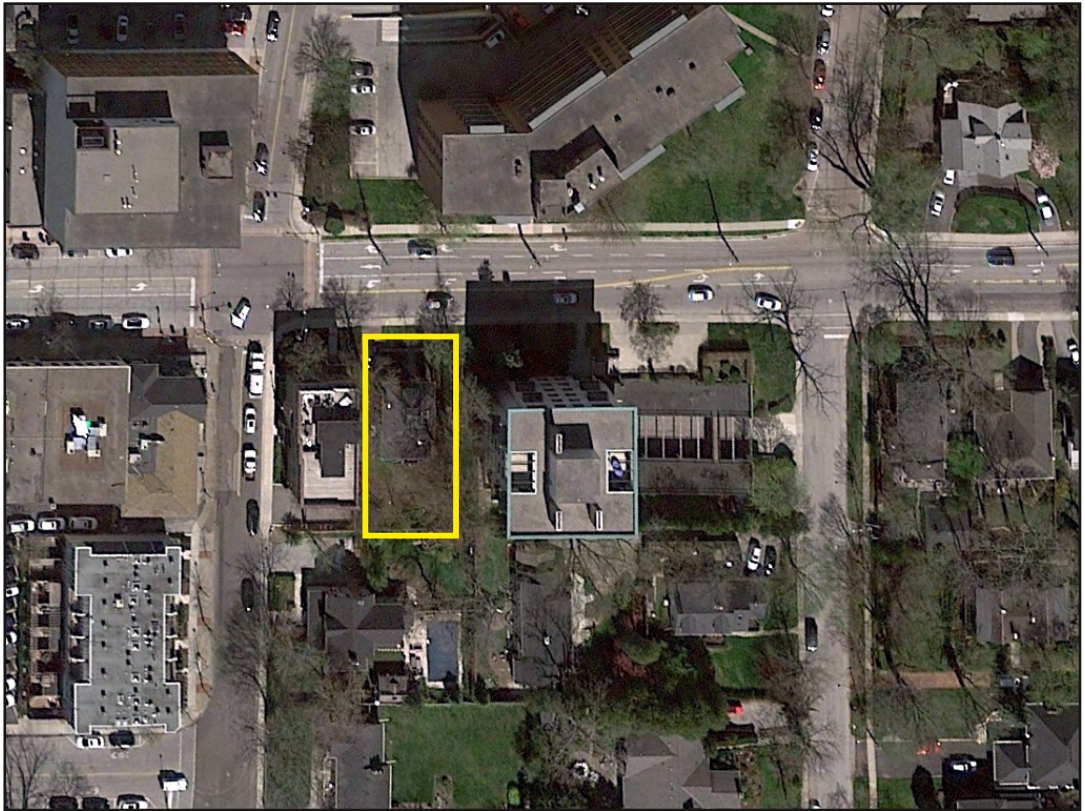
---



---

## 1.0 LOCATION

### 1.1 Location



### 1.2 Property Description

#### 1.2.1 Written Description of the Property

The main residence is the only structure on this property with a foundation. It is located to the north end of the property, with the front facade of the main structure being approximately 7.5 metres south of the north lot line of the property.

The lot is approximately ~640 square metres. The main residence footprint is approximately ~80 square metres.

The main residence is a full two stories with a medium-pitch hip roof. The half-storey roof has two small dormers; one facing north (towards Lakeshore Road East) and the other projecting south (rear). (See image 3.2.1n)

A one-storey annex extends from the rear of the house. A first-floor bay window extends from the rear part of the west elevation wall. (See image 3.2.1k)

#### 1.2.2 Location

The subject property is located on the south side of Lakeshore Road East. The north-south centre line of the lot is situated ~25 metres east of Allan Street and ~75 metres west of First Street.

---

### **1.2.3 Surroundings**

#### **Neighboring Properties**

The subject property shares a common lot line with three other properties.

##### **87 Allan Street (image 3.2.2a)**

This property is located to the south of the subject property. This property is one of 65 that comprise the *First and Second Street Heritage Conservation District*. It is identified by the Town of Oakville as a “contributing” property within the conservation district.

There are 26 other properties with contributing status in *First and Second Street Heritage Conservation District*. Contributing properties are ones within a heritage conservation district that “contribute” to the cultural heritage character of the neighbourhood architecturally, historically and/or contextually.

Its main residence is a one-and-a-half story single family dwelling with a one-storey southward annex. This residence has a lengthwise gable roof intersected by a shorter crosswise gable, midway along the roof.

##### **360 Lakeshore Road East / 97 Allan Street (image 3.2.2b)**

The property located to the west of the subject property is a two-unit residential complex. It is a full three-stories, with one small rooftop canopy.

##### **370 Lakeshore Road East (image 3.2.2c)**

This property is located to the east of the subject property. It is a six-storey apartment building with 20 units.

#### **Property to the North**

##### **105 Allan Street (image 3.2.2d)**

This property does not share a common boundary with the subject property but is located directly across Lakeshore Road East, to the north. It is an 83-unit apartment complex with seven stories

### **1.2.4 Status of Development Site**

The subject property is zoned *Residential Low (RL)* 9, which permits a maximum two full-floors, with a permissible third full-floor where the upper floor is 35 percent or less than the second-floor area.

### **1.2.5 Status of Adjacent Properties**

See item 1.2.3 for information on the adjacent properties.

As of September 30, 2024 there are no development or site plan applications for any of the four properties adjacent to 364 Lakeshore Road East.

---

## 2.0 HERITAGE

### 2.1 Heritage Attributes

#### 2.1.1 Written Description of Heritage Attributes

The main residence at 364 Lakeshore Road East was built sometime between 1911 and 1913, based on land registry records.

##### - significant features

The only feature of potential heritage significance on the property is the main residence, which is about 105 years old at the time of writing of this heritage impact assessment.

##### - buildings

The main residence at the subject property is typical of suburban homes built in the decade following World War I period; sometimes called the Four Square style of architecture. Oakville grew rapidly after the war (as did Canada as a whole), so there are many surviving examples of homes in Oakville built during this period of local growth and prosperity.

There are three examples of the “four square” architectural style just on adjacent Allan Street alone. Another dozen examples are included in the Town of Oakville’s heritage register that are also in the Four Square style.

##### - landscapes

The property is generally flat. There are no notable natural or man-made landscapes features on the property.

##### - vistas

Surrounded on three of four sides by larger multi-unit complexes, all at close proximity, the c.1911-1913 home has since lost its former context as a suburban residence that once stood out at the periphery of the 19th century village of Oakville, to the west.

From the public realm, the main residence at the subject property does have a prominent location; being situated on the busy Lakeshore Road.

---

## Research and Analysis

### 2.2 Property History

#### 2.2.1 Development History

##### **British Crown: September 6, 1806**

In August of 1805, the British crown expressed interest in purchasing the land between Etobicoke Creek and the “head of the lake” adjacent to Joseph Brant’s 1784 land grant in what is now Burlington. Seven representatives of the Mississauga nation gave British surveyors one year (as requested by the Crown) to survey the land to determine the precise amount of land to be purchased. Representatives of the Crown met again in September 1806 to formalize the sale of the “Mississauga Tract”, through the terms of Treaty 14. At this time, all of present-day Oakville became British territory.

The tract was surveyed by Samuel Wilmot into concessions and lots so that parcels of these could be granted or sold to new immigrants. Three townships were formed in the tract with the middle one being named *Trafalgar*. At this time, the subject property became part of Lot 12 of the 4th Concession (Broken Front) South of Dundas Street (C. 4 SDS, L. 12).

##### **William Chisholm, ~1825**

Although his term as owner of the subject property (and adjacent lands) predates the earliest surviving land records, there are existing deeds that confirm that town founder William Chisholm (1788 to 1842) owned Oakville’s waterfront for ~1.6 km (one mile, at the time) on both sides of the mouth of the 16 Mile Creek. Being one of the earliest settlers in Trafalgar Township, Chisholm purchased the land at 16 Mile Creek to establish a harbour. He purchased the adjacent waterfront properties to prevent competitors from developing a competing harbour, so old “White Oak” had little intention of developing the subject lot.

When William died, his properties were bequeathed to his son George King Chisholm.

##### **Property History Following the Registration of Plan 19**

##### **William Francis Romain: ~1847 (registered, January 22, 1858)**

William Francis Romain (1818 to 1911) married “King” Chisholm’s sister, Esther Ann Chisholm, in 1847 and probably soon after purchased part of the Chisholm’s waterfront property (which includes the subject property). (See image 2.2.3a) Romain built a home near the waterfront which still stands, about 250 metres south of the subject property. (See image 2.2.3b) The subject property – 364 Lakeshore Road East – is located on what was the northern part of Romain’s orchard.

William Romain was raised in Quebec City. His father purchased grain from farmers in Quebec and Ontario for sale to his buyers in France. With the experience he gained working for his father, William moved to Trafalgar Township around 1845 to open the grain market in the growing area west of Toronto. To help Oakville grow as a business community, he joined a team of local entrepreneurs in 1857 who petitioned the federal government to grant the village status as a town, so that it could collect

---

taxes to help fund municipal amenities (paved roads, a fire truck, a police constable, etc.) to encourage more settlement and improve business prospects. Romain was the second mayor of Oakville, from 1863 to 1865.

A year after incorporation as a town, Romain felt that the time was right to survey his land holdings into suburban lots. The township registered his survey officially as Plan 19, although it was often referred to as “Romain’s Survey”.

At this time, Conc. 4 SDS, Lot 12 was subdivided, with the subject property becoming part of Lot 1 of Plan 19. Romain hoped to sell individual lots within Plan 19 to new arrivals to Oakville.

**Charles and Martha Hardy: July 22, 1871**

The first buyer for Lot 1 was Martha Hardy, wife of Charles Hardy. Little information has been found regarding Charles (1820 to ?) and Martha (née Shovill, 1819 to ?). However, the low value of land at the start and end of their tenure suggests that they did not live on the property and likely purchased it from Romain in hope that the value of the vacant property would rise as more newcomers moved to Oakville.

**Edmund H. Gulledge: September 5, 1891**

As with the previous property owners, the value of Plan 19, Lot 1 did not change during the period that Edmund Gulledge (1851-1947) owned the lot, so he did not improve it. During his tenure of ownership of the subject property, Gulledge’s address was cited in the 1897 *Directory of Halton County* as 194 Lakeshore Road East.

Gulledge appears to have been a tanner and/or leather worker in Oakville, based on an advertisement in the 1897 directory which states that he “offers patrons a wide variety of wares including Boots and Shoes, Harness[es], Collars, Trunks, and Whips”.

**Charles David Carson: April 17, 1906**

Although Charles Carson (1864 to 1944) was an important property developer in Oakville in the first two decades of the 20th century, he did not improve the subject property for resale when he bought Lot 1 from Gulledge. Carson is however the man who subdivided Lot 1 into two half-sized lots – 14.3 metres (47-foot) frontage – to facilitate suburban development; probably feeling that smaller lots suitable for a single home would sell faster than a single, larger lot which was too big for a family home, but otherwise too small for a farm. In 1907, Carson sold the western half of lot one (the current 360 Lakeshore Road / 97 Allan Street). The easterly half of Lot 1 – the subject property – remained vacant at this time.

“C.D.” lived his entire 80 years in Oakville. He was the youngest son of William Thomas Carson of St. Andrews, New Brunswick. Charles had two older brothers, William Herbert and George Robert, who also learned the homebuilding trade from their father.

Carson built the Oakville Trafalgar High School in 1909. A year later he served as a town councilor. Because of his nearly 40 years of experience as a homebuilder in the area, the Town of Oakville contracted Carson in 1923 to assess land taxes in the town – a job which he appears to have completed competently, except for some minor



---

accusations that he assessed the waterfront properties of his business partner (Samuel Bacon) at suspiciously favourable rates.

C.D. was a superintendent at St. John's Methodist Church (St. John's United Church, after 1925) and a temperance leader in Oakville during the Depression.

Carson Lane – a street in one of Carson's later subdivisions – is named in his honour. A map of Oakville in a 1936 edition of the *Toronto Star* identifies today's Carson Lane as Dewart Street; no doubt after Charles' fourth son, Dewart A. Carson. Howard Avenue, in the same development, is named after C.D.'s third son, Howard K. Carson.

#### **Property History Following Development of Lot 1 of Plan 19**

In 1907, Carson sold the vacant east half of Lot 1 of Plan 19 to a succession of short term owners who speculated on the property's value, awaiting a purchaser who actually wanted to buy the lot as a permanent home. In later years, Carson (and his business partner, Samuel Bacon) would likely have improved the lot themselves to facilitate resale, as they did later with lots on First and Second Street and Park and Howard Avenue, but the partnership between the contractor (Carson) and his experienced property speculator (Bacon) was not formed until 1908, after Carson had already sold the subject property in 1907.

#### **Captain Edward Albert Anderson Morden: February 14, 1913**

It is likely Captain Morden (1869 to 1941) who built the present main residence at 364 Lakeshore Road East sometime between 1911 and 1913, when the now-improved lot was sold to Hugh Richardson. (See image 2.2.3c)

Morden was captain of a commercial marine vessel engaged in freight shipping on Lake Ontario.

#### **Hugh Edwin Wesley Richardson: October 25, 1919**

Dr. Hugh Richardson (1879 to 1956) and wife Nellie (née, Palmer, 1988 to 1964) lived on the property from 1919 to 1948. They had two daughters. The younger of the two, Eleanor was born in 1921 at 364 Lakeshore Road East.

#### **Alma Isabelle Whittier Johnson: March 30, 1948**

After 30 years in the home, Dr. Richardson retired as an Oakville dentist in 1948 and moved to Beeton, Ontario. The property was sold to Alma Johnson (1923 to 2011) who lived at the subject property briefly. She was a teacher at *Thomas A. Blakelock High School* in Oakville.

#### **Marion Louise Cuttell: August 20, 1951**

The subject property was briefly owned by Marion Cuttell (1876 to 1960) who moved here after her husband Samuel James Cuttell died in 1950.

---

### **Later Property Owners**

Purchased by Louise Lillian Thompson; February 14, 1962

Granted to John and Valeria Ann Grimshaw; September 4, 1973

Granted to Charles Richard Williamson; May 5, 1975

Granted to John Gilford Moore; June 13, 1986

Purchased by Terry Stuart Mannell and Judith Ann Mannell; September 15, 1993

#### **- structures**

The main residence at 364 Lakeshore Road East was built at some time between 1911 and 1913.

#### **- additions**

An addition to the rear was built at an undetermined date.

At the front of the house, the second-floor exterior door and the small balcony that it leads out to are inconsistent with early 20th-century homes in the Four Square style, so are likely a later addition to the home. (See image 3.2.1m)

#### **- removals**

There does not appear to be any portion of the c.1911-1913 building that has been removed.

#### **- conversions**

No part of the existing main residence at 364 Lakeshore Road East has been converted. The property has always been a single family building.

### **2.2.2 Cultural Heritage Significant**

The main residence at the subject property was built about a century ago and is typical of the suburban homes being built in Oakville at a time when the town was growing rapidly as a commuter suburb and resort area.

#### **- history**

During the same period that the home at 364 Lakeshore Road East was built today's Lakeshore Road was being rebuilt with a concrete base, converting the old gravel concession road into Canada's first paved highway. This new highway made Oakville easily accessible to affluent businessmen in Toronto and Hamilton, looking for a summer home that was within easy reach of the primitive automobiles of the time.

The residential neighbourhood to the immediate south of the subject property is a heritage conservation district with many fine summer cottages from the post-WWI period, now converted to full-time homes.

---

### - architecture

The name of the architectural style – Four Square – is a suitable description of the style’s most significant defining feature. The front and rear walls are generally square; being as tall as they are wide. The side walls are typically also of the same or nearly same dimensions as the front/rear walls. The resulting floor plan is also square or nearly square in proportion.

This uniformity of proportion gives “Four Squares” a simple elegance that was favoured by conservative homebuyers; particularly new urban professionals who rejected the earlier elaboration of Victorian-era homes that were popular with Oakville’s earlier gentry class.

However the look of Four Squares was not as important as their functionality. The first two decades of the 20th century was a period of transition in homebuilding. Today almost all of us live in buildings built by professional contractors. By contrast, in the 19th century almost all homeowners – especially farmers – built their own simple frame homes. But in the early 1900s, many new homeowners had the skill to build a frame home, but not the experience to install new features like electricity and plumbing. Into this transition market came the “kit home”. Companies like Aladdin Homes of Canada began designing homes in 1909 that could be built using pre-measured and pre-cut sections of lumber, brick and tile. These could then be assembled on site like puzzle pieces.

By designing Four Square homes with all four walls having the same proportions, the pre-measured sections of lumber could be conveniently used for either the front, rear or side walls. Just grab a piece of lumber, as shipped, from the pile and install it on whatever wall you happen to be working on at the time.

Uniformity sped-up construction, which was desirable for developers building large swaths of homes in their subdivision, but kit homes also benefited the buyer. A promising homeowner could be enticed to buy a vacant lot at a desirable location, choose the home of his preference and needs, and then hire labour (often unskilled, at cheaper rates) to build the home; helping out, if he had the necessary experience.

It is not certain that 364 Lakeshore Road is a kit home, but the appearance and date of the main residence on the subject property are consistent with the peak of popularity of kit homes. (See images 2.2.3e to 2.2.3g)

It’s important to note that kit homes were not necessarily discount homes. Companies like Aladdin hired professional architects and used quality lumber to compete with other kit home contenders, like the national department store chains. (By 1913, you could order a kit home through the Eaton’s catalogue.)

Because Four Squares are taller than they are wide (essentially being two cubes stacked one atop the other) they are well-suited to narrow and shallow lots like 364 Lakeshore Road East; which has smaller proportions than the larger lots to the south, in the *First and Second Street Heritage Conservation District*.

---

Like a blank, white surface which gives a portrait or landscape painter an unlimited “canvass” from which to work, the stark simplicity of the basic Four Square design gives homeowners a wide variety of options for embellishing their home; often incorporating flat surface and/or volumes, as the home expands with the growing family. The Drummond House (see image 2.2.3h) is an example of the decorative freedom possible with a Four Square. This home has been jazzed-up with a wrap-around verandah, sidelight windows in a horizontal pattern, a Palladian-style dormer replacing a conventional gable dormer, painted window casings and aprons, and textured exterior siding. Yet despite the number of variations possible, the many Four Square homes in Oakville (see images, Section 2.2.3) are all relatively unadorned; retaining the basic cubic form of the Four Square style without embellishment, except for the occasional front-facing bay window or a full-width porch.

One final common feature of the Four Square is the low-pitch or medium-pitch roof, almost always in a hip roof configuration, like 364 Lakeshore Road East. This roof style was nearly universal for Four Square homes because this style could take advantage of the equidistant wall lengths on all four sides to form a neat, central peak at the top of the four pitches.

Not all Four Square homes have a roof dormers, but the roof pitches at 364 Lakeshore Road are steep enough to provide an ample attic. Occasionally attics were used as bedrooms, when the family grew large enough to need the extra rooms, but otherwise the dormers were included to allow light to enter the attic. This was an especially important consideration for Four Square homes built in the early 1910s, before most homes had electricity. (The Village of Oakville signed its first contract for power from the Hydro-Electric Power Commission of Ontario in 1908, so homes built before then took advantage of dormers to allow sunlight to enter attics and lofts.)

#### **- local context**

Four Squares were favoured by Canada’s earliest commercial property developers, who purchased large tracts of land in the fringes of Hamilton, Ottawa and Toronto along the paths of private street railway companies that were extending their city lines to their new suburbs. Narrow lots maximized the number of lots in close proximity to the streetcars.

The main residence at 364 Lakeshore Road East is a one-off example of a home that would normally be built as one of many in a larger “streetcar subdivision”. Constructed sometime between 1915 and 1919, this home was built not only at the same time that Lakeshore Road was being paved as a highway, but also at a time when a proposal was put forward by Oakville developers like C.D. Carson and William Sinclair Davis to build an electric railway line between Oakville and Port Credit to fill the missing gap between two commuter “radials” that extended outward from Hamilton and Toronto.

In a letter to the 1920 Sutherland Commission – the committee formed to investigate the potential of electric railways in Ontario – landowner R.J. Joyce of

---

Bronte assured justice Sutherland that, “some connection between Port Credit and Oakville is needed and needed very badly”. The promoters failed to convince the provincial government of the potential value of completing an electric railway through east-end Oakville so, as a result, 364 Lakeshore Road East is a stand-alone example of the type of houses that would have been built en masse if the radial railway had been completed.

In the absence of a high-speed railway, Blue Bird Motor Bus Company ran seven Studebaker “touring cars” daily each way from Sunnyside Beach in Toronto to the Royal Connaught hotel in Hamilton, along Lakeshore Road. Unfortunately for Carson (and Bacon) these buses ran only a limited-stop express service to town centres, so buses didn’t stop at local points just outside the town, leaving the area around 364 Lakeshore Road East without service.

Extending northward from the Toronto-Hamilton Highway, homes in the Four Square style were especially common on the long, narrow lots of W.S. Davis’ *Brantwood Survey* subdivision. Four still stand on Douglas Avenue with five more on Spruce Street.



---

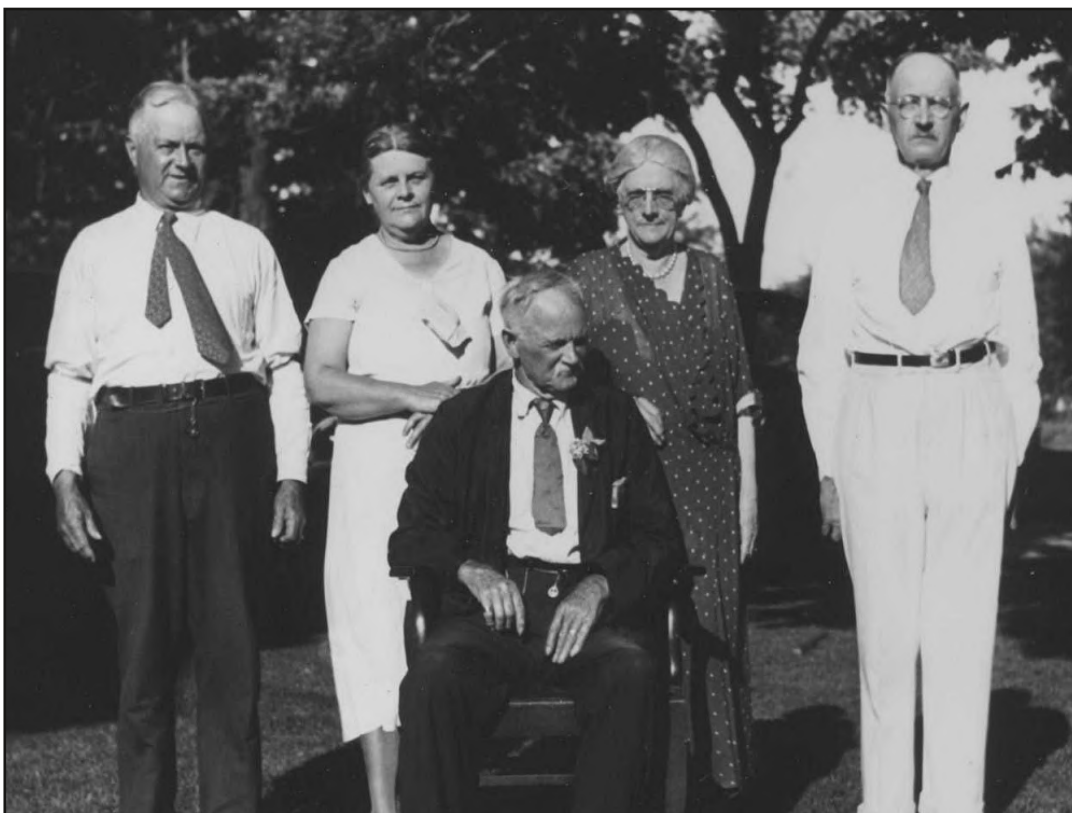
2.2.3  
Records  
Photographs



2.2.3a: William and wife Esther (nee, Chisholm) Romain, circa 1850



2.2.3b: William Romain residence; now 40 First Street, Oakville



2.2.3c: Cpt. E.A. Morden at his 70th birthday celebration; 1939



2.2.3d: Interior of living room at 364 Lakeshore Road West; 1944




## 2.2.3 Records

## For Square Catalogue Homes

### ALADDIN SERVICE

A COMPLETE HOME OR A COMPLETE CITY



Aladdin Service is equal to any demand made of it. No matter what your requirements are—a single home or a complete city—the Aladdin organization is capable of handling it with the greatest despatch. The Aladdin Company has successfully solved the housing problems of many of the greatest corporations of the world, including the United States Government and the British Government. Aladdin literature contains descriptions and prices for complete cities of 300, 500, 1000, 2000 and 3000 population.

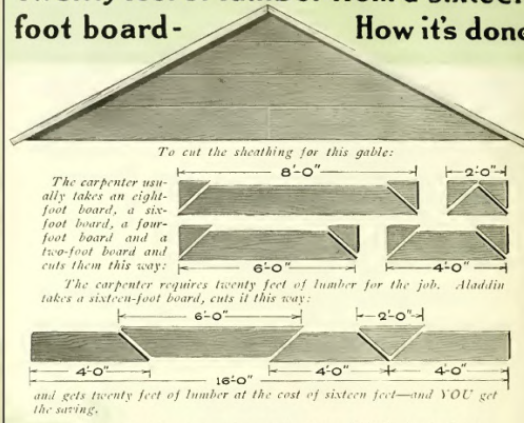
**Aladdin Cities—population of 300 to 3,000**

Aladdin Cities are the result of a careful research work into the necessities of modern civic life. Every necessity which makes for health, comfort, hygiene and expansion is included in these plans. Each city is complete and specifications include complete materials for homes of different plans, churches, schools, public buildings, such as stores, offices, hotels, banks, etc., all materials for water and sewage distributing systems, electric service and generating plant, all materials for landscape work, gutters, curbing, sidewalks, etc.—in short, complete materials for each city.

**Send for Book "Industrial Housing"**

The Aladdin System means handling the erection of houses with despatch. Each price includes complete material ready-cut—a feature which eliminates the necessity for skilled help in erection. Aladdin literature contains over 100 designs of homes from cottages of two rooms to dwellings of 18 rooms, stores, hotels, churches, schools and other types of public buildings. Industrial courts showing attractive arrangements of different numbers of workers' homes, complete cities intended for populations of from 300 to 3,000. Copies of these books will be mailed to those interested.

### Twenty feet of lumber from a sixteen foot board— How it's done



To cut the sheathing for this gable:

The carpenter usually takes an eight-foot board, a six-foot board, a four-foot board and a two-foot board and cuts them this way:

The carpenter requires twenty feet of lumber for the job. Aladdin takes a sixteen-foot board, cuts it this way:

and gets twenty feet of lumber at the cost of sixteen feet—and YOU get the saving.

**T**HE wonderful money-saving results of the Aladdin Ready-Cut System will be understood after reading this page. Nowhere in the history of manufacturing or building since history began can be found an example equal to that which is a part of every day's work in the Aladdin designing rooms and in the Aladdin mills.

Think of taking a six-inch board sixteen feet long and getting twenty feet of six-inch board out of it!


Think of applying this system of saving throughout all the lumber used in building your home!

Think of your own good money it saves!

To eliminate waste by scientific planning, designing, and cutting of lumber is to save your money from the waste pile.

W. J. Sovereign, president of The Aladdin Company, conceived this tremendous thought, originated, perfected, and established the system.

2.2.3e: Aladdin Homes of Canada; 1919 catalogue, pages 4 and 5




### The Rochester

See prices on inside of front cover.

**T**HERE is much to interest the home builder in the Rochester home—a very popular Aladdin design. Covering a period of five years' time since it was first included in the Aladdin Book, its popularity has been widespread. It was first erected in northern Minnesota in the spring of 1911. The owner of this Rochester is very high in his praise of the warmth of Aladdin construction and the handsome appearance of this design. Since that time, the Rochester has been erected many times in nearly every state in the Union. One state now has nineteen Rochester homes within its borders.

In design the Rochester is truly American—simple, strong and substantial. Conservative lines bespeak dignity and personality of which this design is a shining example. Its features are not composed of novelties that come and go, but are made up of the careful touches that have stood the test with home builders for many years. The Rochester has the added advantage in point of design of being square in shape, which always expresses massiveness and strength. While the exterior is simple in design, yet it is not commonplace or uninviting. The scrolled rather ends




studding the eaves of house, dormer and porch roofs, add an artistic touch without giving it an overburdening of trimmings. Still another distinction noted in the Rochester is the window arrangement. Grouped in pairs in most cases they add strength to the design of the exterior and provide an abundance of light to all rooms on the interior.


In planning a home, the housewife, besides giving deep thought to the exterior appearance, takes a greater interest still in the interior arrangement. Housewives in general have placed their stamp of approval on the interior of the Rochester. The arrangement is ideal—convenient and comfortable, minimizing housework. Note the vestibule, large living room with cozy bedroom having projecting bay window, group window in dining room, large pantry attached to kitchen, and rear exit grade cellar entrance.

On a one-thousand dollar lot the Rochester would normally sell for at least \$5,500. You can easily comprehend the profit available to the owner should conditions arise that he would want to sell it. Owners of Aladdin houses find that the high quality of finish, material, both inside and outside, helps make quick sales when a sale is desired.


For Prices of the Rochester, refer to inside front cover. See Terms on page 2 and General Specifications on pages 12 and 13.



First Floor Plan—The Rochester



Second Floor Plan—The Rochester



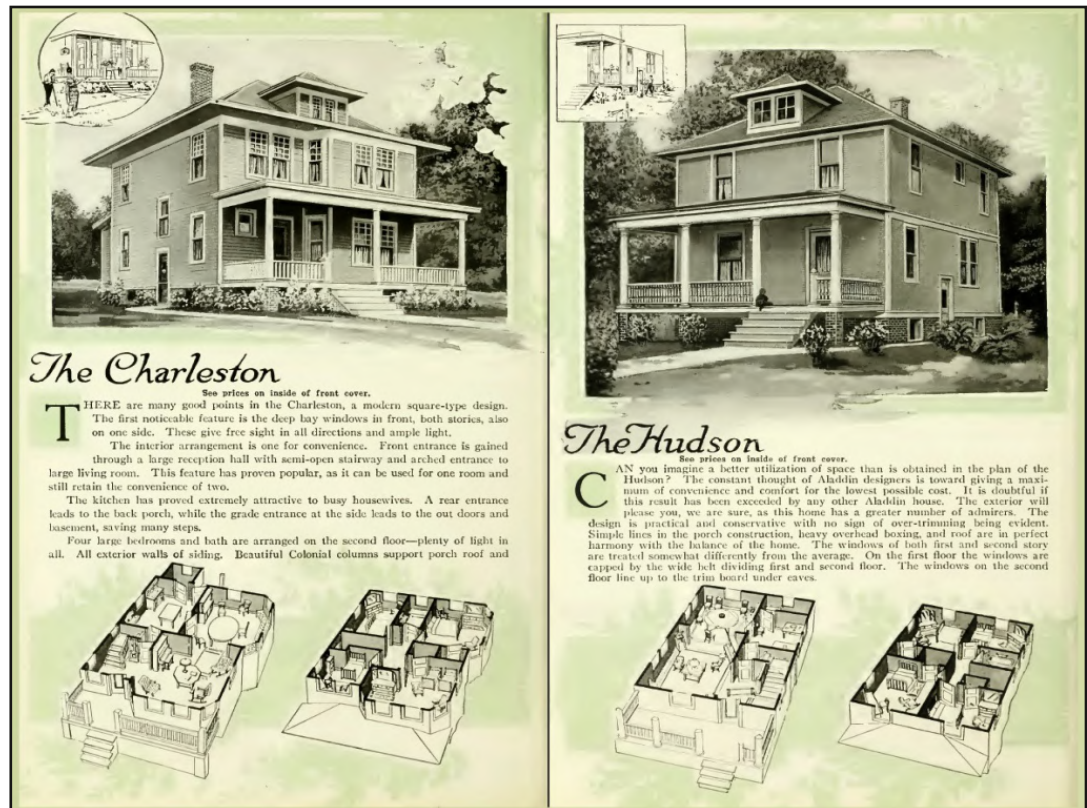
Living Room and Dining Room—The Rochester

2.2.3f: Aladdin Homes of Canada; 1919 catalogue, pages 86 and 87



2.2.3  
Records

For Square  
Catalogue Homes



2.2.3g: Aladdin Homes of Canada; 1919 catalogue, pages 62 and 63



2.2.3h: Drummond House, Washington D.C.



2.2.3  
Records

Land Title  
Records

TOWN OF OAKVILLE		LOT 1		BLOCK		ROMAIN'S SURVEY		PLAN 19		PAGE 1	
NO.	INSTRUMENT	DATE	REGISTERED	FROM	TO	ACRES	DESCRIPTION	REMARKS	REMARKS	REMARKS	
535 A	1st Mortgage	23 Sept 1867	23 Jan 1868	William B. Romain	William B. Romain	Lot 1	2.50				
538	2nd Mortgage	27 Jan 1868	6 Feb 1868	William B. Romain	William B. Romain	Lot 1	2.50				
408 B	1st Sale	7 Feb 1870	1 Apr 1870	John Fair in his capacity of assignee of the estate of William B. Romain	John Fair	Lot 1	2.50				
637 G	1st Sale	22 Sept 1867	22 July 1871	William B. Romain	William B. Romain	Lot 1	2.50				
628 H	"	20 July 1871	22 July 1871	John Fair	John Fair	Lot 1	2.50				
552 H	"	1 Nov 1868	21 Oct 1871	William B. Romain	William B. Romain	Lot 1	2.50				
549	1st Mortgage	13 Jan 1872	24 Jan 1872	William B. Romain	William B. Romain	Lot 1	2.50				
1340 C	1st Sale	30 Dec 1879	3 Jan 1880	William B. Romain	William B. Romain	Lot 1	2.50				
205 H	1st Sale	2 Jan 1880	5 Feb 1880	William B. Romain	William B. Romain	Lot 1	2.50				
3618 B	1st Sale	14 Feb 1876	12 Feb 1876	William B. Romain	William B. Romain	Lot 1	2.50				
3719	1st Sale	20 Feb 1876	17 Apr 1876	William B. Romain	William B. Romain	Lot 1	2.50				
3876	1st Sale	20 July 1877	31 July 1877	William B. Romain	William B. Romain	Lot 1	2.50				
3924	1st Sale	20 July 1877	31 July 1877	William B. Romain	William B. Romain	Lot 1	2.50				
3943 J	1st Sale	25 Sept 1877	30 Sept 1877	William B. Romain	William B. Romain	Lot 1	2.50				
3943 K	1st Sale	10 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 L	1st Sale	6 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 M	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 N	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 O	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 P	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 Q	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 R	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 S	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 T	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 U	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 V	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 W	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 X	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 Y	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				
3943 Z	1st Sale	14 Feb 1878	10 Feb 1878	William B. Romain	William B. Romain	Lot 1	2.50				

2.2.3i: Plan 19, Lot 1, page 1

TOWN OF OAKVILLE		LOT 1		BLOCK		PLAN 19		PAGE 1	
NO.	INSTRUMENT	DATE	REGISTERED	FROM	TO	ACRES	DESCRIPTION	REMARKS	REMARKS
11928	1st Sale	11 Aug 1878	21 Aug 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12166	1st Sale	6 July 1878	25 July 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12374	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12375	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12376	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12377	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12378	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12379	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12380	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12381	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12382	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12383	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12384	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12385	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12386	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12387	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12388	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12389	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12390	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12391	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12392	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12393	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12394	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12395	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12396	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12397	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12398	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12399	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		
12400	1st Sale	31 Mar 1878	30 Mar 1878	William B. Romain	William B. Romain	Lot 1	2.50		

2.2.3j: Plan 19, Lot 1, page 2





MICROFILMED *id on next page*

**2.2.3m: Plan 19, Lot 1, page 5**

MICROFILMED

**2.2.3n: Plan 19, Lot 1, page 6**





---

## 3.0 CULTURAL HERITAGE VALUE

### 3.1 Statement of Cultural Heritage Value

#### 3.1.1 Regulation 9/06

##### Regulation 9/06 (2022)

The regulations for determining the cultural heritage significance of a property in Ontario reads as follows:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark.

##### **Assessment of 346 Lakeshore Road East Based on Regulation 9/06 (2022)**

**Compliant items, following, are in blue.**

1. The main residence on the subject property is representative of the Four Square style of suburban homes popular in the first two decades of the 20th century, but it is not a rare, unique or early example of the style.
2. The property is a well-built late 1910s home, but does not display a high degree of craftsmanship or artistic merit.
3. The property does not demonstrate a high degree of technical or scientific achievement.
4. People important to the early development of Oakville owned the subject property prior to construction of the current main residence, but none of the property owners since 1919 is significant to the community.

---

5. Being built on the fringe of Oakville's growing central district, and adjacent to a development of surviving summer homes, the main residence at the subject property has historical and associative value because it does yield information that contributes to an understanding of Oakville as a growing suburban community in the early post-WWI period.

6. The architect of the building has not been verified. The main residence may be a kit home, or is representative of kit homes that were common at the time of this home's construction.

7. The property is not especially important in defining the resort character of east-end Oakville.

8. Surrounded now by larger multi-unit residential complexes, the subject property has little remaining contextual value.

9. The property is not considered locally to be a landmark.

### **Conclusion**

The property at 364 Lakeshore Road East in Oakville complies with one of the nine criteria for consideration as a property of cultural heritage significance. A property is considered to be worthy of protection under the terms of Part IV of the Ontario Heritage Act only if it complies with two or more criteria of Regulation 9/06.

## **3.2 Assessment of Existing Conditions**

### **3.2.1 Physical Condition of Structures**

#### **materials**

The walls of the main residence are red brick, raised on a concrete foundation. Doors and windows are trimmed with wood moulding. There are concrete lintels above the windows, and concrete sills below. Typical of the four-square style, there are no notable architectural embellishments.

Roof shingles are asphalt.

#### **condition**

Overall the current main residence on the subject property is in good condition.

#### **- exterior**

There are some cracks in the concrete foundation and to some of the exterior bricks, but the main structure on the subject property is in good condition.

#### **- interior**

A visual assessment of the basement of the main residence indicates that the foundation of the home is sagging. An engineering report would be required to determine the structural condition of the home and the extent of possible current and future compromised integrity.



---

3.2.2  
Exterior Images



3.2.2a: north elevation



3.2.2b: south elevation





3.2.2c: east elevation



3.2.2d: west elevation





*3.2.2e: back yard - looking south east*



*3.2.2f: back yard - looking south west*





**3.2.2g: ground floor window, east elevation**



**3.2.2h: basement window, east elevation**





**3.2.2i: chimney, east elevation**



**3.2.2j: fence and bin, east elevation**





**3.2.2k: bay window, west elevation**



**3.2.2l: window with large lintel and apron, west elevation**





**3.2.2m: second-floor balcony, north elevation**



**3.2.2n: attic dormer, south elevation**





3.2.2o: front door and stairs



3.2.2p: front door



3.2.2q: bay window



3.2.2r: rear porch decor

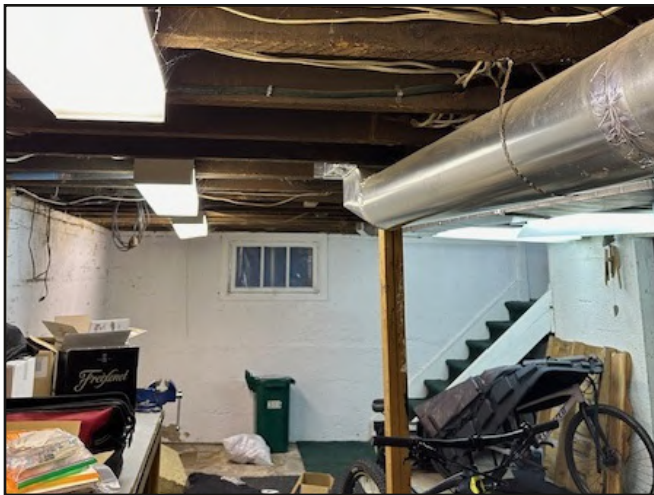


---

**3.2.3**  
**Interior Images**



**3.2.3a: basement**



**3.2.3b: basement**



**3.2.3c: basement**



**3.2.3d: basement ceiling**



**3.2.3e: basement ceiling**





3.2.3f: living area interior



3.2.3g: living area interior



3.2.3h: living area interior



3.2.3i: living area interior



3.2.3j: living area interior



3.2.3k: living area interior



---

3.2.4  
Adjacent  
Properties



*3.2.4a: 87 Allan Street*



*3.2.4b: 360 Lakeshore Road East / 97 Allan Street*





**3.2.4c: 370 Lakeshore Road East**



**3.2.4d: 105 Allan Street**

---

## 4.0 PROPOSED DEVELOPMENT

### 4.1 Description of Proposed Development

#### 4.1.1 Description of Development Proposal

No development proposal is considered with this Heritage Impact Assessment.

Currently the property owner is in consultation with Town of Oakville heritage staff regarding a proposal to follow for 364 Lakeshore Road East.

It is the recommendation of this report that any new development at 364 Lakeshore Road East consider a design that will have minimal impact on the historic streetscape of Lakeshore Road in Oakville, and of the adjacent *First and Second Street Heritage Conservation District*.

Included with Section 5 of this Heritage Impact Assessment – regarding mitigation strategies – is a review of the heritage attributes of the adjacent HCD and of other nearby properties on Lakeshore Road, to serve as a guideline for a conceptual plan for a new development at 364 Lakeshore Road East.

It is also recommended that any development plan for the subject property not copy or mimic the style of other heritage properties in proximity to the subject property, but instead to contribute to the heritage character unambiguously as a new development.

Items 4.1.2 to 4.1.5 to follow.

#### 4.1.6 Potential Negative Impact on Cultural Heritage

As noted in item 4.1.1, it is recommended that a new development at the subject property respect the character of the adjacent heritage conservation district, with the goal of minimizing any negative impact that the proposed development at 364 Lakeshore Road East might have on the heritage neighborhood.



---

## 5.0 MITIGATION

### 5.1 Considered Mitigation and Conservation Strategies

#### 5.1.1 Assessment of Alternative Options to Limit Negative Impact

In order to provide guidelines to the property owner for any proposed development at 364 Lakeshore Road East, a brief analysis of the history, architecture and context of this area of Oakville, following, can assist in defining a suitable proposal for the subject property when a development application is submitted to the Town of Oakville.

##### **First and Second Street Heritage Conservation District**

The subject property is adjacent to a neighbourhood that the Town of Oakville designated as a heritage conservation district in 1988. The *First and Second Street Heritage Conservation District* was identified because the district, “comprises a distinctive assemblage of heritage buildings and streetscapes that have resulted from over a century and a half of many natural, social, economic and physical changes”.

In 1991, the Town of Oakville adopted guidelines for the HCD to assist property owners in determining the style and extent of suitable potential alterations to built and/or natural items on their property. These guidelines were updated in 2015.

The subject property is not included in the heritage conservation district, but because it is adjacent to the HCD, and because the subject property is located on Lakeshore Road East (which item 5.3.11 of the Town of Oakville’s official plan notes “should be conserved”), the HCD’s guidelines can be used a guideline, so to speak, for a future development application for 364 Lakeshore Road East.

As noted in the Town of Oakville’s report outlining the strategies for the adjacent HCD, “change in the future is expected within the *First and Second Street Heritage Conservation District*, yet it must be carefully managed in a manner that does not adversely affect the distinctive heritage character of the District.”

##### **Early Settlement of Oakville**

The Village of Oakville centered on the mouth of Sixteen Mile Creek, with the focus of growth and development naturally being the harbour and the economic potential it offered. The village’s early stability was based on marine transport. The Chisholm family is of special importance in the founding of the first harbour, shipbuilding and grain and lumber exporting businesses in Oakville.

However, many of the first generation of homesteaders that arrived in Trafalgar Township in the 1830s found life in Upper Canada difficult and soon left for the United States. Letters home to relatives in the United Kingdom discouraged further immigration. Oakville’s population rose steadily from 1821 to 1871, but the population of Oakville and of Trafalgar Township declined over the next 30 years. The decline was slow but it remained steady until by 1901 Oakville had about 20 percent fewer residents (300 people) than it had in 1871.

---

Oakville's decline was compounded by an economic slump in the harbour trade which was an unfortunate result of the decline in grain and lumber traffic as the farm population of the township fell. Stonehooking provided temporary relief for established mariners, but the shale resources were quickly exhausted. Bronte and Port Credit suffered similar slumps as Oakville but, in all three cases good times returned in the first decade of the 20th century when two events altered their destiny – an electric railway and a concrete highway.

### **Getting to Oakville**

The subject property is located on the eastern edge of the village's first town plan in 1827, but because this area was well east of the harbour development, growth towards this area of Oakville was delayed for several generations.

The main residence on the subject property, as with most of the homes in the adjacent HCD, was built many decades later when the Hamilton Radial Electric Railway arrived in Oakville in 1906 and Lakeshore Road was paved as Canada's first highway, in 1917. These two transportation routes made it practical for affluent businessmen from Hamilton and Toronto to build homes or summer cottages in Oakville.

At this time, the subject property was owned by Charles D. Carson, who is one of Oakville's most prominent land developers. He and his business partner Samuel Bacon built some of the homes in what is now the *First and Second Street Heritage Conservation District*, and also developed the neighbouring Orchard Beach community (Howard Avenue, Park Avenue, Esplanade and Carson Lane).

### **The "Cottage Industry"**

In 1908, the people of Oakville elected William Sinclair Davis as mayor. Unlike earlier town leaders, Davis didn't own a factory or a business. But he did own lots of land, most of which he had purchased on the cheap in the downtown area and along the lake shore, over the previous 20 years while Oakville's economy was in decline. As the new civic leader, Davis intended to promote Oakville as a perfect cottage community.

Affluent cottagers from Toronto and Hamilton weren't likely to build in Oakville without plumbing and electricity, so one of mayor Davis' early initiatives was to incorporate the Oakville Water and Light Commission, which built a hydro-electric transmission line, and laid sewers and water mains along Lakeshore Road at about the time 364 Lakeshore Road East was built.

### **Early Misfortune in East Oakville**

In her book *Oakville and the Sixteen*, author Hazel C. Mathews observed of these early suburbs that, "all these surveys were prematurely developed". Automobiles – or, more to the point, the lack of them – was the problem. The first conventional gasoline cars only appeared in Toronto in 1909 and were marketed as recreational machines rather than as a practical form of transportation. Before WWI, one was more likely to see a "jalopy" on a beach than on any of the dirt roads where horse-and-wagon still prevailed.

---

Some in Oakville were pleased with the slow growth in East Oakville. Rector of St. Jude's, reverend Lewis Wilmot Bovell Broughall feared that electric railways and highways would bring a bad element to quiet Oakville. "With the advent of the trolley car", Broughall warned, "will come the danger of Sunday desecration, for Oakville will likely become the dumping ground of the Sunday excursionists from both Toronto and Hamilton at either end of the rail line . . . generally the worst element. I cannot look with any feeling of pleasure at the prospect of having our quiet days disturbed by crowds of noisy, irreverent and perhaps drunken excursionists."

### **The Middle Rich**

Unfortunately for the good reverend, cars did improve over the next decade. By the time the current residence at 364 Lakeshore Road was built, almost one-in-four adult Canadians owned a car, and places like Oakville – which were once considered remote frontier villages – were now easily accessible from Hamilton and Toronto. Three bus companies took advantage of better engines and tires, and the increased number of service stations along the Toronto-Hamilton Highway, to start daily service from Oakville to Toronto and Hamilton.

Of course, the very rich – like department store owners Robert Simpson and Timothy Eaton – didn't take the bus. Their chauffeurs drove them to their mansions on the remote fringes of Oakville. But the area closer to the centre of the village (where the subject property is located) became a community of middle-class commuters. The families who purchased homes in what is now the *First and Second Street Heritage Conservation District* and Orchard Beach were the middle-rich. They weren't department store owners but among them were department store managers. East Oakville was a noticeable step down from the gilded mansions farther east – like *Ballymena* (1208 Lakeshore Road East) and *Gairloch* (1306 Lakeshore Road East) – but was a dignified cut above Oakville's residential urban centre. This is one reason why the area adjacent to the subject property has been protected as a heritage conservation district.

## **5.2 Impact of Alternatives**

### **5.2.1 Provincial Policy Statement**

It is acknowledged, in this report that the Town of Oakville – as with all municipalities in Ontario – is required, through the Provincial Policy Statement – 2024, to identify and conserve cultural heritage resources. This policy statement defines "cultural heritage" as any site in Ontario which "provides people with a sense of place."

### **5.2.2 Official Plan**

In regard to the local area, the Town of Oakville's official plan is to preserve the heritage character and to manage growth so that cultural heritage is preserved where possible, through the Town of Oakville's *Livable Oakville Plan*, as follows.

---

## **2.2: Guiding Principles**

2.2.1: Preserving and creating a livable community in order to:

a) preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods.

### **3.9: Residential Areas**

Some growth and change may occur in the Residential Areas provided the character of the area is preserved and the overall urban structure of the Town is upheld.

### **3.10: Cultural Heritage Resources**

The Town has a long tradition of identifying and conserving cultural heritage resources, and is required to do so under Provincial Policy.

### **5.0: Cultural Heritage**

Conservation of cultural heritage resources forms an integral part of the Town's planning and decision making. Oakville's cultural heritage resources shall be conserved so that they may be experienced and appreciated by existing and future generations, and enhance the Town's sense of history, sense of community, identity, sustainability, economic health and quality of life.

#### **5.3.1: Heritage Conservation**

The Town shall encourage the conservation of cultural heritage resources identified on the register and their integration into new development proposals.

#### **5.3.11: Lakeshore Road**

The scenic character of Lakeshore Road should be conserved.

#### **5.3.12: Documentation of Lost Heritage**

Lost historical sites may be documented and are encouraged to be commemorated.

### **5.2.3 Heritage Conservation District Plan**

The subject property is adjacent to the *First and Second Street Heritage Conservation District* but is not itself part of the heritage conservation district.

### **5.2.4 Designation By-law**

The subject property is not currently designated under the terms of Part IV or Part V on the Ontario Heritage Act.



---

### 5.2.5 Heritage Properties in East Oakville

The Town of Oakville's official plan acknowledges the "distinctive assemblage of heritage buildings" in the *First and Second Street Heritage Conservation District*. There is no one style that prevails. Variety of architectural styles is a defining characteristic of this HCD and of adjacent blocks on the eastern fringe of the old village.

Homes in this area range from grand mansions (55 Howard Avenue and 72 First Street) to modest middle-class bungalows (70 Allan Street, with a large rear addition).

Some buildings in the Carson & Bacon development are, or were full time homes (497 and 507 Esplanade) while other nearby buildings were built as summer rental cottages (530 Carson Lane).

In just one short stroll, one can walk from a recently-built home to a home built almost 175 years earlier (40 First Street).

Bungalows (35 Second Street) and Edwardian manors (50 Second Street) were both popular styles when Carson began developing this part of Oakville. The Bungalows have a relaxed style, with wide porches and large windows that were favoured by summer residents while, in contrast the Edwardian style was suited to the conservative demeanor of doctors, lawyers and other urban professionals.

Of a more whimsical motif is the English country home style of 71 First Street.

There's even one Four Square in the HCD (74 Second Street), uncharacteristically embellished with numerous bay windows.

### 5.2.6 Respecting the Character of the Original Structure

The 2013 redevelopment of 88 Howard Avenue in Oakville offers a good example of a second generation residence (image 5.2.6b) that respects the character of the original home (image 5.2.6a) that it replaced.

The home was in a style reminiscent of a Craftsman Bungalow, with that style's characteristic steeply-pitched gable roofs, wide dormers and recessed entrance. The current residence features a similar roof pitch with an interesting interplay of dormer sizes and height to create a balance of forms similar to the original structure, but without mimicking the original. The current home also uses similar building materials as the original home; a rough stone ground floor exterior with shake siding on the upper floor.

The result is a modern home with ceiling heights and floor dimensions consistent with the needs of today's homebuyers, but achieving these modern amenities with a design that has a minimal effect on the heritage of the historic neighbourhood.

### 5.2.7 Modern Four Squares

Similar to the redevelopment at 88 Howard Avenue, where the modern, replacement home retains the character of the original residence, a redevelopment at 364 Lakeshore Road East could be designed in a style that is reminiscent of the current Four Square home.

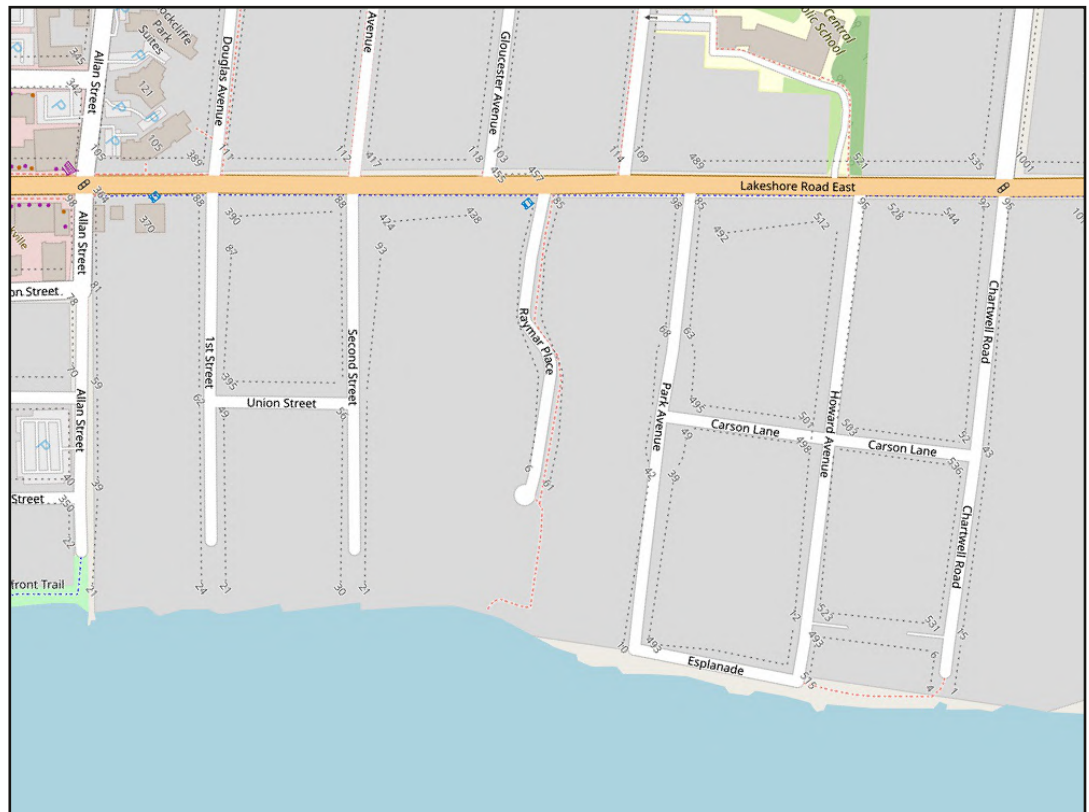
---

Neighbourhoods of Four Square homes were built to suit commuter travel demands in “streetcar suburbs” throughout North America in the early decades of the 20th century. Now that no city in North America has streetcars anymore (with the sole exception of Toronto), one might expect that the Four Square style is “out of style”, but because of its plain form and simple, balanced proportions, the Four Square style can be adapted to many forms of building uses and housing demands.

Examples of two 21st century homes in the Four Square style are shown in images 5.2.7a and 5.2.7b.

The upper photo is of the Bethesda Passive House in suburban Washington D.C. Even under construction, the simple elegance of the Four Style can be seen. The larger windows that the plain Four Square ‘planes’ can accommodate maximize the amount of light and heat reaching deep into the interior of this home. (Original Four Square homes, like 364 Lakeshore Road East do not incorporate large windows, despite the wide, tall walls because window glazing techniques in the 1910s did not permit pane dimensions as large as can be manufactured today.)

The lower image is of a similar, modern Four Square home in Sandy, Oregon.



**East Oakville: First and Second Street HCD and Orchard Beach**



---

5.2.6  
Minimal-Impact  
2nd-Generation  
Residence



5.2.6a: (1st) 88 Howard Avenue, built 1915



5.2.6b: (2nd) 88 Howard Avenue, built 2013



---

5.2.7  
2nd-Generation  
Four Square  
Residences



5.2.7a: Bethesda Passive House, under construction (2011)



5.2.7b: New residence (2020) in the Four Square style; Sandy, Oregon



---

## 6.0 APPENDICES

### 6.1 Resources

#### 6.1.1 Primary and Secondary Sources

##### Books

Ahern, Frances Robin, *Oakville - A Small Town – 1900-1930*.

Erin, ON: Boston Mills Press, 1981

Mathews, Hazel Chisholm. *Oakville and the Sixteen*.

Toronto, ON; University of Toronto Press, 1953

McAlester, Virginia Savage. *A Field Guide to American Houses (Revised)*.

New York, NY; Alfred A. Knopf, 2023

Pope, J.H. (editor). *Illustrated Historical Atlas of the County of Halton, 1877*.

Toronto ON: Walker & Miles, 1877

##### Land Registry records

Halton County land registry records

##### Newspapers

The Globe/Globe & Mail. Toronto, ON, various issues from 1887 to 2014

Toronto Daily Star/Toronto Star. Toronto, ON, various issues from 1900 to 2014

##### Websites

Canadian County Atlas Digital Project;

[www.digital.library.mcgill.ca/countyatlas/searchmapframes.php](http://www.digital.library.mcgill.ca/countyatlas/searchmapframes.php)

## REPORT

### Planning and Development Council

Meeting Date: July 8, 2025

---

**FROM:** Planning and Development Department

**DATE:** June 24, 2025

**SUBJECT:** Public Meeting and Recommendation Report for Zoning By-law Amendment at 1287 & 1297 Dundas Street East, and 3022 Meadowridge Drive (Part Lot 8, Concession 1, NDS) by ARGO (Joshua Creek) Developments Ltd., File No. Z.1308.06 – By-law 2025-093

**LOCATION:** 1287 & 1297 Dundas Street East, and 3022 Meadowridge Drive (Part Lot 8, Concession 1, NDS)

**WARD:** Ward 6

Page 1

---

### RECOMMENDATION

1. That the proposed Zoning By-law Amendment application submitted by ARGO (Joshua Creek) Developments Ltd. (File No. Z.1308.06) 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 North Oakville East Secondary 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 June 24, 2025.
2. That By-law 2025-093, an amendment to Zoning By-law 2009-189, 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.

---

## 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 to align the zoning with lands to the south, which are also owned by the applicant.
- **Proposal:** Zoning By-law Amendment that would have the effect of modifying the existing DUC (Dundas Urban Core), special provision 99, holding provision 50 zone to support the consolidation of this block and provide consistent zoning for the lands owned by the applicant, as well as allow for the registration of the subdivision.
- **Location:** The subject lands are located on the north side of Dundas Street East, west of Meadowridge Drive.
- **Policy Context:** The subject lands are designated “*Urban Area*” and “*Primary Regional Nodes*” and are located along a “*Regional Intensification Corridor*” within the Region of Halton Official Plan. The subject lands are also designated “*Dundas Urban Core Area*” and “*Natural Heritage System Area*” within the North Oakville East Secondary Plan (Figure NOE 2).
- **Zoning:** The subject lands are presently zoned H50-DUC sp:99 and FD (Future Development) within the Zoning By-law 2009-189, as amended.
- **Public Consultation:** An applicant-initiated virtual Public Information Meeting (“PIM”) was held on October 24, 2024 and there were no members of the public were in attendance. A consolidated Statutory Public Meeting and Recommendation Report is being presented to Council on July 8, 2025. At the time of writing this report, no letters have been received from members of the public.
- **Timing:** This application was submitted and deemed complete on February 24, 2025. In accordance with the *Planning Act*, Council has 90 days to make a decision on the application, with the deadline having been May 24, 2025.
- **Recommendation:** Staff recommend approval of the Zoning By-law Amendment application to provide for a consistent zoning across the subject lands and allow for the registration of the second phase of the subdivision. The proposal is consistent with the Provincial Planning Statement, conforms to the Region of Halton Official Plan and the Official Plan (NOESP).

---

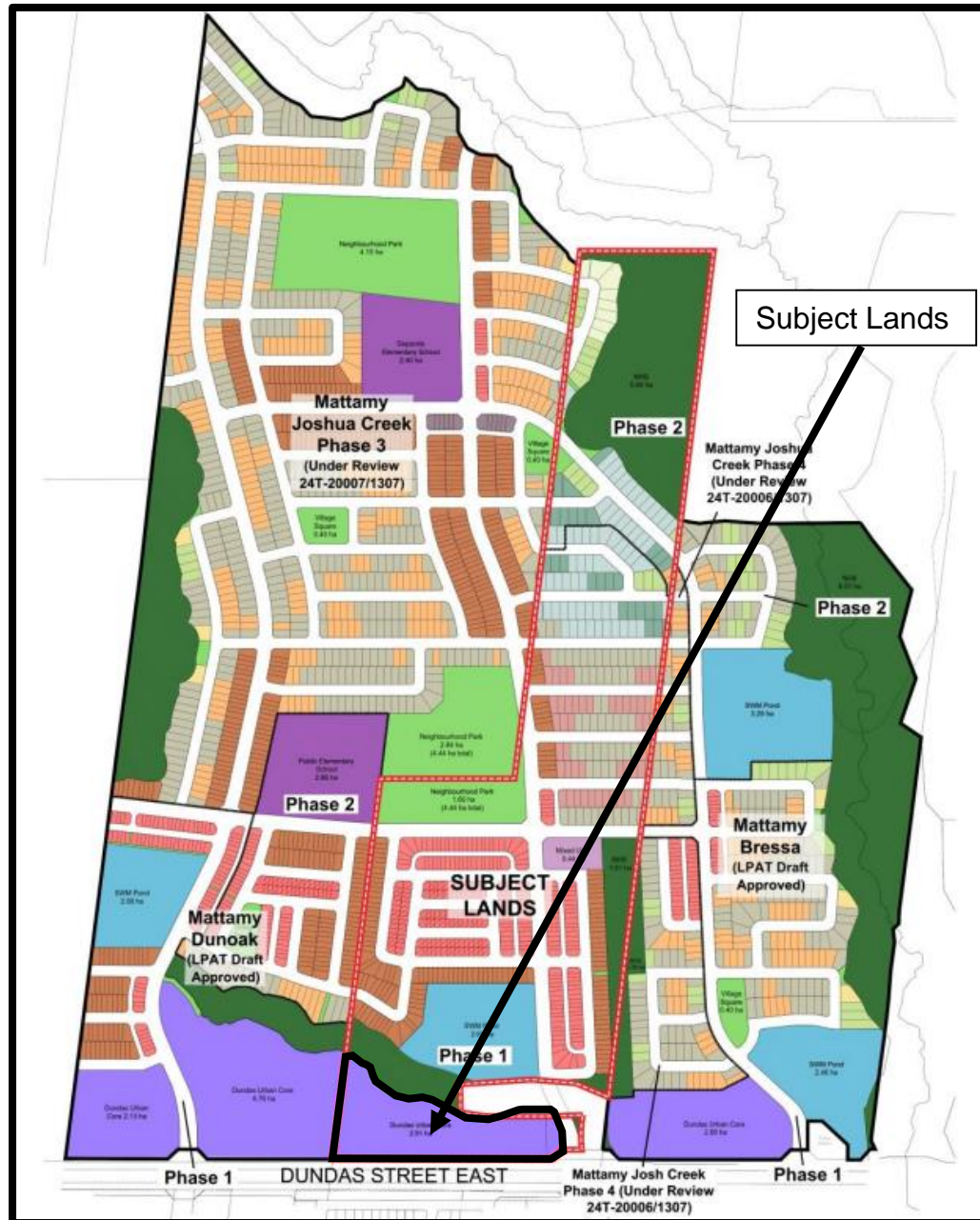
## **BACKGROUND**

In 2021 Council approved a draft plan of subdivision (24T-20002/1308) and Zoning By-law Amendment (Z.1308.03) which included the subject lands. The draft plan of subdivision created 609 residential units consisting of 208 detached dwellings, 287 townhouse units, and 114 back-to-back townhouse units. The subject lands were identified as Block 283 in the subdivision and zoned DUC sp:99, subject to a holding provision “H50” to facilitate the development of multi-storey mixed-use buildings.

As part of the previous zoning application the property was subject to a holding provision “H” requiring all water and wastewater Servicing Allocation under Halton Region’s Allocation Program be secured, that the applicable Allocation Agreement be signed, all required payments have been made, receipt of Halton Region’s Public Works Commissioner’s Notice be confirmed, and the registration on title of a Section 37 Agreement. The applicant is looking to register the second phase of the subdivision requiring a modification to the “H” provision as it relates to the remaining phase. The remaining third phase of the subdivision is the DUC block which is anticipated to be registered later.

Since the draft plan of subdivision and zoning by-law amendment were approved, the landowner has purchased a 0.07-hectare parcel of land from Halton Region which is to be incorporated as part of the larger DUC block. These lands were a remnant parcel after the Joshua Creek tributary was realigned and conveyed to the town. The Region’s lands were excluded from the original draft plan of subdivision and zoning by-law amendment applications. The original draft plan of subdivision that was approved by Council and the corresponding lands that are subject to this Zoning By-law Amendment can be found in Figure 1 below.



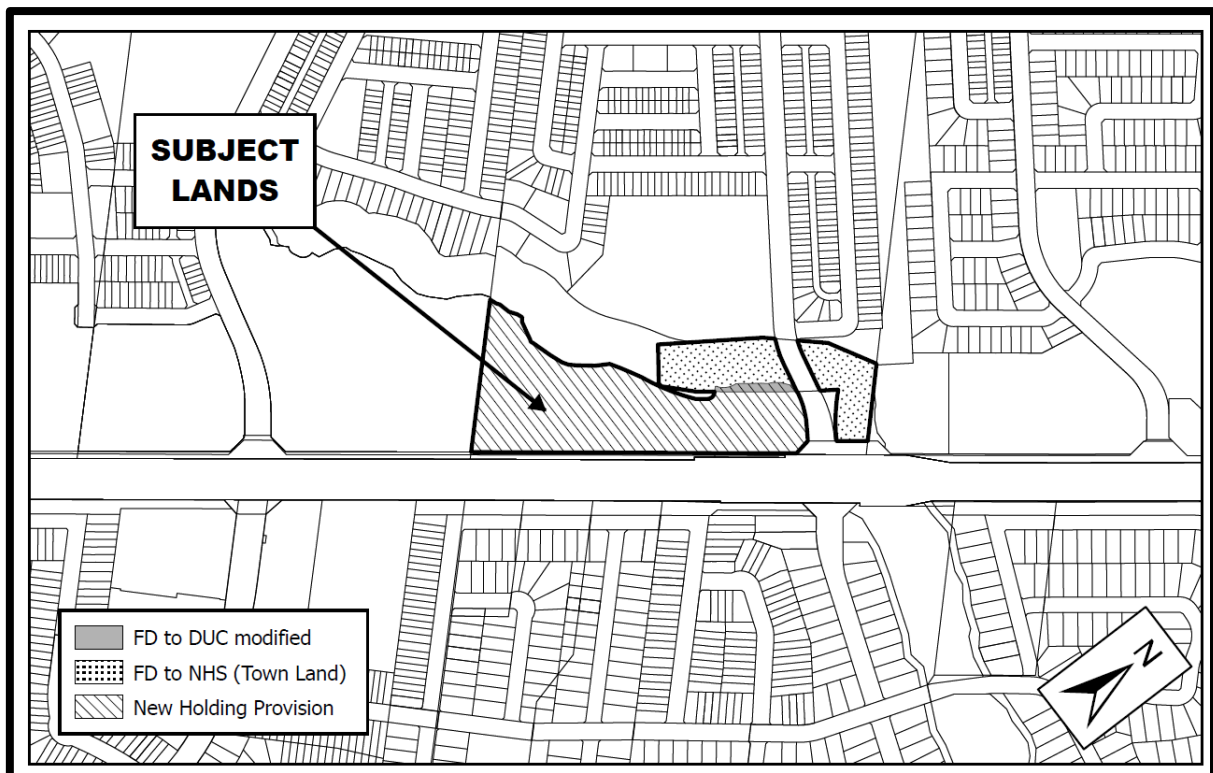


*Figure 1 – Original Draft Plan of Subdivision as approved by Council – June 2021 identifying the subject lands*

## Proposal

The applicant proposes a Zoning By-law Amendment to modify the existing DUC, special provision 99, and holding provision 50 zone on the subject lands to allow for the timely registration of the second phase of the draft plan of subdivision. The DUC block will be registered later.

The applicant also seeks to rezone the remnant parcel acquired from the Region of Halton, which is currently zoned FD. The request is to extend the existing DUC zoning onto this strip of land, ensuring that the entire property falls under the same zoning category. Figure 2 below identifies the specific revisions to the subject lands that are being requested as part of both this Zoning By-law Amendment and a town-initiated proposal that is similarly seeking to rezone the revised creek lands from Future Development (FD) to Natural Heritage System (NHS).



*Figure 2 – Proposed Zoning By-law Amendment changes to the subject lands, including both the applicant and Town-initiated Zoning By-law Amendments*

### **Location & Site Description**

The subject lands are located on the north side of Dundas Street East, west of Meadowridge Drive. The lands are municipally known as 1287 & 1297 Dundas Street East, and 3022 Meadowridge Drive, and are approximately 2.98 hectares in area, as shown in Figure 3 below. This includes the sliver of land that is currently zoned FD, which is 0.07 hectares in size and the DUC block which is 2.91 hectares in size.





*Figure 3 – Aerial Photo of the subject lands*

### **Surrounding Land Uses**

The surrounding land uses are as follows:

---

North: Tributary of Joshua Creek (NHS), stormwater management pond, and three-storey townhouse dwellings on Courtleigh Trail

East: Meadowridge Drive, beyond which is the continuation of the Joshua Creek tributary (NHS)

South: Dundas Street East, beyond which are two-storey townhouse dwellings on Wasaga Drive and Presquile Drive, and two-storey detached dwellings on Meadowridge Drive, Taylorwood Drive, and Wasaga Drive

West: Vacant land currently zoned DUC-1, special provision 72, holding provision 30 (future development)

## **PLANNING POLICY & ANALYSIS**

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

- Provincial Planning Statement (2024)
- Halton Region Official Plan (implemented by the Town)
- North Oakville East Secondary Plan
- Zoning By-law 2009-189, as amended

### **Provincial Planning Statement**

With the introduction of the Provincial Planning Statement (new PPS) 2024, the Ontario government has taken an important step in its plan to have 1.5 million new homes built by 2031. The new PPS came into force on October 20, 2024, on the same day the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe were repealed. In doing so, it set the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the *Planning Act*.

The Provincial Planning Statement continues to recognize 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 encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS promotes the integration of land use planning, growth management and transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.



The subject lands are located within a settlement area, which is to be the focus of growth and development. The land use patterns within settlement areas are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive. The policies outlined in the North Oakville East Secondary Plan allow for higher density, mixed-use buildings to be developed on the Dundas Urban Core (DUC) block, which help implement the policies in the PPS to efficiently use land and resources.

The subject lands are also located adjacent to a natural heritage area. Section 4.1 of the PPS speaks to the policies for development within and adjacent to these areas.

- 1. Natural features and areas shall be protected for the long term.*
- 2. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*
- 3. Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.*
- 4. Development and site alteration shall not be permitted in:*
  - a) significant wetlands in Ecoregions 5E, 6E and 7E1; and*
  - b) significant coastal wetlands.*
- 5. Development and site alteration shall not be permitted in:*
  - b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
  - c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
  - d) significant wildlife habitat;*
- 6. Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*
- 7. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*

8. *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*
9. *Nothing in policy 4.1 is intended to limit the ability of agricultural uses to continue.*

The natural heritage features were previously identified through the subwatershed study for the area. The corresponding Environmental Implementation Report (EIR) implements the findings of that study, and the sliver of land currently zoned FD was deemed suitable for future development. As previously mentioned, this remnant portion formerly owned by Halton Region is not natural heritage and is appropriate for development. On this basis, the application is consistent with the PPS (2024).

### **Halton Region Official Plan**

As of July 1, 2024 (Bill 185) Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan. It is now the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) among the Halton municipalities and Conservation Authorities was prepared that identified the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters.

As outlined in the MOU, the Region now only has an interest in supporting the local municipalities by providing review and comments on a scope of interests that include:

- Water and Wastewater Infrastructure;
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional rights-of-way;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g., source water protection, public health); and
- Other Regional services that have a land component.

The Regional Official Plan provides goals, objectives and policies to direct physical development and change in Halton. The proposed development is located on lands that are designated as 'Urban Area' and is located within the built boundary of the

Halton Region Official Plan (ROP). The policies of Urban Area designation support a range of uses and the development of vibrant and healthy mixed-use communities that afford maximum choices for residence, work, and leisure.

The subject lands are also designated ‘Primary Regional Nodes’ and are located along a ‘Regional Intensification Corridor’.

The objectives of the Regional Nodes are:

- *“To recognize Strategic Growth Areas in the Region which are an integral component of the Regional Urban Structure, and are historic downtown areas, or contain or are planned for a concentration of public service facilities (i.e. hospitals, universities) and/or transit-supportive, high density uses.*
- *To leverage infrastructure investments and the development of public service facilities to support forecasted growth.*
- *To provide a range and mix of transit-supportive uses, such as residential, retail, office and public uses that supports the area in a pedestrian-oriented urban environment.*
- *To reflect and reinforce Local Urban Structures.”*

The objectives of the Regional Intensification Corridors are:

- *“To recognize Strategic Growth Areas in the Region which are an integral component of the Regional Urban Structure, and serve an existing or planned higher order transit function, connecting other elements of the Regional Urban Structure, and accommodating higher-density mixed-use development and/or a mix of employment uses appropriate to the existing local context.*
- *To achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service.*
- *To achieve a mix of residential, office, institutional and commercial development, where appropriate.*
- *To accommodate local services, including recreational, cultural and entertainment uses, where appropriate.*
- *To reflect and reinforce Local Urban Structures.”*

The subject lands are also located adjacent to the Regional Natural Heritage System. Section 116.2 of the Regional Official Plan states that within the North Oakville East Secondary Plan (NOESP) Area, the Regional Natural Heritage System will be delineated and implemented in accordance with the Town’s Official Plan Amendment (OPA) No. 272. Since the subject lands are in the NOESP Area, any natural heritage policies are the responsibility of the Town to implement.

The application conforms to the Region of Halton Official Plan as the subject lands are planned to provide for higher densities along Dundas Street East within the DUC block. As per the MOU, and as a matter of Regional interest, no development will occur on these lands prior to the Ministry of Environment acknowledged Record of Site Condition being addressed. It should be noted that Regional Staff had no other comments or objections from a servicing or waste perspective and are not opposed to the approval of the proposed Zoning By-law Amendment, subject to the condition above.

## **Oakville Official Plan**

### Urban Structure

The *Livable Oakville Plan* is undergoing a five-year Official Plan Review to ensure the policies are consistent with the Provincial and Regional policies, support the Town's strategic goals, and reflect the visions and needs of the community.

*Schedule A1, Urban Structure*, of the *Livable Oakville Plan* provides the basic structural elements for the Town and identifies the site as *Nodes and Corridors*, *Residential Areas*, and *Natural Heritage System*. This is also reflected in Section 3, Urban Structure, of the *Livable Oakville Plan*. The application as submitted maintains the Urban Structure of the Official Plan, as the rezoning of the sliver of land from FD to DUC provides for additional residential and commercial opportunities for the site, as encouraged under the *Nodes and Corridors* section.

### North Oakville East Secondary Plan (NOESP)

The North Oakville area consists of land located between Dundas Street to the south and Highway 407 to the north, from Ninth Line in the east to Tremaine Road in the west. In 1987, these lands were set for growth through the Halton Urban Structure Plan (HUSP), which assessed growth potential and infrastructure needs across Halton's municipalities, including Oakville. HUSP identified North Oakville as an area for urban expansion, recognizing the connection between growth and infrastructure.

Following the HUSP recommended regional structure, Oakville conducted a detailed land-use planning process in the 1990s and 2000s. This involved public consultations, technical studies, and policy development, culminating in the creation of the North Oakville East Secondary Plan (NOESP) and the North Oakville West Secondary Plan (NOWSP), both approved by the Ontario Municipal Board (now the Ontario Land Tribunal) in 2008 and 2009, respectively. These plans focus on sustainability, promoting a mix of land uses, protecting the natural environment, and



implementing a modified grid road system to improve transit that enhances transportation options for transit and pedestrians.

The vision for North Oakville is to create a compact, pedestrian-friendly urban community with diverse housing options, from large-lot detached homes to high-rise apartment buildings aimed to originally accommodate 55,000 people and 35,000 jobs. The North Oakville East Secondary Plan and the North Oakville West Secondary Plan outlines several key components:

- A Natural Heritage System
- Urban Core Areas, the densest parts of the plan, located along Dundas Street, Trafalgar Road, the intersection of Neyagawa Boulevard and Burnhamthorpe Road West and the intersection of Dundas Street West and Bronte Road in Palermo
- Neighbourhood Areas featuring low- to medium-density housing
- Employment Districts along the south side of Highway 407
- Parks, schools, and Neighbourhood Activity Nodes
- A grid-based road system for enhanced connectivity

The land use designations which apply to the subject lands *is Dundas Urban Core Area* and *Natural Heritage System Area* as seen in Figure NOE2, Land Use Plan shown in Figure 4a below. As discussed earlier, the tributary of Joshua Creek has since been realigned so that it now flows along the northern end of the subject lands instead of bisecting the lands as was initially envisioned as part of the North Oakville East Secondary Plan Mater Plan. Staff note that Figure 4b below reflects the natural heritage system condition prior to the realignment of the tributary and provides for a more detailed look at the surrounding land uses. The Town-initiated Zoning By-law Amendment, to be heard in conjunction with this application, focuses instead on rezoning the town-owned lands from FD to NHS since the feature has been realigned.

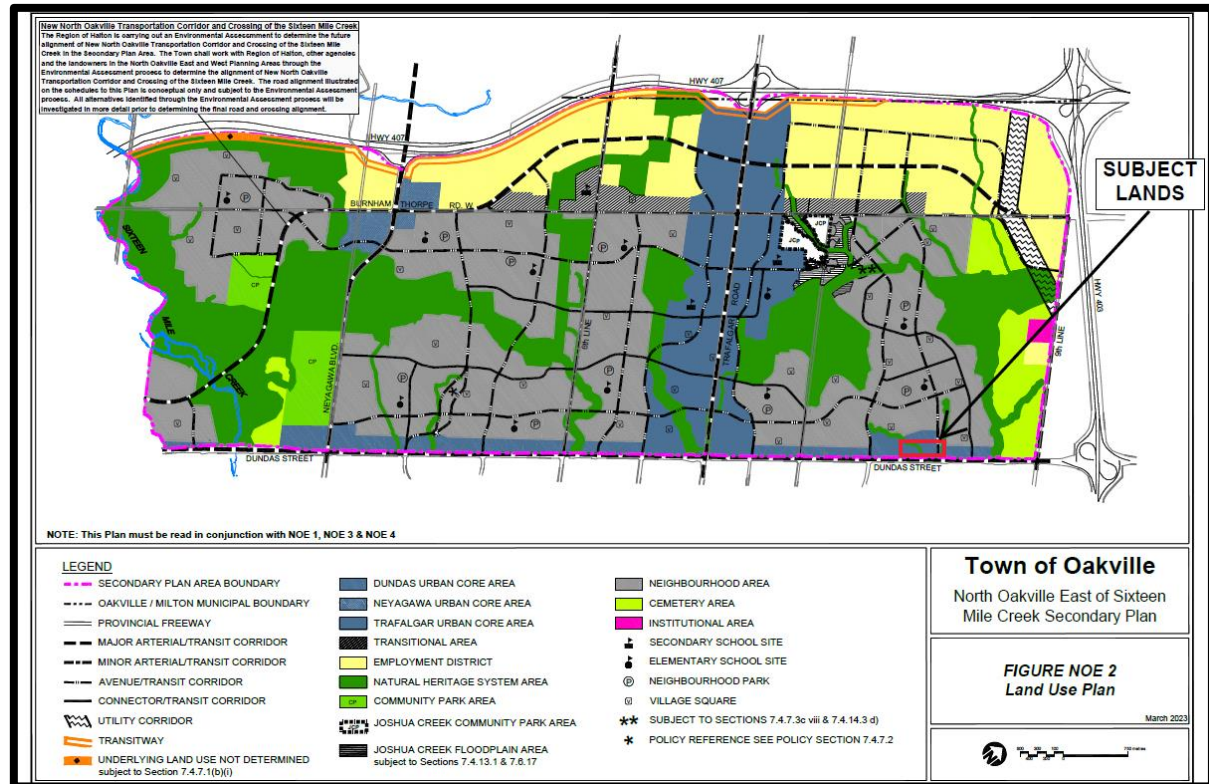


Figure 4a – Figure NOE2 (Land Use Plan)

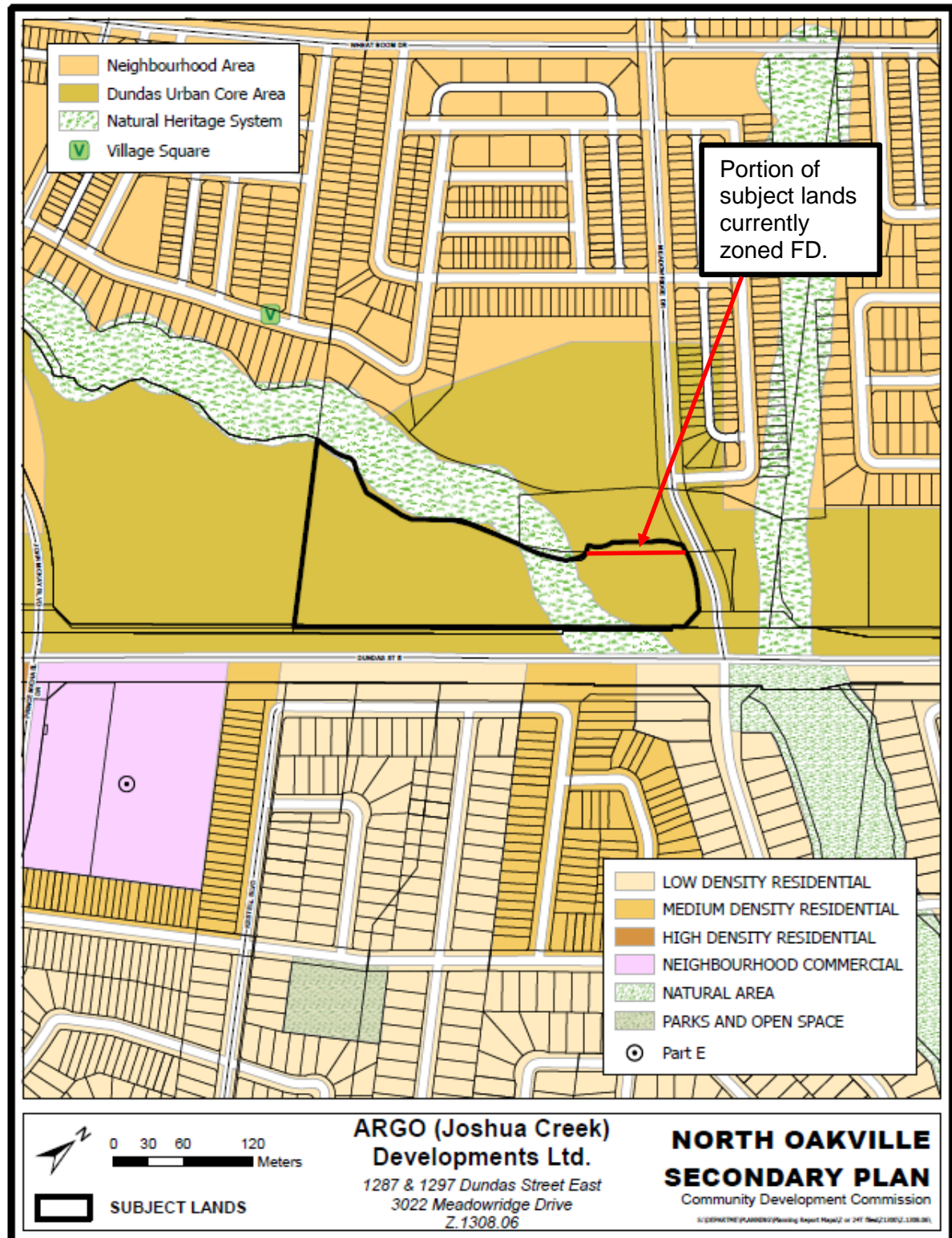


Figure 4b – North Oakville East Secondary Plan Excerpt

Section 7.6.3 and 7.6.5.1 of the NOESP outlines the purpose of the *Natural Heritage System Area* and *Dundas Urban Core Area* as follows:

- *“The Natural Heritage System Area designation on Figure NOE2 reflects the Natural Heritage component of the Natural Heritage and Open Space System. The primary purpose of the Natural Heritage component of the System is to protect, preserve and, where appropriate, enhance the natural environment. The focus of the Natural Heritage component is on the protection of the key ecological features and functions of North Oakville. It will also contribute to the enhancement of air and water resources, and provide for limited, passive recreational needs.*
- *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.”*

The segment of the Joshua Creek tributary that was realigned is classified as a medium constraint stream corridor. This type of stream corridor can be rerouted as long as the realigned area still functions as a watercourse feature, and a natural channel design is used. The existing mapping done in 2008 shows the NHS area bisecting the subject lands but there were permissions to move the creek, which happened to accommodate Regional infrastructure works. The stream corridor is inclusive of not just the watercourse, but the valley land itself and adjacent riparian lands. The entire feature was previously delineated, and all relevant studies and reports were approved justifying the realignment to the north of the subject lands along with the subsequent stream flow under Meadowridge Drive to the east.

In accordance with the subwatershed study, the tributary was allowed to be relocated to the north of the subject lands and was supported and approved through the implementing Environmental Implementation Report (EIR). Policy 7.4.7.2 of the NOESP allows for the realignment of the creek without the need for an OPA or subsequent mapping changes. The realignment of Joshua Creek tributary opened the entirety of the DUC block for future development and provided the opportunity for the landowners to purchase the remnant parcel from the Halton Region, which is not natural heritage.

On this basis, the application conforms to the North Oakville East Secondary Plan as the subject lands are still planned to provide for higher densities along Dundas Street East within the DUC block. The NHS Area has also been relocated to the northern end of the subject lands, so that in combination with the Town-initiated Zoning By-law Amendment, this feature will be protected from any future development.



### Zoning By-law

The North Oakville Zoning By-law sets the zoning standards by establishing general regulations and zones reflecting the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning By-law (By-law 2009-189) on November 23, 2009. The 0.07-hectare portion of the subject lands are zoned Future Development (FD) and the remaining 2.91-hectare portion of the subject lands are zoned Dundas Urban Core, special provision 99, holding provision 50 (H50-DUC sp:99) as shown on Figure 5 below.

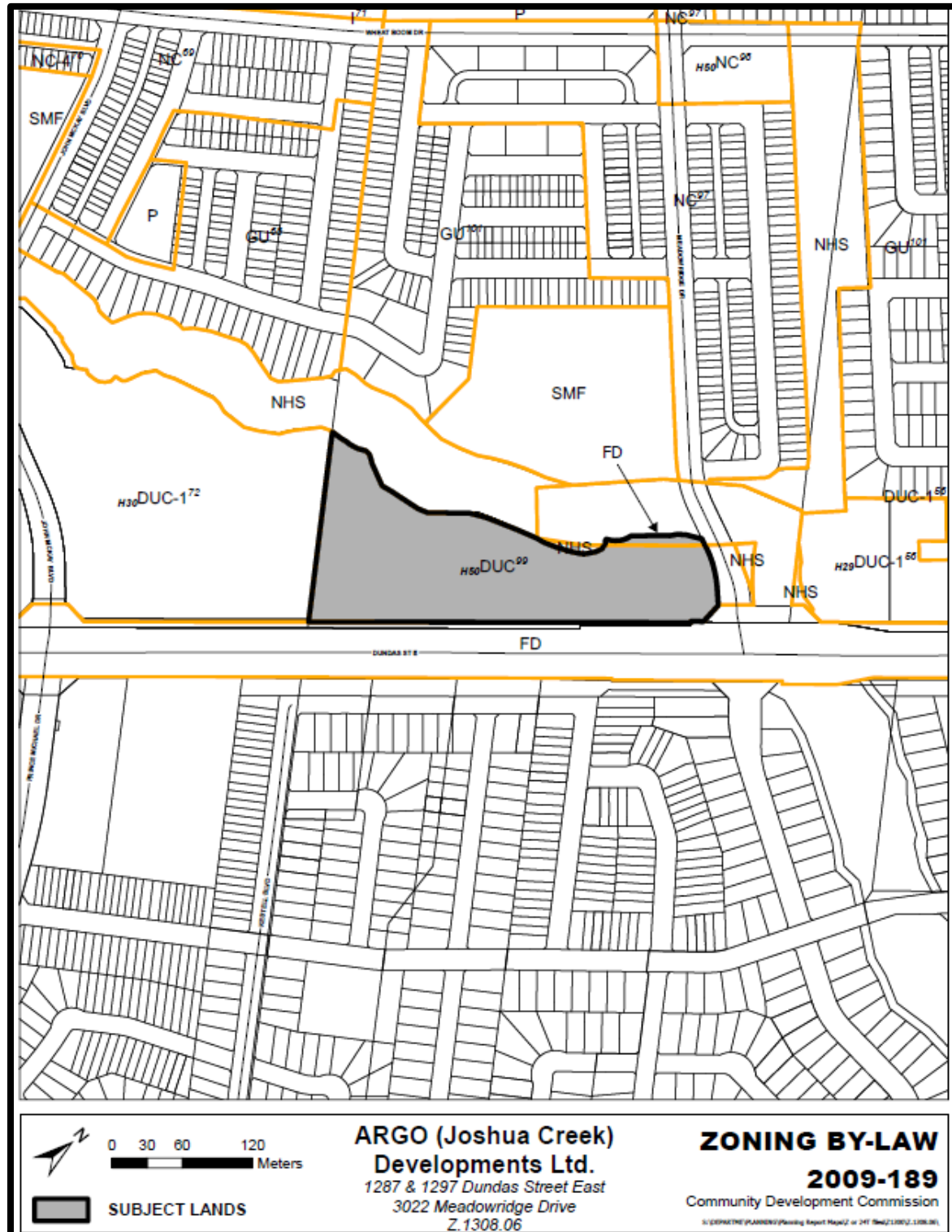


Figure 5 – Zoning By-law Map Excerpt

As part of the previous zoning application, the property was subject to a holding provision “H” requiring all water and wastewater Servicing Allocation under Halton Region’s Allocation Program be secured, that the applicable Allocation Agreement be signed, all required payments have been made, receipt of Halton Region’s Public Works Commissioner’s Notice be confirmed, and the registration on title of a Section 37 Agreement. The applicant is looking to register the subdivision in phases, requiring a modification to the “H” provision. The DUC block will be registered separately later.

The proposed Zoning By-law Amendment will accomplish two things:

1. Modify the existing Holding Provision 50 Zone to add a requirement requiring the completion of an Environmental Site Assessment (ESA) and registration of a Record of Site Condition (RSC).
2. Apply the modified zoning (H50-DUC sp:99) to the newly added remnant parcel to provide a uniform zoning on the entirety of the lands.

The current Holding Provision 50 does not include a requirement for the completion of an ESA and the submission of an RSC. These requirements are included as a draft plan condition. That requirement has currently been completed for the Phase 2 lands but not the DUC block. On this basis, the applicant is requesting to modify the zoning to better protect the DUC block prior to development of that block to allow for the registration of the remaining portions of the subdivision.

Holding Provisions		
H50	Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, N.D.S)	Parent Zone: DUC, GU, S, NC
Map 12(6)		(2021-040) (2024-044)
9.3.50.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be used for the following <i>uses</i> :		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i>	
9.3.50.2 Conditions for Removal of the “H”		
The “H” symbol shall, upon application by the landowner, be removed by Town 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 Town of Oakville and the Region of Halton:		
a)	<ul style="list-style-type: none"><li>Secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;</li><li>Sign the applicable Allocation Agreement or any required Amending Agreements;</li><li>Made all required payments; and,</li><li>Confirm receipt of a Region of Halton Public Works Commissioner’s Notice (PWCN).</li></ul>	
b)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> , for Dundas Urban Core Block 283, where applicable.	

The existing H50 provision, as provided above will be further modified to include the following condition as shown in the By-law, attached as Appendix “A”.

*c) Ensure the Ministry of Environment acknowledged Record of Site Condition (RSC) and Environmental Site Assessment (ESA) have been received. If any inherent contaminations are found on the subject site, the lands must be remediated as per the listed recommendations in the report.*

Additionally, the 0.07-hectare remnant portion of lands subject to this amendment will be rezoned from FD to DUC sp:99. It is noted that sp:99 includes bonusing provisions applicable within 50 m of Dundas Street. The *COVID-19 Economic Recovery Act, 2020* allowed for the retention of existing bonusing by-laws under the former section 37 of the *Planning Act* but removed the town’s ability to pass new by-laws with bonusing requirements. The remnant lands are beyond the 50 m limit. While the remnant lands would be included in the same future development, they would not be subject to bonusing. As a result, incorporating the lands into the existing sp:99 is not contrary to the revised provisions of the *Planning Act*

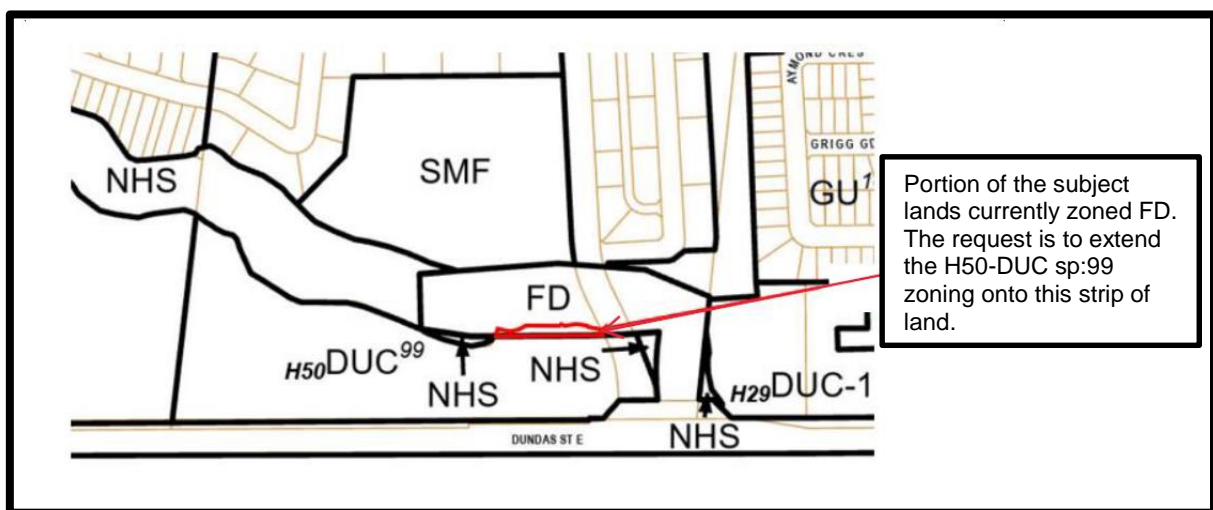


Figure 6 – Remnant Lands

On this basis, the effects of the application are to amend the zoning on the remnant portion shown in Figure 6 above from FD to H50-DUC sp:99. The intent is to ensure that the entire property falls under the same zoning requirements after the holding provisions are lifted, allowing for the comprehensive development of the subject site at a later date.



---

## 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 concerns raised by staff or external agencies on the Zoning By-law Amendment application.

### Analysis

As discussed in this report, the purpose of amending the current zoning on the subject land, including the remnant parcel is to modify the existing H50 holding provision that is in effect, and unify the zoning of the remnant parcel with the existing DUC lands to facilitate development consistent with the DUC zone in a comprehensive manner. There is no proposed development associated with this current Zoning By-law Amendment application. Future development of the site will be subject to site plan approval.

At the time the draft plan of subdivision was approved, staff did not anticipate there would be a phased approach to registration, and expected that the RSC and ESA requirements would be satisfied for the entire subdivision lands. Condition 74 of the draft plan approval states:

*“Prior to final approval, the Owner is required to submit to Halton Region a Ministry of the Environment (MOE) acknowledged Record of Site Condition for the entire limits of the plan of subdivision which indicates that the environmental condition of the site is suitable for the proposed land use. All supporting environmental documentation shall also be submitted to the Region of Halton for review. The Owner is required to comply with Ontario Regulation 153/04 and Halton’s Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites.*

*Note: An Environmental Site Assessment (ESA) shall be completed for the additional lands at 1297 Dundas Street East, including any supplementary remediation/risk assessments to ensure there are no inherent contaminations within the lands prior to any site alteration. The ESA shall be completed in accordance with Ontario Regulation 153/04 standards and the authors of the studies must extend third party reliance to the Region of Halton.” All environmental reports and letters of reliance must be current (within 18 months) of submission.”*

As a means of ensuring that the ESA and the Ministry of Environment acknowledged RSC are addressed before development occurs on the subject lands, staff support the modification of H50 on the DUC block including the portion of the subject lands currently zoned FD. The change in zoning provides greater certainty on the completion of the ESA for the subject lands including the remnant parcel, and allows for the subdivision to be registered in phases.

The application supports an expedited registration of the balance of the draft plan of subdivision, instead of waiting for the Record of Site Condition to be completed for the DUC block. Registering the subdivision in phases supports the construction of additional housing units into the market at a more expedited pace. Registering the DUC block as part of a future phase of the draft plan of subdivision also provides the landowners some additional flexibility in the timing to clear the conditions of approval placed on the subject lands.

### Public Comments

At the time of writing this report, the town has not received any letters of objection or support from members of the public.

## **CONCLUSION**

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 Oakville Official Plan (NOESP), and represents good planning. Staff recommend approval of the proposed Zoning By-law Amendment application on the following basis:

- The Zoning By-law Amendment allows for the future comprehensive development of the entire site within a planned growth area.
- The application supports the delivery of new housing options within the town.
- There were no comments received from members of the public and no internal department or external agencies raised any concerns.

## **CONSIDERATIONS**

### **(A) PUBLIC**

An applicant-initiated virtual Public Information Meeting (“PIM”) was held on October 24, 2024 and no members of the public were in attendance. A consolidated statutory public meeting and recommendation report is being presented to Council on July 8, 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*.

### **(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.

**(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 2025-093

Prepared by:  
Brian O'Hare  
Planner, Current Planning

Recommended by:  
Kate Cockburn, MCIP, RPP  
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 2025-093

A by-law to amend the North Oakville Zoning By-law 2009-189 to permit the use of land described as 1287 & 1297 Dundas Street East, and 3022 Meadowridge Drive, Part Lot 8, Concession 1, North of Dundas (ARGO (Joshua Creek) Developments Ltd., File No.: Z.1308.06)

#### COUNCIL ENACTS AS FOLLOWS:

1. Map 12(6) of By-law 2009-189 is amended by rezoning the lands as depicted on Schedule ‘A’ to this By-law.
2. Section 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by adding by-law 2025-093 to the header of Section 9.3.50 and adding a new subsection c) to as follows:

<b>H50</b>	<b>Argo (Joshua Creek) Developments Ltd. (Part of Lot 8, Concession 1, N.D.S)</b>	Parent Zone: DUC, GU, S, NC
Map 12(6)		(2021-040) (2024- 044) (2025-093)

c)	Ensure the Ministry of Environment acknowledged Record of Site Condition (RSC) and Environmental Site Assessment (ESA) have been received. If any inherent contaminations are found on the subject site, the lands must be remediated as per the listed recommendations in the report.
----	--

3. 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 8<sup>th</sup> day of July, 2024

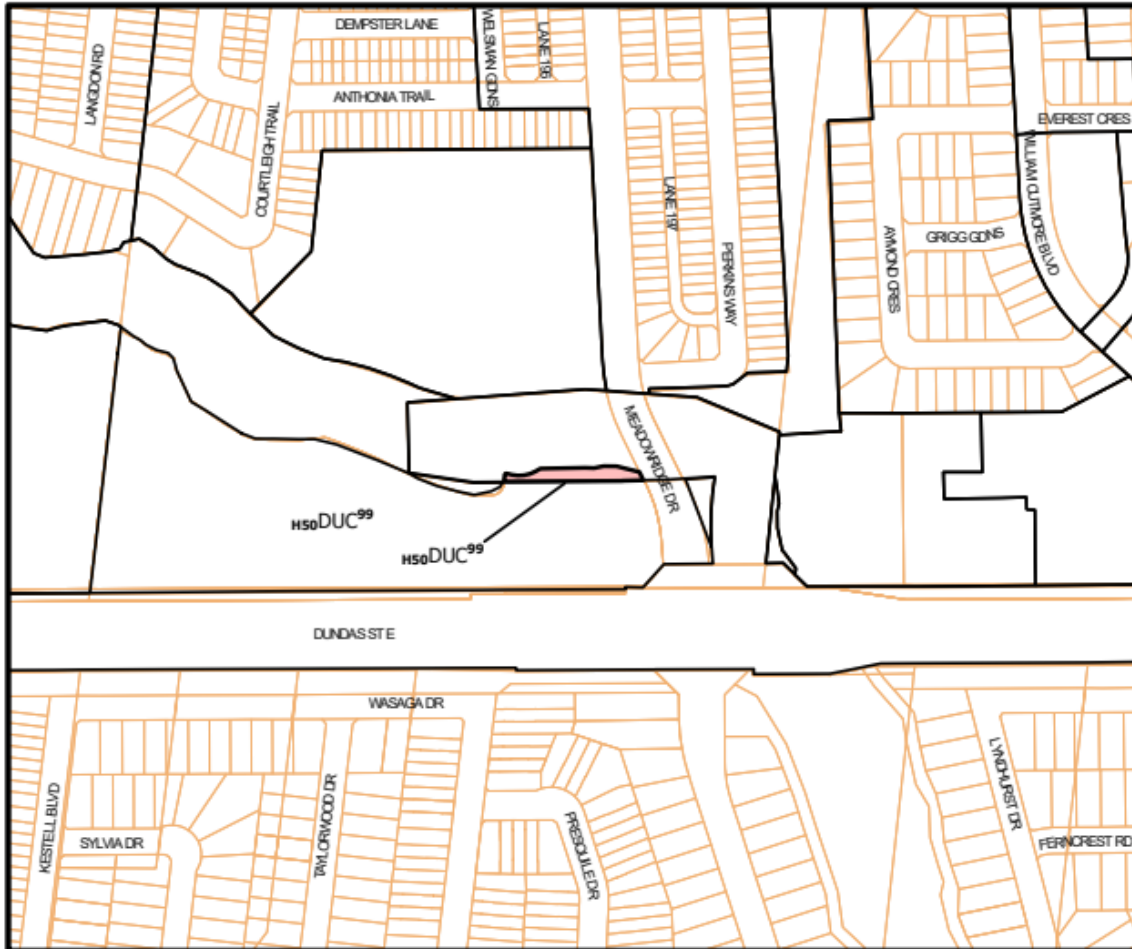
---

MAYOR

---

CLERK

**SCHEDULE "A"**  
**To By-law 2025-093**



**AMENDMENT TO BY-LAW 2009-189**



Rezoned from  
FD (Future Development) to  
H50-DUC sp:99 (Dundas Urban Core).

EXCERPT FROM MAP  
12 (6)



SCALE: 1:3,500

## REPORT

### Planning and Development Council

**Meeting Date: July 8, 2025**

---

**FROM:** Planning and Development Department

**DATE:** June 24, 2025

**SUBJECT:** **Public Meeting and Recommendation Report for Zoning By-law Amendment, Part of Lot 8, Concession 1, North of Dundas Street initiated by the Corporation of the Town of Oakville, File No. 42.26.04 – By-law 2025-094**

**LOCATION:** Part of Lot 8, Concession 1, NDS

**WARD:** Ward 6 . Page 1

---

### RECOMMENDATIONS

1. That the proposed Zoning By-law Amendment application initiated by the Corporation of the Town of Oakville (File No. 42.26.04) 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 North Oakville East Secondary 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 June 24, 2025.
2. That By-law 2025-094, an amendment to Zoning By-law 2009-189, 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.

---

## KEY FACTS

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

- **Nature of the Application:** The Corporation of the Town of Oakville (the Town) has initiated a Zoning By-law Amendment application to align the zoning of the subject lands with the additional Town-owned lands to the east and west.
- **Proposal:** Zoning By-law Amendment that would have the effect of removing the current Future Development (FD) zone on the subject lands and rezoning them to Natural heritage System (NHS) so as to recognize the existing conditions on site.
- **Location:** The subject lands are located on the north side of Dundas Street East, west of Meadowridge Drive.
- **Policy Context:** The subject lands are designated “*Urban Area*” and “*Primary Regional Nodes*” and are located along a “*Regional Intensification Corridor*” within the Region of Halton Official Plan. The subject lands are also designated “*Dundas Urban Core Area*” and “*Natural Heritage System Area*” within the North Oakville East Secondary Plan (Figure NOE 2).
- **Zoning:** The subject lands are presently zoned FD (Future Development) within the Zoning By-law 2009-189, as amended.
- **Public Consultation:** A consolidated Statutory Public Meeting and Recommendation Report is being presented to Council on July 8, 2025. At the time of writing this report, no correspondence has been received from members of the public.
- **Recommendation:** Staff recommend approval of the Zoning By-law Amendment application as the proposal is consistent with the Provincial Planning Statement, conforms to the Region of Halton Official Plan and the Official Plan (NOESP).

## BACKGROUND

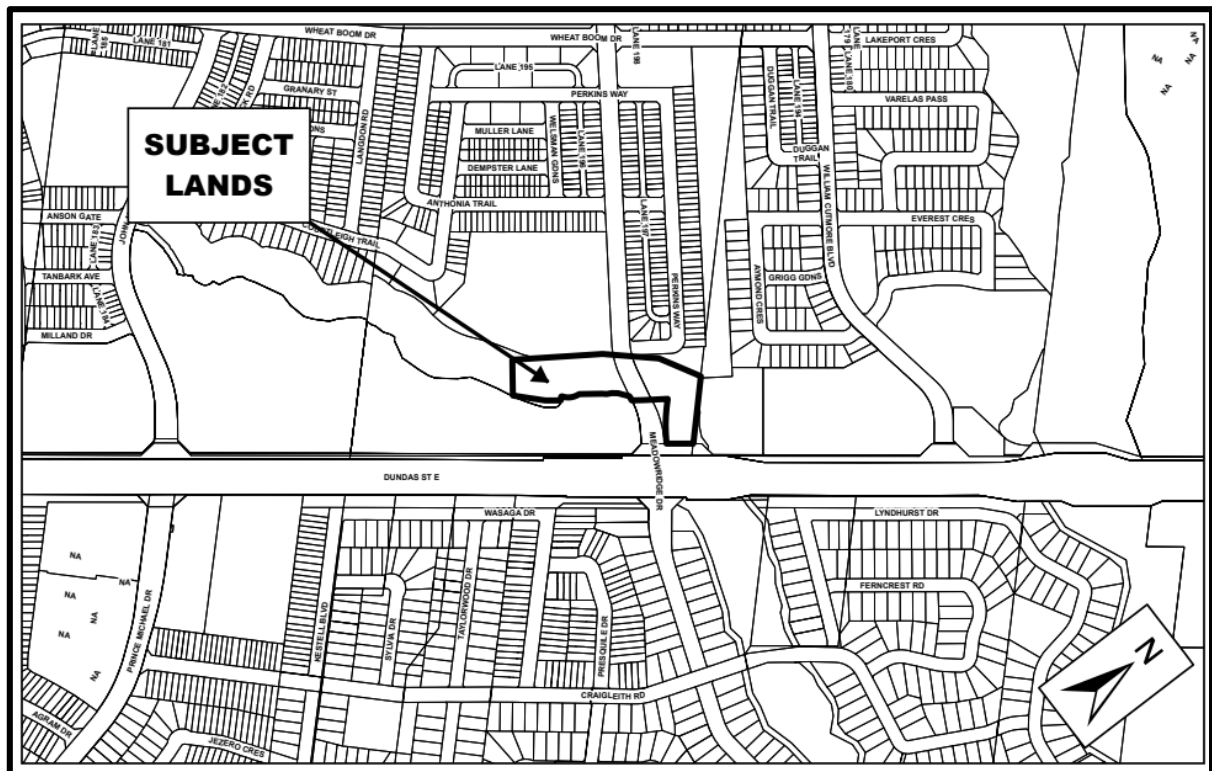
The subject lands were a remnant parcel left over after the realignment of the Joshua Creek tributary and were previously owned by Halton Region. The lands have since been conveyed to the Town.



## Proposal

The Town initiated a Zoning By-law Amendment to remove the existing FD zone on the subject lands and rezone them as NHS in order to accurately reflect the existing conditions on site. The site currently contains the realigned tributary for Joshua Creek.

Figure 1 below identifies the specific revisions to the subject lands that are being requested as part of this Zoning By-law Amendment. This application is also being considered alongside an applicant-initiated proposal that is similarly seeking to rezone other remnant portion of lands from FD to Dundas Urban Core (DUC).



*Figure 1 – Lands subject to the proposed amendment*

## Location & Site Description

The subject lands are located on the north side of Dundas Street East, west of Meadowridge Drive, and are approximately 1.2 hectares in area, as shown in Figure 2 below.



*Figure 2 – Aerial Photo of the subject lands*

### **Surrounding Land Uses**

The surrounding land uses are as follows:

North: Stormwater management pond, and three-storey townhouse dwellings on Courtleigh Trail, Anthonia Trail, and Perkins Way  
East: Vacant land currently zoned H29-DUC-1 sp:56 (future development)  
South: Continuation of the Joshua Creek tributary (NHS) south of Dundas Street East, beyond which are two-storey townhouse dwellings on Wasaga Drive and Presquile Drive, and two-storey detached dwellings on Meadowridge Drive, Taylorwood Drive, and Wasaga Drive  
West: Continuation of the Joshua Creek tributary (NHS), vacant land currently zoned H50-DUC sp:99 (future development)

## **PLANNING POLICY & ANALYSIS**

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

- Provincial Planning Statement (2024)
- Halton Region Official Plan (implemented by the Town)
- North Oakville East Secondary Plan
- Zoning By-law 2009-189, as amended

### **Provincial Planning Statement**

The Provincial Planning Statement (new PPS) 2024, came into force on October 20, 2024, on the same day the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe were repealed. In doing so, it set the policy foundation for regulating the development and use of land province-wide, helping achieve the Province's goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the *Planning Act*.

The subject lands are located within a natural heritage area. Section 4.1 of the PPS includes policies for the protection and preservation of natural heritage features.

The natural heritage features were previously identified through the subwatershed study for the area. The corresponding Environmental Implementation Report (EIR) implements the findings of that study, resulting in the realignment of the Joshua Creek tributary. On this basis, the application is consistent with the PPS (2024).

---

## **Halton Region Official Plan**

As of July 1, 2024 (Bill 185) Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan. It is now the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) among the Halton municipalities and Conservation Authorities was prepared that identified the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters.

The subject lands are located within the Regional Natural Heritage System. Section 116.2 of the Regional Official Plan states that within the North Oakville East Secondary Plan (NOESP) Area, the Regional Natural Heritage System will be delineated and implemented in accordance with the Town's Official Plan Amendment (OPA) No. 272. The proposed amendment implements the Region of Halton Official Plan.

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

## **Oakville Official Plan**

### **North Oakville East Secondary Plan (NOESP)**

The North Oakville area consists of land located between Dundas Street to the south and Highway 407 to the north, from Ninth Line in the east to Tremaine Road in the west. In 1987, these lands were set for growth through the Halton Urban Structure Plan (HUSP), which assessed growth potential and infrastructure needs across Halton's municipalities, including Oakville. HUSP identified North Oakville as an area for urban expansion, recognizing the connection between growth and infrastructure.

Following the HUSP recommended regional structure, Oakville conducted a detailed land-use planning process in the 1990s and 2000s. This involved public consultations, technical studies, and policy development, culminating in the creation of the North Oakville East Secondary Plan (NOESP) and the North Oakville West Secondary Plan (NOWSP), both approved by the Ontario Municipal Board (now the Ontario Land Tribunal) in 2008 and 2009, respectively. These plans focus on sustainability, promoting a mix of land uses, protecting the natural environment, and implementing a modified grid road system to improve transit that enhances transportation options for transit and pedestrians.

The North Oakville East Secondary Plan and the North Oakville West Secondary Plan outlines several key components including a Natural Heritage System.



The land use designations which apply to the subject lands is *Dundas Urban Core Area* and *Natural Heritage System Area* as seen in Figure NOE2, Land Use Plan shown in Figure 3a below. As discussed earlier, the tributary of Joshua Creek has since been realigned so that it now flows through the entirety of the subject lands. Staff note that Figure 3b below reflects the natural heritage system condition prior to the realignment of the tributary and provides for a more detailed look at the surrounding land uses.

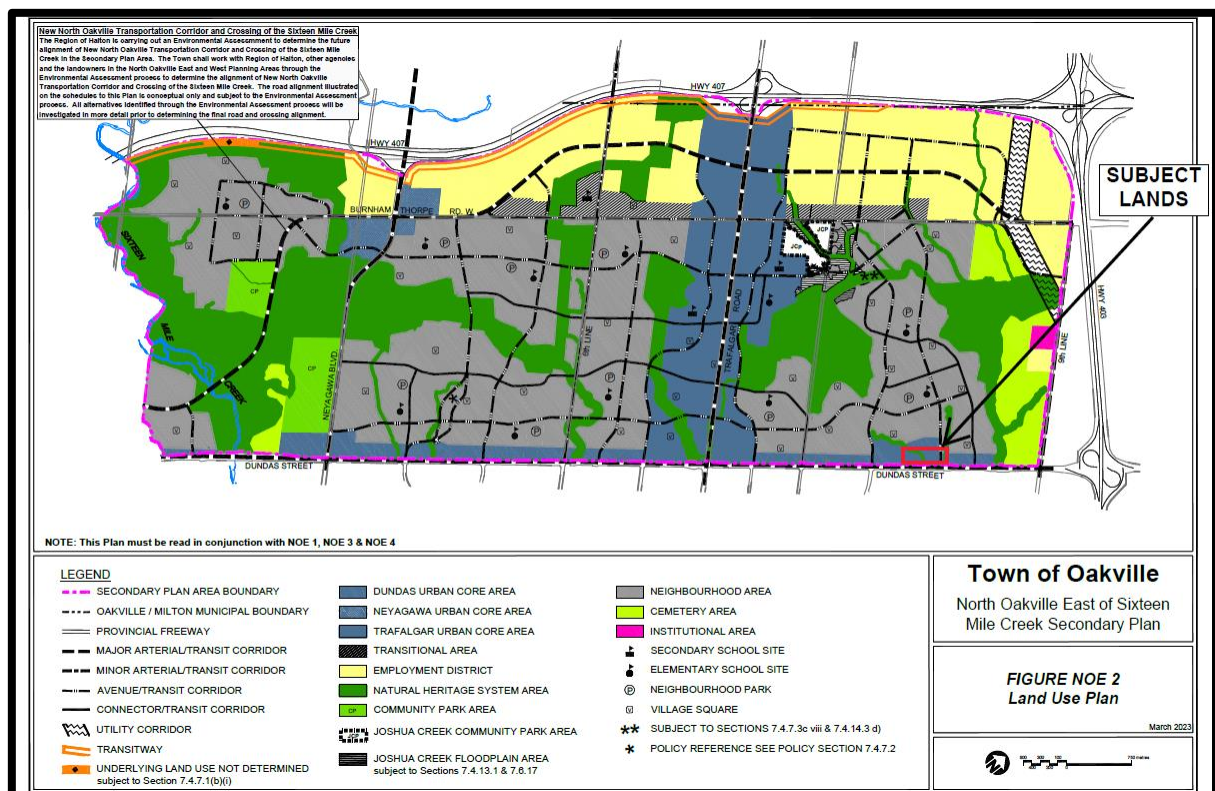


Figure 3a – Figure NOE2 (Land Use Plan)

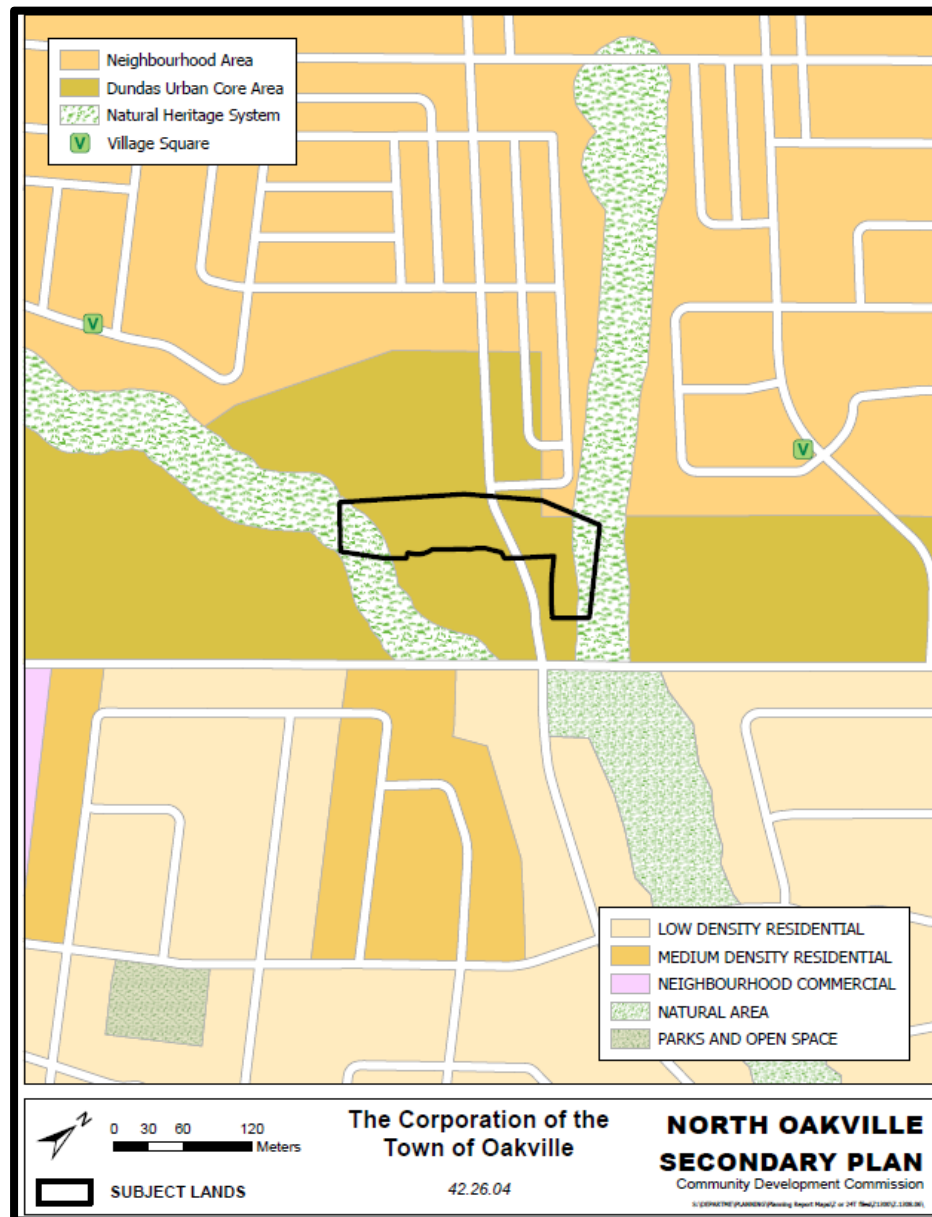


Figure 3b – North Oakville East Secondary Plan Excerpt

Section 7.6.3 and 7.6.5.1 of the NOESP outlines the purpose of the *Natural Heritage System Area* as follows:

*“The Natural Heritage System Area designation on Figure NOE2 reflects the Natural Heritage component of the Natural Heritage and Open Space System. The primary purpose of the Natural Heritage component of the System is to protect, preserve and, where appropriate, enhance the natural environment. The focus of the Natural Heritage component is on the*

---

*protection of the key ecological features and functions of North Oakville. It will also contribute to the enhancement of air and water resources, and provide for limited, passive recreational needs.”*

In accordance with the previously approved subwatershed study, the tributary was allowed to be relocated and was supported and approved through the implementing Environmental Implementation Report (EIR). Policy 7.4.7.2 of the NOESP allows for the realignment of the creek without the need for an OPA or subsequent mapping changes.

On this basis, the application conforms to the North Oakville East Secondary Plan.

#### Zoning By-law

The North Oakville Zoning By-law sets the zoning standards by establishing general regulations and zones reflecting the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning By-law (By-law 2009-189) on November 23, 2009. The subject lands are currently zoned Future Development (FD) as shown on Figure 4 below.

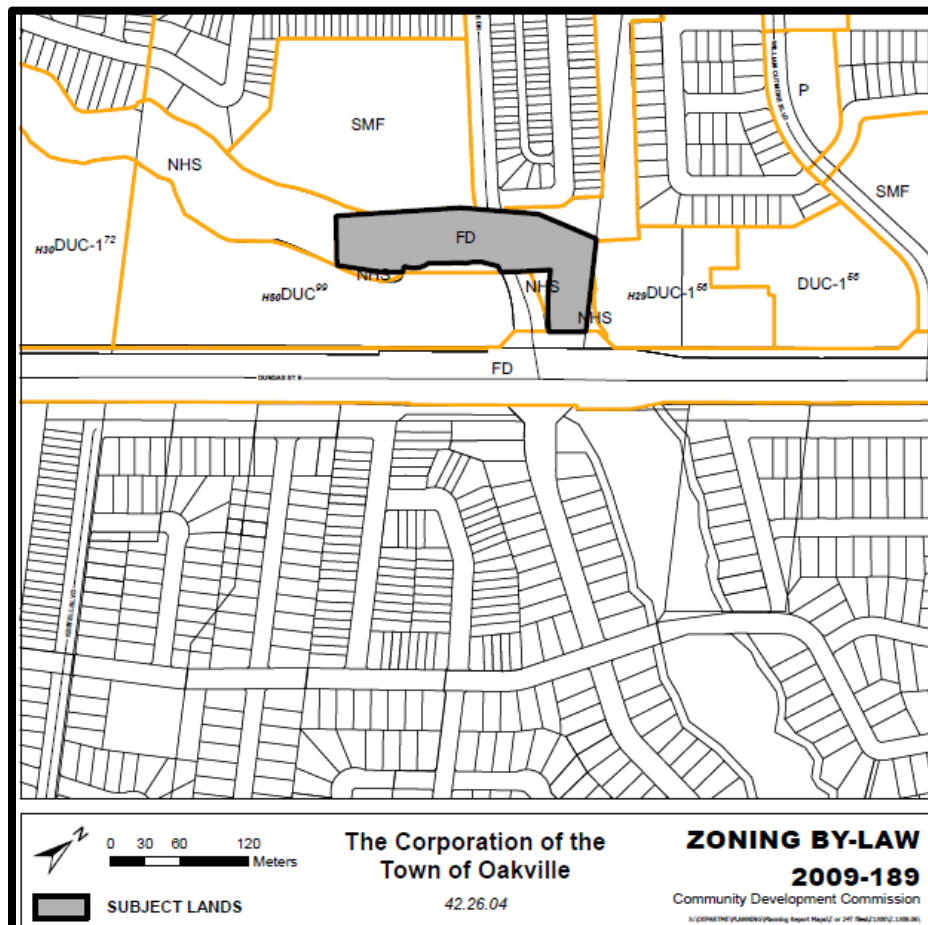


Figure 4 – Zoning By-law Map Excerpt

The proposal has the effect of applying zoning standards that align with the tributary of Joshua Creek, as shown in Figure 5 below.

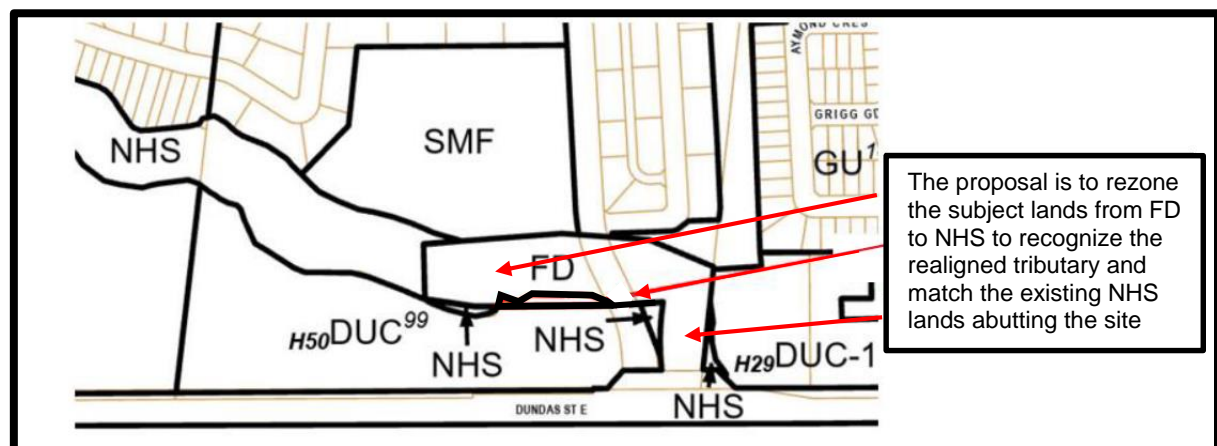


Figure 5 – Subject Lands



The intent of the application is to amend the zoning on the subject lands from FD to NHS, to recognize the existing conditions on-site.

## **TECHNICAL & PUBLIC COMMENTS**

Planning and Development staff circulated the application to internal departments and external agencies for a full assessment of the proposal. There were no concerns raised by staff or external agencies.

### Analysis

As discussed in this report, the purpose of amending the current zoning on the subject lands from FD to NHS is recognize the existing conditions on the site, being the realigned Joshua Creek tributary, to unify the zoning with other adjacent remnant parcels so that there is one continuous and consistent NHS area thereby implementing the NOESP.

### Public Comments

At the time of writing this report, the Town has not received any letters of objection or support from members of the public.

## **CONCLUSION**

Staff are satisfied that the proposal is consistent with the Provincial Planning Statement, has regard for matters of Provincial interest, conforms to the Halton Region Official Plan and the North Oakville East Secondary Plan, and represents good planning. Staff recommend approval of the proposed Zoning By-law Amendment application on the following basis:

- The Zoning By-law Amendment allows for the existing conditions on site to be recognized as natural heritage, being the realigned Joshua Creek tributary.
- The application provides consistent zoning with the adjacent NHS zone.

## **CONSIDERATIONS**

### **(A) PUBLIC**

A consolidated statutory public meeting and recommendation report is being presented to Council on July 8, 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*.

**(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.

**(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**

N/A

**APPENDICES**

Appendix "A" – By-law 2025-094

Prepared by:  
Brian O'Hare  
Planner, Current Planning

Recommended by:  
Kate Cockburn, MCIP, RPP  
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 2025-094**

A by-law to amend the North Oakville Zoning By-law  
2009-189 to permit the use of land described as Part of  
Lot 8, Concession 1, North of Dundas  
(The Corporation of the Town of Oakville, File No.:  
42.26.04)

**COUNCIL ENACTS AS FOLLOWS:**

1. Map 12(6) of By-law 2009-189 is amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. 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 8<sup>th</sup> day of July, 2024

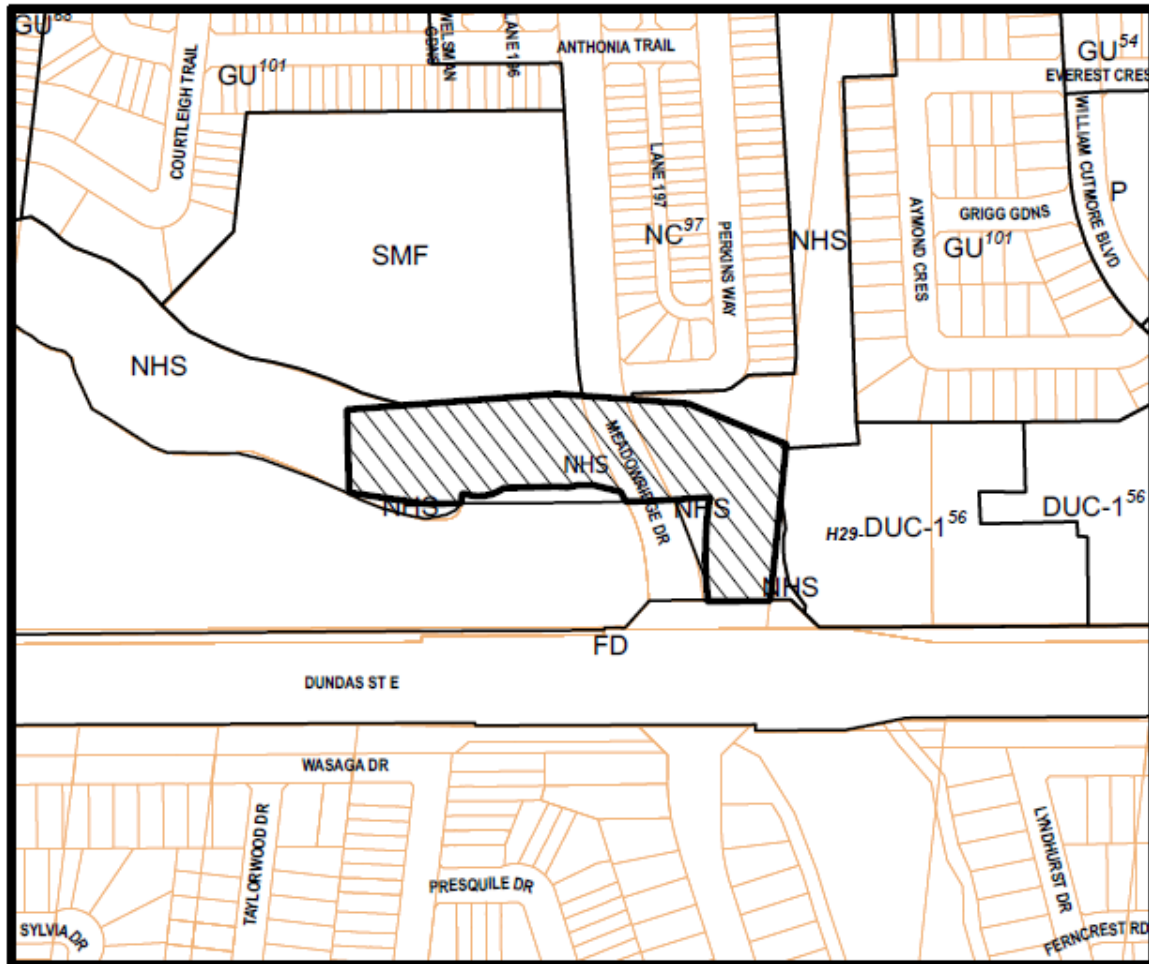
---

MAYOR

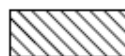
---

CLERK

**SCHEDULE "A"**  
**To By-law 2025-094**



**AMENDMENT TO BY-LAW 2009-189**



Rezoned from  
FD (Future Development) to  
NHS (Natural Heritage System).

EXCERPT FROM MAP  
12 (6)



SCALE: 1:4,000



## REPORT

### Planning and Development Council

Meeting Date: July 8, 2025

---

**FROM:** Planning and Development Department

**DATE:** June 24, 2025

**SUBJECT:** Midtown Key Directions for a Community Planning Permit By-law

**LOCATION:** Midtown Oakville

**WARD:** Ward 3 .

Page 1

---

### RECOMMENDATION

1. That the report entitled “Midtown Key Directions for a Community Planning Permit By-law” be received for information.
2. That Council endorse Key Directions identified in Section 5 of the Midtown Oakville Community Planning Permit By-law Key Directions Report (Attachment A).
3. That Staff prepare a draft Midtown Oakville Community Planning Permit By-law in accordance with the endorsed key directions for public consultation.

### KEY FACTS

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

- [Ontario Regulation 173/16](#) Community Planning Permit System lists various matters that must be addressed within a Community Planning Permit By-law.
- This staff report provides recommended key directions that address the following elements of the by-law:
  - Administrative Matters
  - Community Building Matters
  - Commensurate Community Benefit

- Subject to these Key Directions, staff will proceed with preparing a draft by-law for consultation with the Council, public agencies, Indigenous communities, landowners, and the public.

## **BACKGROUND**

- At the February 18, 2025 Planning and Development Council meeting, Council considered and adopted the Midtown Oakville and Community Planning Permit System Official Plan Amendment (OPA 70).
- In accordance with the *Planning Act*, the Town has one year to adopt an implementing by-law to protect portions of the by-law from appeal with respect to specific Protected Major Transit Station Area provisions.
- Prior to developing the implementing Community Planning Permit By-law, staff has prepared several key directions to inform the preparation of the By-law. These directions are based on:
  - policy direction provided in the Official Plan,
  - best practices from jurisdictions in Ontario where the CPPS is in effect,
  - findings from Midtown Oakville implementation studies, and
  - public consultation.
- An Open House regarding proposed key directions was held on June 5, 2025, based on feedback received to date, this staff report provides recommended key directions that address the elements of the By-law that are required to be provided in accordance with [Ontario Regulation 173/16](#).

## **COMMENTS**

The Key Directions report contains the following sections:

- 1 Introduction – providing the purpose and context for the report;
- 2 Administrative Elements – listing and explaining administrative elements that will be provided in the CPP By-law, along with options for how those matters should be addressed;
- 3 Community Building Elements – listing and explaining community building elements that will be provided in the CPP By-law, along with options for how those matters should be addressed;
- 4 Commensurate Community Benefits – explaining options for how community benefits associated with the permission for additional building height may be negotiated; and
- 5 Recommended Key Directions – highlighting twenty-two key directions for the preparation of the Midtown Oakville Community Planning Permit By-law

based on the analysis provided in the report and feedback received through consultation with the public, technical staff, and landowners.

The following provides the list of Key Directions by theme and a brief summary of the recommended directions:

## Administrative Matters

### *Structure and Scope of the CPP By-law (key directions 1 – 6)*

Prepare the by-law in a user-friendly manner that:

- is compatible with the Town's online systems,
- is possible to add other areas to the by-law through future amendments,
- streamlines approval of development,
- nests under the Official Plan, and
- is responsive to market and context changes over the long term.

### *Exempt Matters (key direction 7)*

Exempt certain matters from having to apply for a development permit application, similar to site plan control exemptions.

### *Classes of Development and Notice (key directions 8 - 9)*

Establish four classes of development based on complexity of application. Align class of development based on likely fee structure, review process and effort, and range of consultation.

### *Delegation of Authority (key direction 10)*

Delegate all approvals related to development permit applications to staff. Direct staff to refer development permit applications to Council under certain circumstances, such as where there is a related matter that requires a Council decision, or a non-standard community benefit is offered in exchange for an increase in building height above the established height threshold for the site.

### *Process (key direction 11)*

Establish a development permit approval process that includes mandatory and discretionary steps based on the class of development.

## Community Building Matters

### *Affordable Housing (key direction 12)*

Following the completion of the Housing Needs Assessment, Inclusionary Zoning Assessment, and Community Improvement Plan background study, report to Council for further direction regarding by-law provisions for affordable housing.

### *Criteria for Decision Making (key direction 13)*

Include criteria for decision making within the by-law through embedded provisions, along with references to policies and guidelines, as appropriate.

### *Permitted/Prohibited Uses (key directions 14 - 16)*

Include permitted and prohibited use provisions in accordance with Official Plan policies and, as appropriate/applicable, using pre-existing provisions of Town's Zoning By-law.

### *Existing Uses (key direction 17)*

Apply site specific and general provisions to ensure that existing uses remain legal in accordance with Official Plan policies.

### *Variation from Standards (key direction 18)*

Include numerical and qualitative provisions in the by-law, as appropriate, to enable variation from standards in accordance with Official Plan policies.

### *Conditions (key direction 19)*

Provide an outline of possible conditions of development permit approval in accordance with policies of the Official Plan, including possible exemptions from conditions.

### *Schedules and Maps (key direction 20)*

Provide maps to implement Official Plan Schedules L1: Land Use, L2: Minimum Density, L3: Maximum Density, and L4: Building Height Thresholds, and Figure 2: Active Frontage.

## Commensurate Community Benefit

### *Prioritization of Benefits (key direction 21)*

Prioritize the provision of community benefits based on the following hierarchy:

- Location (provide benefits on development site)
- Policy (provide types of benefits identified in Section 20 Midtown Oakville)
- Timing (provide benefit, concurrent with development)



- Funding (provide benefits that are unfunded or underfunded)

*Benefit Proportion Approach (key direction 22)*

Undertake additional analysis and further define proportional relationships based on: “Rate (dollar) per Square Metre” and the “In-kind Only” options.

## CONSIDERATIONS

### (A) PUBLIC

Appendix A of the Key Directions Report provides the details of public consultation and notification regarding the Open House. Appendix B of the Report provides the results of a complementary online survey. Appendix C of the Report provides copies of the information and question panels displayed at the Open House.

Notification of this meeting was provided at the Open House and through the Midtown web page.

### (B) FINANCIAL

There are no new financial implications for approving the recommendations of this report.

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

Other departments are participating in the Steering Committee and Working Group for the CPP By-law. These members assisted with the development of the Key Directions report and will continue to participate in the development of the forthcoming CPP By-law.

### (D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council’s strategic priority/priorities: Growth Management and Accountable Government.

### (E) CLIMATE CHANGE/ACTION

There are no climate change/action implications for approving the recommendations of this report.

## APPENDICES

Attachment A: Midtown Oakville Preparing the Community Planning Permit By-law Key Directions report.

Prepared & Recommended by:  
Sybelle von Kursell, MCIP RPP

Manager, Midtown Oakville and Special Programs

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

# Midtown Oakville

## Preparing the Community Planning Permit By-law

### Key Directions Report

---

For Public Consultation

June 2025

## Table of Contents

1.	Introduction .....	1
1.1.	Purpose of Report.....	1
1.2.	Midtown Oakville Context.....	2
1.3.	Foundations for Preparing a CPP By-law .....	2
1.4.	Scope of By-law .....	4
1.5.	Recommended Key Directions .....	5
2.	Administrative Elements .....	6
2.1.	Location .....	7
2.2.	Classes of Development and Exemptions.....	7
2.3.	Delegated Authority .....	11
2.4.	Notice of Application and Decision .....	14
2.5.	Procedures.....	17
2.6.	Administrative Matters Key Directions .....	20
3.	Community Building Elements.....	21
3.1.	Affordable Housing.....	25
3.2.	Criteria for Decision Making .....	27
3.3.	Permitted/Prohibited Land Use.....	29
3.4.	Existing Uses .....	31
3.5.	Variation from Standards .....	33
3.6.	Conditions.....	35
3.7.	Schedules and Maps.....	41
3.8.	Community Building Key Directions .....	43
4.	Commensurate Community Benefits.....	44
4.1.	Prioritization of Benefits.....	48
4.2.	Procedure for Negotiation.....	51
4.3.	Benefit Proportion Approach .....	53
4.4.	Commensurate Community Benefit Key Directions.....	60
5.	Recommended Key Directions .....	61
5.1.	Administrative Matters Key Directions .....	61
5.2.	Community Building Key Directions .....	66
5.3.	Commensurate Community Benefit Key Directions.....	69



References .....	71
Appendix 1. Public Consultation and Feedback.....	73
Appendix 2. Online Questionnaire and Responses.....	87
Appendix 3. Open House Panels.....	109

## List of Tables

Table 1 Administrative Provisions of a Community Planning Permit By-Law.....	6
Table 2 Town's Current Practice Regarding Classes Of Development.....	8
Table 3 Example Classes of Development and Associated Administrative Factors.....	11
Table 4 Delegated Approval Authority for Similar Matters .....	12
Table 5 Approval Authority Options .....	13
Table 6 Town's Current Practices For Giving Notice Related to Similar Applications As Required By Legislation .....	15
Table 7 TOWN'S CURRENT PRACTICES FOR GIVING NOTICE RELATED TO SIMILAR APPLICATIONS (Not Required by Legislation).....	15
Table 8 Example of A Notice Requirements Table within the By-law .....	16
Table 9 Proposed Steps For New Development Permit Applications, Revisions to Permits, and Agreements.....	18
Table 10 Community Building Provisions of a Community Planning Permit By-Law.....	21
Table 11 Comparison of Official Plan Policy, By-Law Provisions and Guidelines.....	22
Table 12 Spectrum Direction that May Be Provided in the Official Plan, By-law and Guidelines .....	22
Table 13 Overview of Midtown Oakville Applicable Policies.....	24
Table 14 Midtown Oakville Land Use Permissions and Prohibitions.....	30
Table 15 Proposed Description Of Conditions .....	37
Table 16 Official Plan Schedules and Figures and their Relationship to the By-law.....	41
Table 17 Overview of Town Procedures for Similar Community Benefit Attainment <i>Planning Act</i> Tools.....	46
Table 18 Summary of Proportional Relationship Provisions in In-effect and Draft CPP By-laws .....	47
Table 19 Recommended Classes of Development and Notices.....	62
Table 20 Recommended Development Permit Approval Authority.....	63
Table 21 Recommended Development Permit Procedures .....	63
Table 22 Recommended Community Planning Permit By-law Mapping.....	68

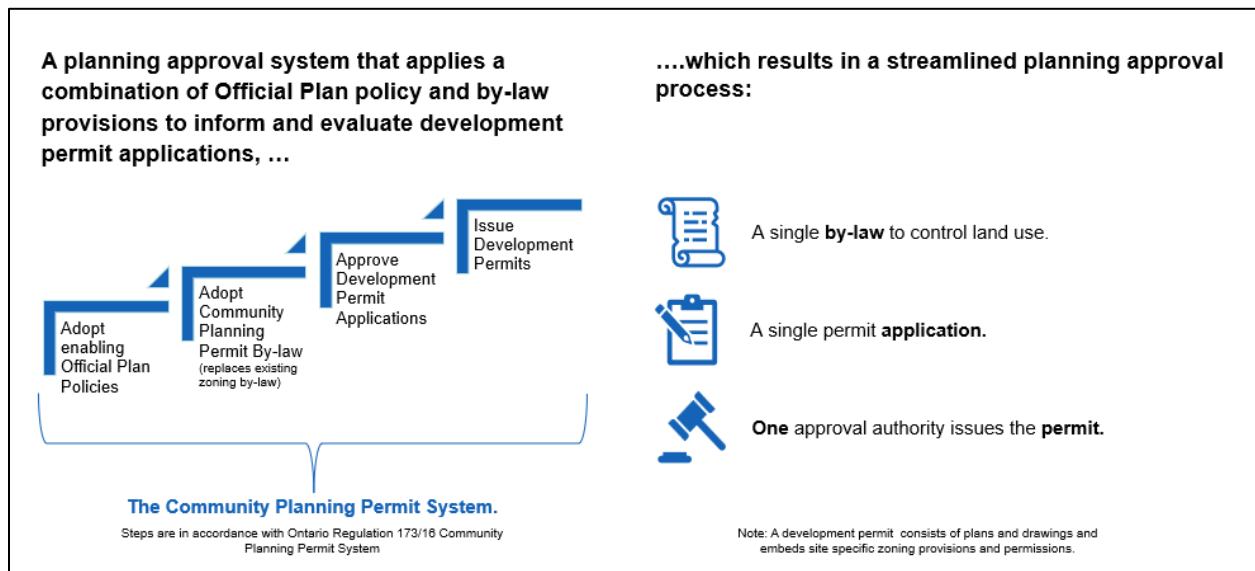
## List of Figures

Figure 1 Steps and Results of the Community Planning Permit System.....	1
Figure 2 Midtown Vision, Goal and Objectives.....	3
Figure 3 Elements to be Provided in a Community Planning Permit By-Law .....	4
Figure 4 Midtown Oakville Area .....	7
Figure 5 Typical Development Permit Application Process .....	18
Figure 6 Examples of Policies in the Official Plan that provide criteria for Decision making .....	28
Figure 7 Excerpt of Schedule L4: Threshold Building Height .....	45
Figure 8 Excerpt of Schedule L3: Maximum Density.....	45
Figure 9 Options for Proportional Relationship.....	55

# 1. Introduction

## 1.1. Purpose of Report

In February 2025, Council adopted “Midtown Oakville and Community Planning Permit System Official Plan Amendment” (OPA 70). This amendment to the Livable Oakville Official Plan (Official Plan or OP) provides development direction for both public and private city building initiatives. This amendment also enables the Town to implement the Official Plan through a community planning permit system (CPPS). As illustrated in figure 1, the CPPS is a planning system that starts with enabling and community building **policies in the Official Plan**, which are implemented in **Community Planning Permit By-law** and then relies on the approval of **development permit applications** and **issuance of development permits** to provide site specific planning and development permission.



**FIGURE 1 STEPS AND RESULTS OF THE COMMUNITY PLANNING PERMIT SYSTEM**

OPA 70 identifies Midtown Oakville as a Community Planning Permit Area, and as such, the Town is authorized to prepare a Community Planning Permit By-law (CPP by-law) for this area. Since this is the first CPP by-law the Town is preparing, Council, staff and the public need to work together to develop the by-law framework and contents.

The purpose of this report is fourfold:

- To be used as a **consultation tool** to inform Council and the public about key elements to be addressed in the forthcoming Community Planning Permit By-law;
- To provides **options** regarding key elements of the by-law;
- To identify **recommended options** for Council endorsement; and
- To provide the rationale and **strategic framework** for staff to draft the CPP by-law.

### 1.2. Midtown Oakville Context

Midtown Oakville is the Town's primary strategic growth area. It is approximately 103 hectares in size and bounded by the QEW to the north, Chartwell Road to the east, Cornwall Road to the south and the Sixteen Mile Creek valley to the west. OPA 70 enables the use of CPPS and provides a vision and planning objectives for Midtown Oakville, along with policies and schedules to achieve those objectives and the vision. It also identifies Midtown Oakville as a Protected Major Transit Station Area (PMTSA), given that this area is serviced by GO Transit, VIA Rail, and Oakville Transit. In accordance with the *Planning Act*, areas identified as PMTSA are eligible to implement inclusionary zoning policies and provisions. The forthcoming CPP by-law is required to conform with all applicable Official Plan policies.

As has been documented in staff reports listed in the [Past Meetings and Information](#) section of the Midtown Growth Area review website, and the White Paper: [Planning Act Tools to Facilitate the Development of Affordable Housing](#), using the community planning permit system in Midtown provides several potential benefits to the Town, the broader community and to the development industry. These benefits include:

- A streamlined development approval process, via the one application and one approval authority,
- More opportunities for the Town to work in partnership with developers to provide community benefits within their development site and/or area, including matters such as public parkland, affordable housing, and sustainable development elements, and
- More flexibility for development to achieve Official Plan objectives, without having to go through cumbersome approval processes.

While (at the time of writing this report) the OPA is presently with the Ministry of Municipal Affairs and Housing for approval<sup>1</sup>, the Town is proceeding with developing the CPP by-law to ensure that this by-law is passed expeditiously.

### 1.3. Foundations for Preparing a CPP By-law

#### 1.3.1. *Planning Act* and Ontario Regulation 173/06

Where the Community Planning Permit System (CPPS) is in effect, approval of development is based on meeting provisions of the CPP by-law, including any criteria and permission for variation from standards within the by-law. Development permits may be issued with conditions that are to be met prior to or after a permit is issued. These conditions may include requirements to provide affordable housing, as well as other community benefits. The issued development permit results in a product that is a combination of what we see in a site plan approval as well as site-specific zoning provisions and minor variance permissions. What is different is the process to achieve those results, which is based on one application one approval authority process. Furthermore, when evaluating a development permit application and issuing the development permit, the Town has more authority to work with the applicant to ensure that the proposed development addresses Official Plan policies regarding: character,

---

<sup>1</sup> The comment period for OPA 70 on the [Environmental Registry of Ontario](#) is from May 15, 2025 to June 29, 2025.

scale, appearance and sustainable design features of the proposed building and site than it does through the traditional site plan process.<sup>2</sup>

## 1.3.2. OPA 70 – Midtown Oakville and Community Planning Permit System

OPA 70 provides the enabling policies for the Town to establish a Community Planning Permit By-law for Midtown Oakville. These adopted policies are predominantly provided in Sections 20 Midtown Oakville and 28.15 Community Planning Permit System. As noted in Figure 2, these policies provide the vision, goals and objectives for Midtown and for implementing a CPPS in Midtown Oakville. These policies also provide land use permissions and prohibitions, development standards, including minimum and maximum density of development on a block by block basis, direction regarding urban design and community character and mix of use; direction regarding the provision of public realm including streets, multi-use trails, parks, schools, stormwater management, and sub-surface infrastructure, as well as direction regarding implementation and monitoring of policies. Furthermore, the policies provide direction regarding the imposition of various conditions that may be associated with development approval, criteria for decision making, and permission to allow a variation to established standards.

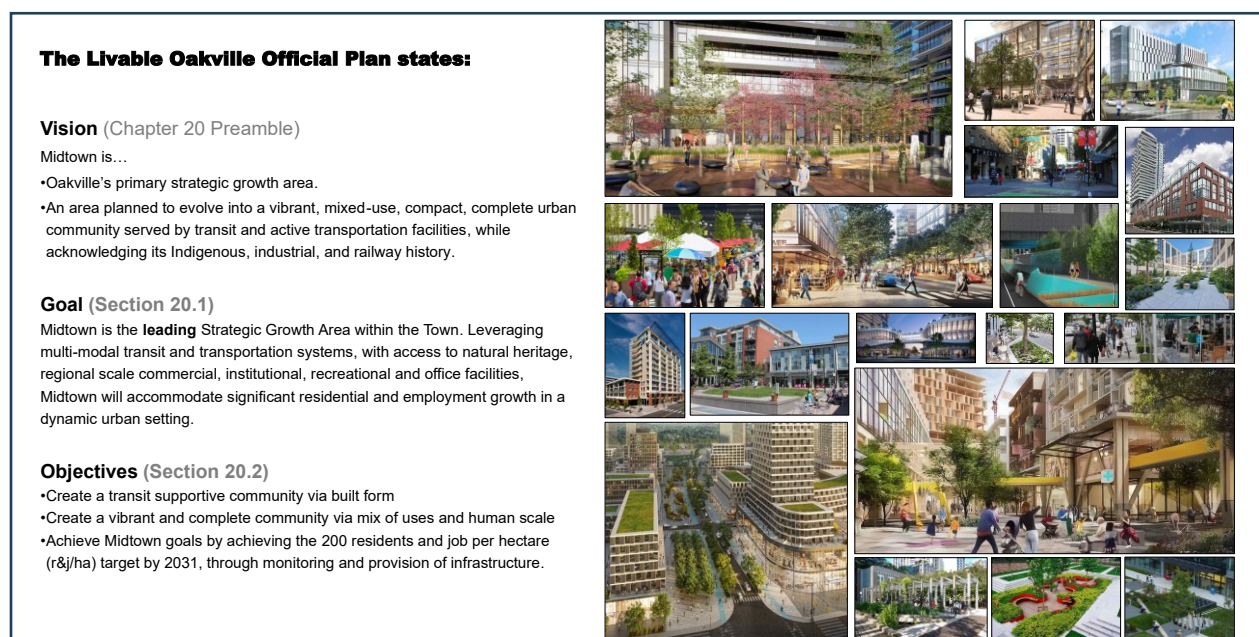


FIGURE 2 MIDTOWN VISION, GOAL AND OBJECTIVES

<sup>2</sup> O. Reg. 173/16, Schedule 1, section 2 (iv) states that development permit applications are to display “matters relating to **exterior design**, including without limitation the character, scale, appearance and design features of the proposed building, and its sustainable design, but only to the extent that it is a matter of exterior design, if the Official Plan contains provisions relating to such matters” (Ontario Government, 2021), whereas this same provision does not apply in the case of site plan applications.



### 1.3.3. Midtown Oakville Preparing the CPP By-law Key Directions Report

This Key Directions report:

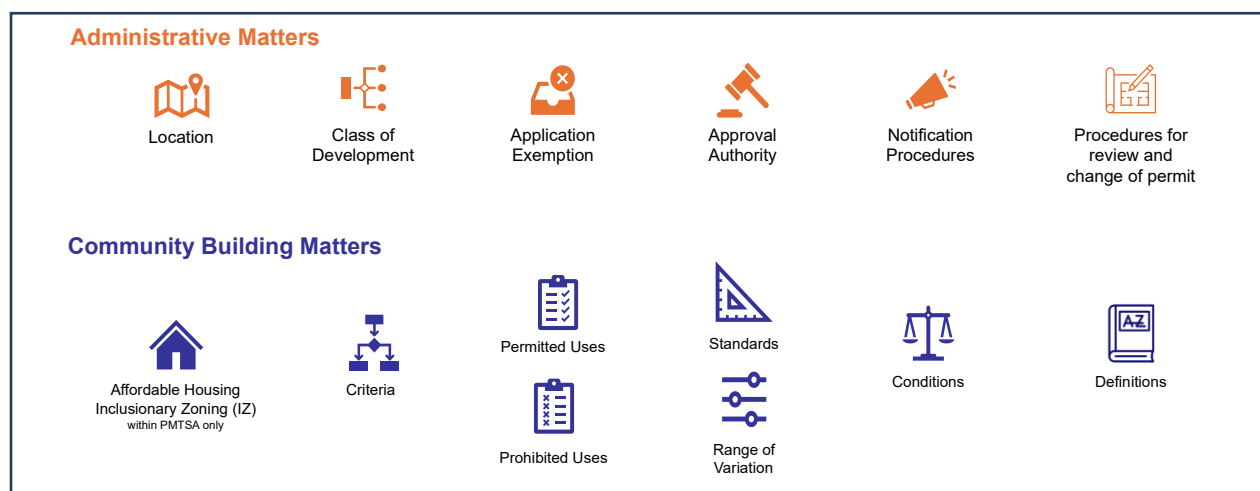
- Identifies the purpose of key elements of the forthcoming CPP by-law,
- Provides context and considerations for preparing those elements,
- Includes options as to how those elements could be addressed in the by-law, and
- Recommends key directions for their formulation.

With this information, staff, Council and the public, will have a clear understanding of what to expect in terms of a draft by-law for further consultation.

## 1.4. Scope of By-law

The Official Plan polices are those that provide the vision and means to achieve the vision for Midtown Oakville and directs planning for Oakville as a whole. The By-law must conform with the Official Plan.

O. Reg. 173/16 provides direction regarding the contents of a CPP By-law which include administrative and community building matters, as shown in Figure 3.



**FIGURE 3 ELEMENTS TO BE PROVIDED IN A COMMUNITY PLANNING PERMIT BY-LAW**

### 1.4.1. Administrative Elements

The following administrative matters are discussed in Section 2 of this Report:

- Location
- Classes of development, including matters that may be exempt from having to apply for a development permit,
- Approval authority and the scope of their approval for development permit applications,
- Giving notice of development permit applications and decisions; and
- Procedure for reviewing permit applications and changing permit approvals.

### 1.4.2. Community Building Elements

The following community building matters are discussed in Section 3 of this Report:

- Affordable housing;
- Criteria for decision making;
- Permitted, prohibited, and existing land use;
- Development standards and variation from those standards;
- Conditions of development permit application approval; and
- Mapping (boundary, zones, height, density, etc.).

### 1.4.3. Commensurate Community Benefit

Section 4 of this report discusses OPA 70 policies regarding the Town's ability to permit building heights that exceed thresholds provided in the Official Plan, subject to conditions that result in the provision of additional community benefit. This section considers options regarding how to determine the proportional relationship between permitted height and community benefit.

## 1.5. Recommended Key Directions

Section 5 of this report provides a comprehensive list of Key Directions based on the discussion provided in the previous sections of this report and consultation to date. These Key Directions will inform the development of the Draft Community Planning Permit By-law for Midtown Oakville, which will be released for public consultation prior to finalization.

## 2. Administrative Elements

As noted in the White Paper: [Planning Act Tools to Facilitate Development of Affordable Housing](#), the general intention of using the Community Planning Permit System is to streamline development approval. For Midtown, this streamlining takes place by first establishing enabling, visionary, and land use policies in the Town's Official Plan through the adoption of OPA 70. This streamlining then continues with the passing of the CPP by-law, which effectively pre-zones all of the land in Midtown Oakville to conform with the Official Plan policies and schedules. Once established, landowners apply for development permits that are in conformity with the CPP by-law. The review and approval of development permit application is subject to processes identified in the CPP by-law.

The approval authority is guided by the Official Plan policies, the CPP by-law provisions and other related guidance material to evaluate the application, and issue a development permit. This review and evaluation is expected to occur within 45 days of receiving a complete application for the development permit. As such, the process must facilitate decision making in a timely manner.

In developing a Community Planning Permit By-law, Ontario Regulation 173/16 identifies several administrative provisions to be included in the by-law, as noted in Table 1 below. It is intended that these provisions would be applicable anywhere in the Town where a CPP by-law is established, starting with Midtown Oakville.

**TABLE 1 ADMINISTRATIVE PROVISIONS OF A COMMUNITY PLANNING PERMIT BY-LAW**

Theme	By-law Provisions Per O. Reg.	Options to Discuss/Consider
LOCATION	Describe area to which the by-law applies (O. Reg. 173/16 s. 4 (2) (a))	See Section 2.1
DEV'T PERMIT REQUIREMENT	Prohibit any development or change of use of land without a development permit (O. Reg. 173/16 s. 4 (3) (a))	See Section 2.2
CLASS OF DEV'T	Set out and define classes of development (O. Reg. 173/16 s. 4 (3)(b))	See Section 2.2
EXEMPTION	Exempt classes or uses of land from requiring a development permit (O. Reg. 173/16 s. 4 (3)(c))	See Section 2.2
PORTABLE CLASSROOM	State that placement of portable classrooms on school sites of a district school board is exempt from seeking a permit if the school was in existence on January 1, 2007. (O. Reg. 173/16 s. 4 (2) (k))	See Section 2.2 (exemption)
DELEGATED AUTHORITY	Set out the scope of the authority that is delegated and any limitations on the delegation. (O. Reg. 173/16 s. 4 (2) (j))	See Section 2.3
NOTICE	Manner for which Notice will be given regarding permit application <b>decisions</b> to applicants and those who have requested notice of decision (O. Reg. 173/16 s. 4 (2) (e))	See Section 2.4
PROCEDURES	Internal review procedures regarding decisions for issuing permits (O. Reg. 173/16 s. 4 (2) (d))	See Section 2.5
PERMIT CHANGES	Acknowledge that permits may be amended, and describe how the amendment could occur (O. Reg. 173/16 s. 4 (2) (f))	See Section 2.5
AGREEMENTS	Acknowledge that agreements associated with a <b>condition</b> or <b>a pre-existing site plan agreement</b> may be amended, and describe how the amendment could occur (O. Reg. 173/16 s. 4 (2) (g & h))	See Section 2.5

## 2.1. Location

In accordance with OPA 70, wherein Midtown Oakville is identified as a CPP area, the by-law will include a map indicating that the by-law is specific to the Midtown Oakville Area (see figure 4).

For efficiency, the by-law will be structured in a manner that would allow other areas of the Town to be added to the by-law, should Council adopt Official Plan amendments that identify new areas of the town as CPP Areas.



FIGURE 4 MIDTOWN OAKVILLE AREA

## 2.2. Classes of Development and Exemptions

O. Reg. 173/16 defines “development” for the purpose of issuing development permits as follows:

- (a) the construction, erection or placing of one or more buildings or structures on land,
- (b) the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability,
- (c) the laying out and establishment of,
  - (i) a commercial parking lot,
  - (ii) sites for the location of three or more mobile homes as defined in subsection 46 (1) of the Act,
  - (iii) sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the Act, or
  - (iv) sites for the location of three or more trailers as defined in subsection 164 (4) of the Municipal Act, 2001,
- (d) site alteration, including but not limited to,
  - (i) alteration of the grade of land, and
  - (ii) placing or dumping fill, or
- (e) the removal of vegetation. (Ontario Government, 2021)

As such, a development permit may address matters that are addressed through site plan control, and may also address matters that are typically addressed via site alteration and tree protection by-laws.



Addressing all three matters through one application results in an efficient and streamlined process. However, where an application is only in relation to tree protection and/or site alteration, it may be preferable to address that matter without having to apply for a development permit.

At the outset, the Regulation stipulates that all development is prohibited unless approved by a development permit. To that end, the O. Reg. 173/16 provides municipalities with the option to exempt matters and/or to identify “classes of development” within the CPP by-law. Exemptions could apply to matters that are equally or better addressed through other by-laws, and/or for minor matters that do not typically warrant a planning application to be made, to ensure that the CPP by-law’s intent to streamline development is implemented.

By establishing classes of development, the imposition of the by-law may differ from one class of development to another. By establishing classes of development, the Town may impose different fees, processes, types of notice, and other matters.

### 2.2.1. Considerations

Based on a jurisdictional scan of in-effect CPP by-laws, the approach to listing classes of development varies. Most municipalities apply an approach based on simple versus complex applications, and as such assign different fees and approval processes based on the class of development. For some such by-laws, the class of development may also be based on type of land use and/or built form. Given that development within Midtown is largely for mixed-use medium to high-density development, built-form considerations are less of a differentiating factor to consider when establishing classes of development.

When considering options for classes of development and exemptions, current Town practices with similar applications are informative. Table 2 below provides an overview of similar planning applications in terms of how they include/do not include classes of development and exemptions, the range of fees that are charged in accordance with those applications, penalties and/or appeals of decisions that may apply, and the type of supporting information an applicant would be required to provide. This information provides an overview of some practical matters when determining whether classes of development should be identified, and if so matters that may influence how to differentiate between such classes.

**TABLE 2 TOWN'S CURRENT PRACTICE REGARDING CLASSES OF DEVELOPMENT**

Application Type	Class of Development/ Exemptions	Fees	• Appeal • Penalty	Technical Studies
<i>Site Plan Control</i>	See Sections 4- Class of Development and Section 5 Exemptions of <a href="#">by-law</a>	<ul style="list-style-type: none"> <li>Base fee</li> <li>Per unit</li> <li>Per 100m<sup>2</sup> non-res. GFA</li> <li>Agreement fee</li> <li>Extension of approval</li> <li>Final Approval</li> <li>Site supervision (% of construction value)</li> </ul>	<ul style="list-style-type: none"> <li>Appeal lack of decision, decision, seek direction re: complete application via Ontario Land Tribunal</li> <li>Penalty per <i>Planning Act</i> s. 67</li> </ul>	<ul style="list-style-type: none"> <li>Plans &amp; Drawings, and Reports</li> <li>Survey, landscape plan, servicing and grading plan, traffic impact study, noise and vibration study, etc. See adopted OP policies 28.19</li> </ul>

Application Type	Class of Development/ Exemptions	Fees	<ul style="list-style-type: none"> <li>• Appeal</li> <li>• Penalty</li> </ul>	Technical Studies
<b>Minor Variance</b>		<ul style="list-style-type: none"> <li>• Base fee</li> <li>• Agreement fee</li> </ul>	<ul style="list-style-type: none"> <li>• Appeal decision via Ontario Land Tribunal</li> <li>• Penalty per <i>Planning Act</i> s. 67</li> </ul>	<ul style="list-style-type: none"> <li>• Application</li> </ul>
<b>Minor Zoning By-law Amendment</b> (includes temporary use and removal of holds)	Per OP Policies – see <u>OPA 67</u> for “class of development”	<ul style="list-style-type: none"> <li>• Base and per unit fee</li> </ul>	<ul style="list-style-type: none"> <li>• Appeal lack of decision, decision, seek direction re: complete application via Ontario Land Tribunal</li> <li>• Penalty per <i>Planning Act</i> s. 67</li> </ul>	<ul style="list-style-type: none"> <li>• Application</li> </ul>
<b>Tree Protection</b>	Exemption - Matters subject to site plan or site alteration application	<ul style="list-style-type: none"> <li>• Protection fee</li> <li>• Removal fee (per tree, size dependent)</li> </ul>	<ul style="list-style-type: none"> <li>• Applicant may appeal decision to the “Appeals Committee within 21 days of decision. (See section 8)</li> <li>• Penalty: See section 9 - 10</li> </ul>	<ul style="list-style-type: none"> <li>• Arborist report</li> <li>• Tree protection plan</li> </ul>
<b>Site Alteration</b>	Exemption - See Schedule B of <u>by-law</u> , includes matters subject to site plan application.	<ul style="list-style-type: none"> <li>• Base fee (application type dependent)</li> <li>• Inspection fee</li> </ul>	<ul style="list-style-type: none"> <li>• Appeal: n/a</li> <li>• Penalty: See Section 13 – 15 of by-law</li> </ul>	<ul style="list-style-type: none"> <li>• Site Alteration Plan, Arborist report, Tree protection plan</li> <li>• See also Schedule D</li> <li>• Site Alteration Agreement</li> </ul>

## 2.2.2. Options

### 2.2.2.1. Exempt Matters

Given the scale of development that is anticipated to occur in Midtown, most matters would be subject to the development permit application process. However, certain matters that are presently exempt from similar processes (i.e. site plan control) should continue to be exempt and follow alternative processes (if applicable). These matters include proposals for:

- tree removal (where the removal is unrelated to new development or expansion to existing, the exemption would allow the current tree protection by-law process to apply)<sup>3</sup>

<sup>3</sup> For tree removal that will be addressed through the development permit application process, the Town’s Tree Protection by-law will need to be amended to exempt those matters.

- site alteration (where the site alteration is unrelated to new development or expansion, the exemption would allow current site alteration by-law process to apply)<sup>4</sup>
- 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;
- a new non-residential building or structure on town-owned land, provided that the building or structure is less than 100 square metres;
- a temporary building or structure on public lands allowed through a municipal permit; and
- 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<sup>5</sup>.

### 2.2.2.2. Classes of Development

As noted in the definition of development under the CPPS process, a wide range of matters may be subject to a development permit application. Assuming the above matters are indeed exempt from the development permit application process, the balance of matters would continue to be subject to this process. Consideration must be given to whether the remaining matters should be sub-classified and if so for what purpose.

The Town's current site plan control by-law provides the following classes of development that are based on land use:

- Medium and high-density residential development
- All non-residential development
- All other types of development
- 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<sup>6</sup>
- A temporary sales office
- A commercial parking lot (Town of Oakville, 2025)

When determining classes of development, consideration should be given to matters such as: fees, notice of application, notice of decision, imposing mandatory or discretionary procedural steps, and imposing variation to complete application requirements. For example, a temporary sales office is likely not to require notice of application, would be subject to minimal complete application requirements and as such, be subject to minimal review time by staff and to a nominal fee. On the other hand, an application for new mixed-use/high-density development is likely to require plans and elevations that are supported by various technical reports which will require the review of many more staff, and warrant notice of application to a broad set of technical reviewers, and thereby require payment of a larger fee. Given these considerations, it is important for development proponents to understand upfront what class of development is applicable to them, and to understand which of the aforementioned parameters would be applicable.

---

<sup>4</sup> For site alteration that will be addressed through the development permit application process, the Town's Site Alteration by-law will need to be amended to exempt those matters.

<sup>5</sup> This is required per O. Reg. 173/16.

<sup>6</sup> This is an exempt matter under site plan control, however, since the development permit is also used to permit temporary uses, it is noted in this list of potential classes of development.

Table 3 provides a list of potential classes of development that may be identified in the by-law, along with related administrative factors that may differ from each other as it relates to each class of development.

**TABLE 3 EXAMPLE CLASSES OF DEVELOPMENT AND ASSOCIATED ADMINISTRATIVE FACTORS**

Class	Description	Resulting Administrative Factors			
		Notice to the Public	Approval Process <sup>7</sup>	Complete Application Requirement	Fee <sup>8</sup>
1	Parking Lot (new or change to)	Notice of Application and Notice of Decision	Mandatory steps only	Plan	Base
2	Temporary Sales Office <b>or</b> Other Temporary Use (less than 6 months)	Notice of Application and Notice of Decision	Mandatory steps only	Plans & Drawings	Base
3	Expansion to existing building <b>or</b> Other Temporary Use (more than 6 months)	Notice of Application and Notice of Decision	Mandatory + Selective Discretionary Steps	Plans & Drawings Selective Supporting Studies	Base + \$ associated with scale of development
4	New Development (not defined as Class 1, 2 or 3)	Notice of Application and Notice of Decision	Mandatory + All Discretionary Steps	Plans & Drawings Comprehensive Supporting Studies	Base + \$ associated with scale of development

### 2.3. Delegated Authority

The Community Planning Permit System (CPPS) is established as an extension of the Provincial policy led planning system. What this means is that when it comes to the approval of individual development permit applications there is sufficient direction provided in the Official Plan and implementing Community Planning Permit (CPP) by-law for the applicant and approval authority to implement those policies and provisions without having to re-consult with Council and the public each time.

While O. Reg. 173/16 assigns approval authority for individual development permit applications to Council, it also states that Council may delegate decision making to a Committee or staff. Council decisions are required to be made in accordance with Town policies and procedures. These procedural requirements make achieving the 45-day timeline for development permit application approval by Council very challenging and as such, limit the intent of the CPPS, which is to streamline planning approvals. Consequently, consideration should be given to delegating approval of development permit applications to a Committee or officer of the corporation (staff).

When considering the delegation of approval from Council to other entities, it is important to note that the current planning approvals process already delegates authority for similar matters to a Committee

<sup>7</sup> Approval Process is discussed in Section 2.5 below.

<sup>8</sup> Application fees would be provided in the Town's fee by-law, not the CPP By-law.



or staff. For example, minor variances to the Zoning By-law are delegated to the Committee of Adjustment, whereas applications related to site plan control, minor Zoning By-law amendments, site alteration and tree protection are all matters that are delegated to staff for a decision based on established policies, standards or legislation.

When preparing the CPP by-law, provisions in the by-law would allow for the delegation of approval and the scope of that approval to staff or a Committee. The scope of authority includes:

- a) Approve or refuse the development permit application, including imposing conditions with the approval,
- b) Enter into agreements, and
- c) Council may impose limitations on the scope for items (a) and (b).

### 2.3.1. Considerations

Table 4 provides an overview of similar application types and their approval authority. It is notable that for the cited application types, Council is not the current approval authority. The current delegation of authority recognizes that the approval of such matters is generally routine, subject to technical scrutiny, and grounded in Town policy and/or procedure. By delegating approval, these processes are streamlined, approvals are made in a timely manner, and costs associated with more formal Council processes are eliminated.

For some application types, i.e. minor variance and minor Zoning By-law amendment, there is a public facing process through a public hearing, whereas for other types of approval, the public is given notice of the application. As such, these practices demonstrate that the delegation of approval does not diminish the opportunity for the public to be aware of and/or contribute to the approval process.

**TABLE 4 DELEGATED APPROVAL AUTHORITY FOR SIMILAR MATTERS**

Application Type	Approval Authority	Scope of Authority
<i>Site Plan Control</i>	Director of Planning & Development	Approve or refuse application with or without conditions. Enter into agreements (CAO, Town Clerk)
<i>Minor Variance</i>	Committee of Adjustment	Approve or refuse application with or without conditions. Enter into agreements
<i>Minor Zoning By-law Amendment</i> <sup>9</sup>	Commissioner of Community Development	Approve, modify and approve, or refuse application
<i>Tree Protection</i>	Director of Parks and Open Space, or designate	Approve or refuse application with/without conditions
<i>Site Alteration</i>	Director of Transportation and Engineering, or designate	Approve or refuse application with/without conditions. Enter into agreements

<sup>9</sup> Minor Zoning By-law Amendments include matters such as: the removal of a Hold, permission for a temporary use, a housekeeping amendment to the zoning by-law, and amendments that are minor in nature and for the purpose of accommodating new dwelling units greater than the current number of existing units on a site, including affordable housing and modular housing, (Town of Oakville, 2024)

Approval of development permit applications may rest with Council or be delegated to a committee or staff. Table 5 lists the three approval authorities and identifies the opportunities and challenges related to each entity having that authority.

**TABLE 5 APPROVAL AUTHORITY OPTIONS**

Approval Authority	Opportunity	Challenge
<b>Council</b>	<ul style="list-style-type: none"> <li>Council is accountable for all planning decisions within area.</li> </ul>	<ul style="list-style-type: none"> <li>Intent of faster approvals may not be achieved due to requirements for open meeting prior to decisions being made, poses a risk of appeals to the OLT for lack of decision.</li> <li>Takes time away from Council's other priorities.</li> </ul>
<b>Committee</b>	<ul style="list-style-type: none"> <li>Allows Council agendas to focus on townwide priorities.</li> <li>Committee members may be from Council and/or general public and/or technical experts.</li> </ul>	<ul style="list-style-type: none"> <li>Council must rely on OP policies and CPP By-law to guide decision making of the Committee.</li> <li>Intent of faster approvals may not be achieved due to requirements for open meeting prior to decisions being made, poses a risk of appeals to the OLT for lack of decision.</li> <li>Committee members may not have technical expertise, and/or may not be sufficiently aware of related matters when making decision.</li> </ul>
<b>Staff</b>	<ul style="list-style-type: none"> <li>Allows Council agendas to focus on townwide priorities.</li> <li>Staff have the technical expertise and knowledge of relevant related matters to make decisions.</li> <li>Decisions are made expeditiously.</li> </ul>	<ul style="list-style-type: none"> <li>Council must rely on OP policies and CPP By-law to guide decision making of staff.</li> </ul>

An additional consideration is the degree to which the by-law provides direction on discretionary matters. The more clear the by-law and supporting information are, the greater certainty there is with respect to the decision outcomes.

### 2.3.2. Options

The CPP by-law may be structured to retain Council as the approval authority for all matters **related to development permit applications** (notwithstanding the risk of appeal should the decision making take longer than 45 days), or delegate decision making for all or some matters **related to development permit applications** to a Committee or staff. Delegation may be on the basis of classes of development, or on other factors, such as an application that proposes to exceed height thresholds and/or requests variations from certain standards, where such variation is permitted.

For each of the above noted potential approval authorities, the CPP by-law can also establish the scope of approval, which includes:

- Approve or refuse the development permit application, including imposing conditions with the approval, and
- Enter into agreements.

As such, an option may be that one entity is given the authority to make decisions related to the development permit application, whereas another entity is given authority to enter into agreements. It is notable, however, that based on current practice, the scope of authority, where applicable, is fully granted to the delegated/assigned approval authority. In other words, the decision maker is also the one that enters into agreements.

Given the opportunities and challenges listed above, delegating approvals (i.e. approving the development permit application, issuing the development permit and entering into an agreement) to staff would be the preferred option in order to meet the timeframe for decision making. In certain circumstances, staff may recommend that the decision be made by Council. These circumstances would include matters where Council would need to make a decision regarding a related matter. In these circumstances, it would be appropriate for Council to make a decision on the permit to ensure that a staff decision has not preempted the required Council decision.

### 2.4. Notice of Application and Decision

The *Planning Act* and O. Reg. 173/16 require notice of complete application to the applicant and notice of decision. There are no further requirements to provide notice of individual applications. Consequently, according to the *Planning Act*, the public's opportunity for input is at the time of passing of the by-law.

Nonetheless, it is worthy of discussion to determine if other types of notice ought to be given, and if so to whom and how, and to determine whether those types of notice should be recognized in the by-law. For some classes of development, there may be merit in providing notice beyond what is required by the Act to ensure that stakeholders are aware of the application and are able to provide information or comments for consideration by the approval authority in relation to the application. Similarly, it may be beneficial for stakeholders to be aware of the resulting decision to prepare themselves for any implication that may arise from that decision. For example, a school board or nearby landowner may have information that is pertinent to an application, and similarly, should the application be approved, the school board or nearby landowner may need to take action to prepare for the approved future development.

Likely stakeholders include: Halton Region, Conservation Halton, Oakville Hydro, CN Rail, Metrolinx, Ministry of Transportation Ontario (MTO), other utility providers, schoolboards, nearby landowners, Indigenous communities, etc. These entities will have an interest in some of the classes of development as it relates to ensuring land use compatibility and providing services, among other matters.

#### 2.4.1. Considerations

When considering any requirements as it relates to notice of application and/or decision, it is helpful to consider the Town's recently updated public notice and engagement [policy](#) and [procedure](#); which is developed to fulfil the Town's intention to be transparent and inclusive in the planning process.

Another consideration is the costs (including time and staff resources) associated with giving notice, and the need to ensure that the effort to provide notice to and involvement from stakeholders is balanced.

Another consideration is the Town's current mandatory (Table 6) and discretionary (Table 7) practices for similar application types, such as minor variance and site plan applications, while also being mindful of the Town's commitment to streamlining approval of development permit applications.

**TABLE 6 TOWN'S CURRENT PRACTICES FOR GIVING NOTICE RELATED TO SIMILAR APPLICATIONS AS REQUIRED BY LEGISLATION**

Application Type	Public Notice of Application/Hearing	Notice of Decision
<i>Site Plan Control</i>	<ul style="list-style-type: none"> <li>Not required</li> </ul>	<ul style="list-style-type: none"> <li>Approval of plans or drawings to the "owner" s. 41 (12).</li> </ul>
<i>Minor Variance</i>	<ul style="list-style-type: none"> <li>Notice of <u>hearing</u> to person and public bodies 10 days prior to hearing; via mail to land owners within 60 m of site, and to person and public body who have provided written request of such notice, <b>and</b> posting notice on site, may also be via local newspaper or website, per <i>Planning Act</i> s. 45 (5) and O. Reg. 200/96 s. 3.</li> </ul>	<ul style="list-style-type: none"> <li>Sent to: the Minister, applicant, and persons who appeared at the hearing and who filed a written request for notice of decision; s. 45 (10)</li> </ul>
<i>Minor Zoning By-law Amendment</i>	<ul style="list-style-type: none"> <li>Notice of <u>application</u> per s. 34 (10.7), and notice of public <u>hearing</u> per s. 34 (13); by mail to land owners within 120 m of subject lands and by posting notice on site; and to prescribed persons and bodies, per O. Reg. 545/06 s. 5</li> </ul>	<ul style="list-style-type: none"> <li>Sent to: applicant, prescribed persons and bodies, to person/public that filed written request to be notified. S. 34 (10.9) and (18)</li> </ul>

**TABLE 7 TOWN'S CURRENT PRACTICES FOR GIVING NOTICE RELATED TO SIMILAR APPLICATIONS (NOT REQUIRED BY LEGISLATION)**

Application Type	Sign on site	By-mail	Town Public Notice page	Town website (other)	Newspaper	E-mail
<i>Site Plan Control</i>	n/a	n/a	n/a	Re: Proposal, on <a href="#">Active Development Applications</a> .	n/a	Complete application and decision to applicant and agencies
<i>Minor Variance</i>	Re: Hearing	Re: Hearing, within 60 m	See: <a href="#">Agendas &amp; Meetings</a>		n/a	Hearing and decision to applicant and agencies
<i>Minor Zoning By-law Amendment</i>	Re: Complete application and Hearing	Re: Complete application and Hearing, within 120 m	See: <a href="#">Agendas &amp; Meetings</a>	Re: Proposal, on <a href="#">Active Development Applications</a> .	n/a	Complete application and decision to applicant



### 2.4.2. Options

O. Reg. 173/16 requires that the Community Planning Permit (CPP) By-law indicate the manner in which notice of decision as it relates to a development permit application will be issued to the applicant and to persons and public bodies that filed a written request to be informed of the decision.

In addition to this required provision, the Town may choose to include other types of notices and receiving parties of that notice to establish a clear and transparent approval process.

Options therefore include the following:

- a) include only the required provision of identifying the means of notice of decision; or
- b) include the required provision, as well as the classes of development for which notice of application may be issued more broadly, the means of providing notice, and the persons or public bodies to which the notice should be directed.

As such for option (b) the following sub-options are provided:

- Means of notice: Sign on site; by-mail; Town Public Notice page; Town website (other); Newspaper; and/or E-mail.
- Recipients of notice: public agencies, utilities, school boards, Mississaugas of the Credit First Nation, landowners within 60 – 120m.

A table such as Table 8 could be provided in the by-law:

**TABLE 8 EXAMPLE OF A NOTICE REQUIREMENTS TABLE WITHIN THE BY-LAW**

Class	Description	Notice of Complete Application
1	Parking Lot (new or change to existing)	<ul style="list-style-type: none"> <li>• Email to Applicant, Public Agency</li> <li>• Post Sign on Site</li> </ul>
2	Temporary Sales Office <b>OR</b> Other Temporary Use (less than 6 months)	<ul style="list-style-type: none"> <li>• Email to Applicant, Public Agency</li> <li>• Post Sign on Site</li> <li>• Post on town website</li> </ul>
3	Expansion to existing building <b>OR</b> Other Temporary Use (more than 6 months)	<ul style="list-style-type: none"> <li>• Email to Applicant, Public Agency</li> <li>• Post Sign on Site</li> <li>• Post on town website</li> <li>• Mail to Adjacent Property with 60m</li> </ul>
4	New Development (not defined as Class 1, 2 or 3)	<ul style="list-style-type: none"> <li>• E-mail to Applicant, Public Agency, Indigenous community</li> <li>• Mail to Adjacent Property with 120m,</li> <li>• Post sign on site</li> <li>• Post on town website</li> </ul>

In all cases, the notice of decision would be issued in accordance with the requirements of O. Reg. 173/16, which includes providing notice to the applicant and anyone who has requested to be notified of the decision.

### 2.5. Procedures

The O. Reg. 173/16 requires that the CPP By-law provide internal review procedures regarding decisions for issuing permits. These procedures should address new applications, changes to issued permits, and changes to agreements associated with a development permit.

Presently, the Town provides procedures for similar matters, i.e. site plan applications and minor variance on the Town's website.<sup>10</sup> Sharing these procedures with applicants and the public provides for a more transparent process, and highlights roles and responsibilities of the applicant, Town and the public within these processes.

#### 2.5.1. Considerations

When developing a process for new applications, changes to development permits, and changes to agreements, the Town can take into consideration current practices and processes for similar applications, as well as consider processes identified in other in-effect CPP By-laws in Ontario.

Other in-effect CPP By-laws provide a high-level process which identifies key milestones in the receipt, review, and approval of development permit applications.

Two important considerations in developing these processes are mandatory steps, such as confirming complete application submissions, making a decision regarding the application, and issuing notice of decision to the applicant and those who have requested the notice. Another important factor is the timing within which the Town is required to make its decision on the application, which is 45-days, after which the applicant is permitted to appeal the failure to make a decision to the Ontario Land Tribunal. As such, it is crucial that the application process be efficient. Figure 5 below provides an overview of milestone steps. It identifies lead participants in each step and highlights the steps that are mandatory in accordance with O. Reg. 173/16.

---

<sup>10</sup> Current process for site plan and minor variance application is listed on the following Town webpages: [Site Plan/Site Alteration](#) and [town-hall-committee-of-adjustment-terms-reference.pdf](#), respectively.

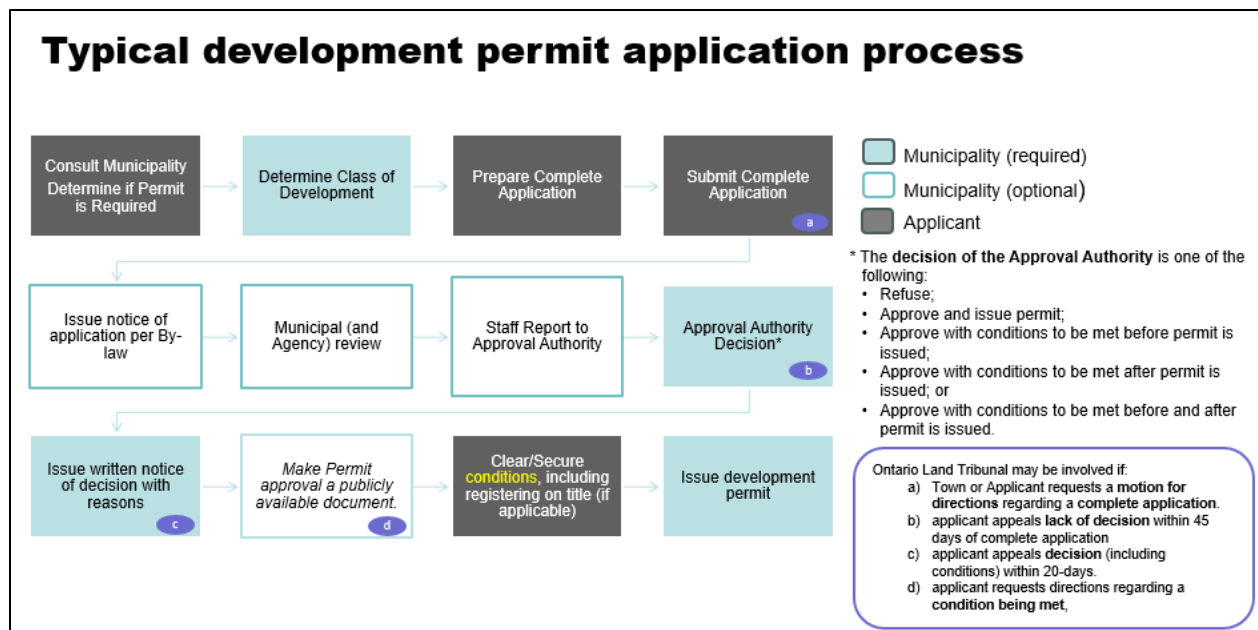


FIGURE 5 TYPICAL DEVELOPMENT PERMIT APPLICATION PROCESS

### 2.5.2. Options

While Figure 5 provides a typical development permit application process, Table 9 below identifies various steps that could be included in the by-law, along with a rationale for the step. Prior to finalizing the by-law, the Town could consider whether those steps should be listed in the by-law, and if listed whether they apply to all classes of development, and/or whether they are mandatory or discretionary.

TABLE 9 PROPOSED STEPS FOR NEW DEVELOPMENT PERMIT APPLICATIONS, REVISIONS TO PERMITS, AND AGREEMENTS

Step	Rationale	New Application <sup>11</sup> Mandatory (M) Discretionary (D)	Revision to a Development Permit	Revision to an Agreement <sup>12</sup>
Consult Municipality to Determine if Permit is Required	The applicant will need to confirm whether or not the proposal requires a development permit.	M	n/a	n/a
Determine Class of Development	If a permit is required, the municipality will need to confirm the class of development that it is, which will establish the applicable fees, etc. that is associated with that class of development.	M	n/a	n/a

<sup>11</sup> The requirement for each step may depend on the class of development. As such, some steps are noted as mandatory or discretionary in the table.

<sup>12</sup> Agreements apply to those related to a development permit approval as well as those related to pre-existing site plan application approvals located within the Community Planning Permit System area.

Step	Rationale	New Application <sup>11</sup> Mandatory (M) Discretionary (D)	Revision to a Development Permit	Revision to an Agreement <sup>12</sup>
<b>Prepare Complete Application</b>	Per O. Reg. 173/16, the applicant is required to prepare a complete application. The contents of that application is outlined in the regulation. The Official Plan also identifies additional material that may be required to be provided in support of the application.	M	Discretionary. Applicant may be required to provide supplementary material to support requested change.	Discretionary. Applicant may be required to provide supplementary material to support requested change.
<b>Submit Complete Application</b>	(See above, prepare complete application.)	M	Mandatory. If nothing else, an application and fee would be required to consider the proposed change.	Discretionary
<b>Issue notice of application per By-law</b>	Depending on the class of development, a notice of complete application may or may not be required.	M/D	Discretionary. Town may determine that matter is substantive and warrants notification.	n/a
<b>Municipal review</b>	All applications must be reviewed by municipal staff. The range of staff involved in the review will depend on the nature of the application and class of development.	M	Mandatory	Mandatory
<b>Agency/Other review</b>	Some applications may need to be reviewed by agencies and others outside of the municipality, the range of reviewers will depend on the nature of the application and class of development.	M/D	Discretionary. If proposed change impacts an agency/ other, then may require consultation.	Discretionary. If proposed change impacts an agency/ other, then may require consultation.
<b>Staff Report to Approval Authority</b>	Depending on the nature of the application and class of development, a staff report describing the application and how it meets requirements of the Official Plan and CPP by-law may be required for the approval authority to issue an informed decision.	M/D	Discretionary	Discretionary
<b>Approval Authority Decision*</b>	The approval authority is required to render their decision on all applications.	M	Mandatory	Mandatory
<b>Issue written notice of decision with reasons</b>	Notice of decision with reasons is required for all applications.	M	Mandatory	Mandatory



Step	Rationale	New Application <sup>11</sup> Mandatory (M) Discretionary (D)	Revision to a Development Permit	Revision to an Agreement <sup>12</sup>
<b><i>Make Permit approval a publicly available document.</i></b>	Depending on the nature of the application and class of development, the approved development permit may be made publicly available, similar to how site specific exemptions to the Zoning By-law or minor variance approvals are publicly available.	M/D	Discretionary. If change is substantive, may require updating publicly available document	n/a
<b>Clear/Secure conditions, including registering an agreement on title (if applicable)</b>	Where development application approvals are subject to conditions prior to the issuance of the permit, the clearing of those conditions may be required.	M (if applicable)	Mandatory (if applicable)	n/a
<b>Issue development permit</b>	Where the application is approved, and any conditions required prior to issuing the approval are met, the Town is required to issue the development permit.	M	Mandatory (to recognize change in permit)	n/a
<b>Clear/Secure conditions, including registering an agreement on title (if applicable)</b>	Where development application approvals are subject to conditions after the issuance of the permit, the clearing of those conditions may be required.	M (if applicable)	Mandatory (if applicable)	Discretionary, the revised agreement in most cases would need to be registered on title.
<b>Site Inspection</b>	Some clearances may require a site inspection.	D	D	D

## 2.6. Administrative Matters Key Directions

Section 5 of this report provides key directions related to administrative matters which are informed by the preceding analysis and consultation with the public and stakeholders.

### 3. Community Building Elements

In developing the Community Planning Permit (CPP) By-law, Ontario Regulation 173/16 identifies several community building provisions to be included in the by-law, as noted in Table 10 below. It is intended that these provisions would initially be applicable to Midtown Oakville in accordance with policy direction provided in the Official Plan. Some of the provisions may be applicable to other parts of the Town that may be deemed a Community Planning Area in the future. As such, when designing the by-law consideration will be given to structuring it in a manner that would allow future area additions to the by-law, without having to repeat generally applicable provisions for each area.

Prior to drafting the CPP by-law, some of these community building provisions require discussion and consultation to ensure that their formulation addresses the Midtown Oakville context.

**TABLE 10 COMMUNITY BUILDING PROVISIONS OF A COMMUNITY PLANNING PERMIT BY-LAW**

Theme	By-law Provisions Per O. Reg.	Options to Discuss/ Consider
INCLUSIONARY ZONING <sup>13</sup>	Set out provisions for inclusionary zoning (which requires the provision affordable housing) where enabling Official Plan policies are provided (O. Reg. 173/16 s. 4 (2) (d.1))	Section 3.1.
LAND USE PERMISSION	Set out and define permitted uses of land (O. Reg. 173/16 s. 4 (2) (b))	See Section 3.2, 3.3. and 3.6.
LAND USE Prohibitions, Restrictions, Regulations, and Parking	Apply all matters set out in Section 34(1) of <i>Planning Act</i> re: Zoning (O. Reg. 173/16 s. 4 (3))	See Section 3.2., 3.3 and 3.6.
STANDARDS	Set out a list of minimum and maximum standards for development (O. Reg. 173/16 s. 4 (2) (c))	See Section 3.2.
VARIATION (without conditions)	Set out a range of possible variations from prescribed minimum and maximum standards that may be authorized when issuing a development permit (O. Reg. 173/16 s. 4 (3)(f))	See Section 3.2.
CRITERIA	Set out a list of classes of development or uses of land that may be permitted if the criteria set out in the Official Plan and in the by-law have been met (O. Reg. 173/16 s. 4 (3)(d))	See Section 3.4.
Decision Making CRITERIA	Criteria to be used to make decisions regarding development permit applications (O. Reg. 173/16 s. 4 (3)(e))	See Section 3.4.
CONDITIONS	If the council wishes to impose conditions in making decisions under subsection 10 (9) ( <i>approving development permit application</i> ), outline the conditions (O. Reg. 173/16 s. 4 (2)(i))	See Section 3.5.

As generally noted by the themes provided in Table 10, the Community Building elements of the by-law are those that frame and direct development on the ground. While the by-law is required to implement the policies of the Official Plan, decision makers regarding development permit applications are guided by the policies of the Official Plan as well as any relevant guidelines, in addition to the by-law provisions.

<sup>13</sup> Prior to passing inclusionary zoning provisions in the by-law, the Town must have completed its housing needs assessment and have enabling inclusionary zoning Official Plan policies in effect.

Table 11 below summarizes the differences and similarities of Official Plan policy, CPP By-law provisions and guidelines in terms of their legislative authority, status and public consultation requirements.

**TABLE 11 COMPARISON OF OFFICIAL PLAN POLICY, BY-LAW PROVISIONS AND GUIDELINES**

	OFFICIAL PLAN POLICY	CPP BY-LAW (replaces Zoning)	GUIDELINE
<b>Legislative Authority</b>	<i>Planning Act</i> , Section 17	<i>Planning Act</i> , Section 70.2 and O. Reg. 173/16, Section 4(1)	None.
<b>Status</b>	Statutory document. Council adopts/ approves policies. Not <i>applicable law</i> .	Statutory document. Council passes By-law. By-law is <i>applicable law</i> . Development permits issued per by-law are applicable law. <sup>14</sup>	Non-statutory document, provided for information and guidance. Council may approve or endorse. Not <i>applicable law</i> .
<b>Public Consultation</b>	Required prior to adoption.	Required prior to passing by-law.	Not required.

When preparing the CPP By-law careful consideration should be given to determining the level of detail that is provided in the By-law relative to what is already provided in the Official Plan and what may be provided in a guideline, such as Designing Midtown. In keeping with the objectives of using the Community Planning Permit System as a means to streamline planning approvals and to support flexible community building, the by-law should not be a repetition of the Official Plan policies, but rather be structured as a tool which is nested under the Official Plan and provides required provisions to implement the Official Plan policies. The By-law should also not be overly detailed such that it would require frequent amendments to be responsive to market and context conditions to be able to approve development permit applications. Consequently, key directions are needed to determine the level of detail and specificity of by-law provisions, relative to that which is otherwise provided in the Official Plan and guidelines, as noted in Table 12 below. With the understanding that applicants and evaluators of development permit applications are expected to consider all three document types, it is understood that the by-law may refer to both Official Plan policies and guidelines, as appropriate and where needed.

**TABLE 12 SPECTRUM DIRECTION THAT MAY BE PROVIDED IN THE OFFICIAL PLAN, BY-LAW AND GUIDELINES**

OFFICIAL PLAN POLICY	CPP By-law element	GUIDELINE
Provides land uses at a high-level	Permissions/ Prohibitions	Provides qualitative descriptions, examples and illustrations.
Provides required or discretionary standards, with qualitative and/or quantitative direction.	Site Standards	Provides broader range of standards for consideration and provides greater detail using examples and illustrations.

<sup>14</sup> Per [O. Reg. 332/12 BUILDING CODE | ontario.ca](https://www.ontario.ca/laws/regulation/16_0173) Section 1.4.1.3 (1) (h), development permits are considered applicable law, as such the review and approval of building permits must be in compliance with plans, drawings and conditions related to an issued development permit.

OFFICIAL PLAN POLICY	CPP By-law element	GUIDELINE
Provides criteria to consider in decision making in relation to use and standards.	Criteria	Provides greater detail using examples and illustrations.
Provides types of conditions that may be imposed.	Conditions	May elaborate on conditions and the rationale for them.
Provides permission for variations from policy standards.	Variations	Provides qualitative considerations for variations, using examples and illustrations.

Table 13 provides an overview on a thematic basis of all Midtown Oakville relevant policies that will need to be considered when preparing the CPP By-law. It is understood that some of these policies need not be reflected in the by-law, for example policies related to the Midtown vision and objectives may be referred to, and not repeated. It is also understood that policies related to administrative matters such as monitoring and advocacy would not be required in the by-law. Finally, some policies regarding qualitative and contextual matters related to urban design and public realm may benefit from a guideline document, where examples and illustrations may be provided.

This Key Directions report is structured to consider options around the reliance on the by-law versus the Official Plan and guidance material when making development permit application decisions. Once this is better understood, staff may prepare a draft CPP by-law and consult on the actual provisions. To assist with reviewing the draft by-law complementary guideline documents such as the draft Designing Midtown will also be available.



**TABLE 13 OVERVIEW OF MIDTOWN OAKVILLE APPLICABLE POLICIES<sup>15</sup>**

Vision & Objectives	Land Use	Built Form	Environment	Infrastructure	Implementation <sup>16</sup>
2.2 Guiding Principles 20. Preamble 20.1 Goal 20.2 Objectives 20.3 Development Concept Figure E1: Precinct Areas	20.4.1 Land Use, General Designation 7.0 Community Uses 11.4.1 High Density Residential 12.5.1 Urban Core 20.4.2 (a) Urban Core 13.4.1 Community Commercial 20.4.2 (b) Community Commercial 14.3 Office Employment 20.4.2 (d) Office Employment 16 Natural Area 17.2 Parks and Open Space 20.4.2 (c) Parks & Open Space 18 Utility 20.4.2 (e) Utility Schedule L1: Land Use Figure E1: Precinct Areas Figure 2: Active Frontages	6.0 Urban Design (unless superseded by section 20 policies) 20.5. 1 Urban Design and Built Form Schedule L2: Minimum Density Schedule L3: Maximum Density Schedule L4: Building Height Thresholds Figure E2: Active Frontages	5.3.7 Cultural Heritage (condition) 5.4 – 5.5 Archeological Resource 6. Sustainability (Checklist, Energy Conservation and Generation, Green Buildings, Grey/Brownfields, Waste Management, Subwatershed, Stormwater Management, Air Quality, Urban Forest, Hazard Lands) 20.5. 3 Stormwater Management 20.5. 4 Spill Flood Hazard and Hazardous Lands 20.5. 5 Sustainability	20.5.2 Mobility 8.4 – 8.9 Rights of Way, Road Alignment and EAs 8.9 – 8.10 Transit and Active Transportation 8.11 Rail 8.12. Provincial Highway 8.15 – 8.16 Parking and Noise & Vibration 9 Physical Services Schedule L5: Transportation Network Schedule L6: Active Transportation	28.7.2 Temporary Use (Criteria) 28.10 Legal Non-Conforming 28.12 Land Acquisition and Parkland Dedication 28.1 Community Planning Permit System 20.6.1 Community Planning Permit By-law 20.6.6 Community Benefits 28.16.2 Community Improvement 28.19 Pre-Consultation and Complete Application 20.6.2 Monitoring 20.6.3 Implementation Measures 20.6.4 Phasing/Transition 20.6.5 Landowner Agreements/ Cost Sharing 29 Interpretation 29.5 Glossary Schedule L3: Maximum Density Schedule L4: Building Height Thresholds
<b>NOTES:</b>					
May be referred to within CPP By-law, need not be replicated.	Land use permissions and prohibitions are mandatory provisions of by-law.	Design standards and criteria may be implemented in CPP By-law and/or guidelines.	Standards and criteria may be implemented in CPP By-law and/or guidelines.	Standards and criteria may be implemented in CPP By-law and/or guidelines.	Criteria and conditions are implemented through CPP by-law and development permit application approvals. Including agreements registered on title.

<sup>15</sup> Text in blue are Midtown specific adopted policies (Town of Oakville, 2025). Text in black are policies that apply townwide. Some Midtown Oakville policies may take precedence over general policies (Town of Oakville, 2025).

<sup>16</sup> Since adoption of the OPA 70, the Livable Oakville Plan Consolidation has included new sections into the OP, which has resulted in policy numbering changes such that policies in Section 28 are now provided in Section 30, and policies in section 29 are now provided in Section 31 of the Office Consolidation.

## 3.1. Affordable Housing

A major driver for preparing a Community Planning Permit By-law for Midtown Oakville is to facilitate the development of affordable housing in this high-growth area. The need for sustained long-term affordable housing is enumerated in the Town's recently released [\(Preliminary\) Housing Needs Assessment](#). The rationale for using a Community Planning Permit System, along with other *Planning Act* tools such as Community Improvement Plan and Inclusionary Zoning is explained in the White Paper: [Planning Act Tools to Facilitate the Development of Affordable Housing](#).

### 3.1.1. Considerations

To achieve the Midtown Oakville goal of creating a vibrant, complete, transit oriented community, wherein affordable housing is provided, the Town must ensure that provisions in the by-law enable viable development. As such, the Town needs to apply a balanced approach whereby some of the affordable housing needs may be addressed through market housing.

A recently published document by the Environmental Defence<sup>17</sup> notes that to facilitate the provision of new affordable housing, several cost reduction measures need to be undertaken:

- *Lower land costs* – this may be done through Inclusionary Zoning which establishes a precondition for affordable housing, and by pre-zoning large areas of land for medium and high-density development, thereby increasing the supply of pre-zoned lands;
- *Lower construction costs* – this may be done by supporting construction methods and materials that inherently reduce short and long-term (construction/operating/maintenance) costs;
- *Lowering carrying and procedural costs* – this can be done through pre-zoning and streamlining development approval (which is what the adoption of the CPP by-law would be doing);
- *Reduce Development Fees and Charges* – this may be done through existing Development Charge exemptions and deferrals, and may be further reduced through the implementation of a Community Improvement Plan, and/or through changes to the Town's Fee by-law; and
- *Reduce Barriers to Small Builders and Renovators* – this may be done through various means including providing clear and transparent processes, as will be the case for the approval of development permit approvals; and may also be addressed with the implementation of a Community Improvement Plan. (Environmental Defence)

None of these measures, however, guarantee that units created will be or will remain affordable. To ensure long term affordability, the Town needs to require developers that are benefiting from any of the above measures to enter into agreements with the Town and/or not-for profit partners, which are then registered on title, and commit to establishing and maintaining units at affordable prices or rents. Using the tools noted below provides the Town the authority to register affordable housing units on title and to require that the units remain affordable over a period of time and at an affordable price/rent.

---

<sup>17</sup> While the report is specific to midrise development, the recommendations regarding cost reductions may apply to all types of development. For more information, see: [The Mid-Rise Manual: Unlocking Mid-Rise to End Ontario's Housing Shortage, November 2024](#).

#### 3.1.1.1. Inclusionary Zoning

As discussed in the White Paper, where Inclusionary Zoning is implemented, it requires development to provide affordable housing units. These units are provided by all development within a specified area, provided the area is identified as Protected Major Transit Station Area, which is the case for Midtown Oakville. Adopted policy 20.4.1 (c) (ii) of the Official Plan states: “When and where in effect, development shall provide affordable housing in accordance with the Town’s inclusionary zoning policies and provisions.” This policy is intended to highlight the Town’s intent to use Inclusionary Zoning within Midtown, with the understanding that the prerequisite step of preparing a housing needs assessment must be completed prior to adopting enabling policies and by-law provisions.

The Housing Needs Assessment analysis regarding Inclusionary Zoning (IZ) policies is still ongoing.<sup>18</sup> Decisions regarding the use of this tool are premature until that study is complete. If Inclusionary Zoning is deemed appropriate for Midtown, the Town will need to amend the Official Plan to enable the tool in advance of adopting the implementing CPP by-law provisions.<sup>19</sup> Once the enabling policies are in effect (i.e. 20-days after adopting the Official Plan amendment), the Town may pass the Community Planning Permit By-law that would include implementing provisions identified in Ontario Regulation 232/18, such as:

- minimum required size of development/redevelopment to which the inclusionary zoning provisions would apply (not less than 10 units);
- the range of household income for which the affordable units would be provided;
- the range of housing types and sizes of units that would be authorized as affordable units;
- the required number of units or portion of gross floor area to be occupied by affordable units (up to a maximum of 5% of units or 5% of total floor area of all residential units not including common areas);<sup>20</sup>
- the period of time for which the affordable units are required to be maintained as affordable (up to a maximum of 25 years);<sup>21</sup>
- how the price/rent of affordable units would be determined;
- requirements to register each unit as an IZ unit on title along with related restrictions; and
- exemptions from the by-law for certain types of development.

The Town may also include provisions that:

- require owners of IZ units to provide a portion of net proceeds from the sale of affordable units to the Town; and
- impose restrictions regarding the provision of off-site units, if the Official Plan allows it.

---

<sup>18</sup> The Town’s [Housing](#) webpage provides information regarding its ongoing housing related initiatives, including the Housing Needs Assessment.

<sup>19</sup> O. Reg. 173/16, Section 4 (3.1) states that before parts of the CPP by-law regarding inclusionary zoning are passed, the Official Plan enabling policies must be in effect. Inclusionary Zoning policies are exempt from Ministry of Municipal Affairs and Housing approval, however, they are subject to appeal only by the Minister of Municipal Affairs and Housing. As such, there is a 20-day appeal period that would need to be observed before the amendment is in effect.

<sup>20</sup> These maximums are per the regulation as of May 12, 2025.

<sup>21</sup> This maximum is per the regulation as of May 12, 2025.

#### 3.1.1.2. Community Improvement Plan

Complementary to or instead of Inclusionary Zoning, the Town may implement a Community Improvement Plan (CIP). The use of a CIP to incentivize affordable housing is noted in adopted policies 20.6.3 (a)(vii) and 28.16(k). Adoption of a CIP enables the Town to incentivize the provision of affordable housing by making public land available for affordable housing development, and/or through the provision of grants and/or loans. Unlike with Inclusionary Zoning, when establishing programs under this tool, the Town may impose conditions that require the provision of affordable units in perpetuity (i.e. longer than 25 years) and may require more than 5% of units or total residential GFA to be affordable. As noted above, investigation of this tool is ongoing.

#### 3.1.1.3. Deeming Affordable Housing as a Community Benefit

As noted in section 4.0 Commensurate Community Benefits of this report, the Town has listed the provision of affordable housing as a community benefit for which the Town would permit the height of buildings to exceed the threshold height assigned to the site in Schedule L4: Building Height Threshold. As such, affordable housing may be deemed as a priority benefit that is provided by new development. Further to this, as noted in section 3.6, the Town may impose a condition similar to the Town's Community Benefits Charge for development permit applications proposing buildings with a minimum of 5 storeys and 10 or more units, in lieu of cash, this condition may be met through in-kind benefits, which could include the provision of affordable housing. Depending on market conditions, these affordable units may include the required IZ units and/or units beyond the required IZ units. F

#### 3.1.2. Options

Based on preliminary viability analysis, over the short term the Town may need to implement all three tools to facilitate the development of affordable housing in Midtown. This approach is consistent with the 2021 recommendations prepared by the Building Industry and Land Development (BILD) in relation to the adoption of Inclusionary Zoning policies in Toronto, wherein it advocated for a developer-municipality partnership to provide affordable market housing within IZ areas (Building Industry and Land Development, 2021).<sup>22</sup> The forthcoming Housing Needs Assessment work will inform the design of policies, provisions and programs that will need to be implemented together to ensure that a proportion of development is meeting some the affordability needs of the community, while ensuring that development is not precluded or forestalled.

### 3.2. Criteria for Decision Making

In accordance with O. Reg. 173/16, policy 28.15.6 of OPA 70 states:

Approval of development permit applications shall be in conformity with this Plan and the CPP by-law. Criteria for decision making shall be provided in the by-law in accordance with relevant general and specific policies in this Plan, including policies respecting the permission of uses that are intended to be temporary in accordance with policy 28.7.2, and any other criteria that more

---

<sup>22</sup> This study reviews Inclusionary Zoning related reports and studies and notes that in principle BILD supports the use of Inclusionary Zoning where its implementation fosters partnerships, see: [Affordable-housing-in-the-city-of-Toronto.pdf](#).

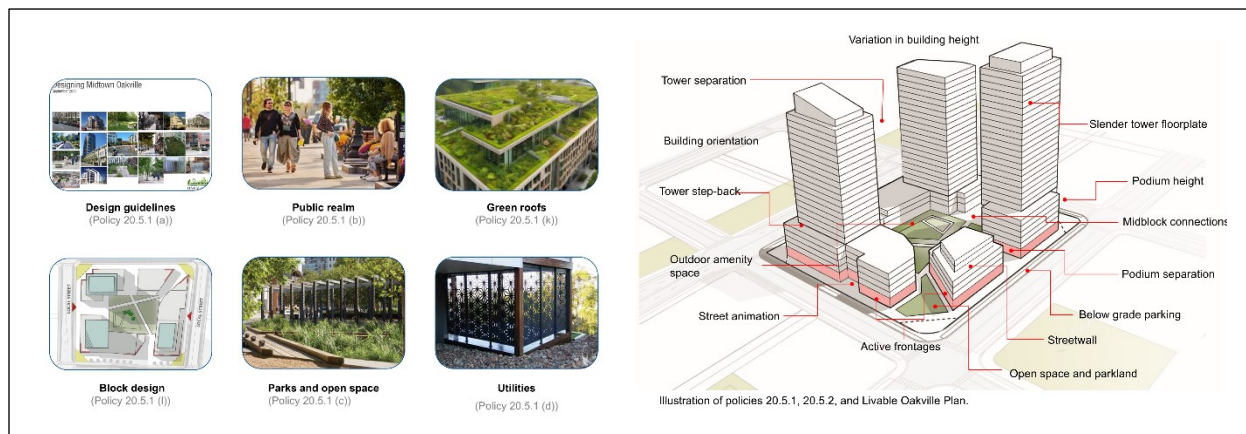


specifically provides necessary guidance to achieve the Official Plan goal(s) and objectives that are applicable to the CPP by-law area.

Furthermore, adopted policy 20.6.1 states:

In accordance with Section 28.15, a Community Planning Permit (CPP) by-law shall be used to implement this Plan's goals, objectives, and policies within the Midtown Oakville community planning permit area, as identified on Schedules L1 – L6, which establish the criteria to be included in the Community Planning Permit By-law for decision making.

These policies acknowledge that the Official Plan policies collectively provide criteria for evaluating a development permit application and for making decisions regarding those applications. The approval authority must consider the community building vision, goals and objectives for Midtown, as well as the thematic direction and criteria provided in the relevant policies of the Official Plan, as highlighted in Figure 6 below.



**FIGURE 6 EXAMPLES OF POLICIES IN THE OFFICIAL PLAN THAT PROVIDE CRITERIA FOR DECISION MAKING**

#### 3.2.1. Considerations

Based on a jurisdictional scan of in-effect CPP by-laws, the approach to preparing the by-law differs in terms of the level of detail, style and structure of the by-law. The by-laws are prepared while keeping in mind that approval authorities are guided by Official Plan policy, by-law provisions and guideline material in their decision making. Each of these documents have a distinct status as noted in Table 11. The forthcoming by-law may include necessary criteria within its provisions, or may refer to relevant policies or guidelines where the criteria is stated and/or further elaborated.

To address the desire for the by-law to facilitate a streamlined and flexible development permit approval process, unnecessary duplication of the Official Plan policies should be avoided. At the same time, too many cross references to OP policies and/or supporting guidelines may result in a cumbersome review of plans and drawings given that three or more documents may have to be consulted to determine that policies and provisions are being properly addressed in the development permit application.

#### 3.2.2. Options

Concurrent with the development of the CPP by-law, the Town is also preparing guidance material, including urban design guidelines. Based on common practice, provisions of the by-law may include cross references to criteria policies of the Official Plan, embed criteria within the by-law, and refer to guidance material.

##### 3.2.2.1. Refer to relevant Official Plan Policy

By referring to Official Plan policies, there is less duplication of language and less need to make amendments to both documents, if a change in criteria is needed.

##### 3.2.2.2. Embed Criteria within the CPP By-law

Criteria provisions directly in the by-law may be more detailed than what is provided in the Official Plan, and provide ease of implementation since all necessary information is provided in one document.

##### 3.2.2.3. Provide Cross Reference to Guidance Document(s)

Cross references to guidance documents allows for more flexibility regarding the implementation of criteria, since guidance documents are not statutory and do not require a formal amendment process. Guidance documents can provide variations to criteria, examples and illustrations using various formats to convey information.

### 3.3. Permitted/Prohibited Land Use

In accordance with the Official Plan, there are seven land use designations that apply to Midtown Oakville: High Density Residential, Urban Core, Community Commercial, Office Employment, Natural Area, Parks and Open Space, and Utility. As noted in Table 13, the applicable policies for these land uses are provided in adopted Section 20.0 Midtown Oakville, as well as in other sections of the Official Plan. The land use permissions, criteria and conditions provided in these policies will need to be reflected in the by-law.

#### 3.3.1. Considerations

When developing the Community Planning Permit (CPP) By-law provisions, consideration needs to be given to how detailed permissions/prohibitions should be. The Town's current Zoning By-law provides land use permissions and prohibitions for some of the land use designations applicable to Midtown. Where appropriate, the CPP By-law could apply the same or similar provisions. In so doing, the by-laws are consistent with each other and the provisions are familiar to users of the by-laws.

As noted above, it is important to acknowledge that the issued development permit is also considered applicable law. As such, within the issued development permit specific land use permissions may be provided and will be referred to when issuing building and occupancy permits.

## 3.3.2. Options

Table 14 provides a listing of permitted/prohibited uses. The table notes that the permission may be subject to criteria or conditions. Consultation on the forthcoming draft by-law will inform whether the by-law provides greater details on permitted or prohibited uses than Official Plan policies to inform development permit application decisions regarding land use.

**TABLE 14 MIDTOWN OAKVILLE LAND USE PERMISSIONS AND PROHIBITIONS**

Examples of Permitted/Prohibited Uses Per Official Plan policies <sup>23</sup>							
✓ = permitted, may be subject to criteria/conditions	High Density Residential	Urban Core	Community Commercial	Office Employment	Parks and Open Space	Natural Areas	Utility
X = prohibited, may be subject to criteria/conditions							
Blank = use may be permitted as accessory/secondary to primary, and subject to criteria/conditions							
<b>Cemeteries;</b>					✓		
<b>Commercial schools and training facilities</b>		✓	✓	✓	X	X	X
<b>Commercial uses,</b> including large and small scale retail; service uses		✓	✓		X	X	X
<b>Community Uses/Public Service Facilities,</b> such as: educational facilities, places of worship, day care centres, libraries, community/recreation and seniors' centers, emergency services	✓	✓	✓	✓	X	X	X
<b>Cultural heritage uses</b>	✓	✓	✓	✓	✓		
<b>Existing Uses:</b> including automotive related uses, stand alone commercial uses	✓	✓	✓	✓			
<b>Fish, wildlife and conservation management,</b> including forestry, essential public works, passive recreation features					✓	✓	
<b>Hotels</b>		✓	✓	✓	X	X	X
<b>Housing,</b> including non-market housing, emergency, transitional, supportive, special needs and affordable housing	✓	✓	X	X	X	X	X
<b>Light industrial uses</b>				✓	X	X	X
<b>New Drive-through facility</b>	X	X	X	X	X	X	X
<b>Offices,</b> including major office		✓	✓	✓	X	X	X
<b>Parks, parkettes;</b> indoor and outdoor recreational uses	✓	✓	✓	✓	✓		
<b>Passive recreational uses,</b> such as off-leash dog areas, community gardens, multi-use trail systems, and naturalized areas	✓	✓	✓	✓	✓	✓	✓
<b>Places of entertainment</b>		✓	✓		X	X	X
<b>Public halls</b>		✓	✓	✓	X	X	X
<b>Retail and service commercial uses</b> including restaurants		✓	✓	✓	X	X	X
<b>Temporary Uses</b>							
<b>Transit-related uses and facilities,</b> including station building and related office uses, transit terminal, passenger amenity areas and public open space, passenger pick-up & drop off, surface and structured parking	✓	✓	✓	✓	X	X	✓
<b>Urban Agriculture</b> (i.e. Vertical Farming Facility)		✓	✓	✓	X	X	
<b>Watershed management and flood and erosion hazard control facilities</b>	✓	✓	✓	✓	✓	✓	✓

<sup>23</sup> Examples listed are based Section 20.4 of the OPA, and Livable Oakville Plan Sections: 11.4 High Density Residential, 12.5 Urban Core, 13.4 Community Commercial, 14.3 Office Employment, 16 Natural Area, 17.1 Parks and Open Space, and 18 Utility.

## 3.4. Existing Uses

As noted in Table 14 above, the Official Plan includes policies that generally permit existing uses to continue. These policies recognize that the redevelopment of Midtown will occur in a gradual manner and that certain uses may remain in operation for many more years. Where these uses are successful and are serving the needs of the community, the policies recognize that landowners may wish to expand the use or building within which the use exists in a manner that may not be in full conformity with the built-form policies of the Official Plan. This development is anticipated to be an interim measure before the site is fully redeveloped in accordance with the ultimate build-out vision for the area. To ensure that such an expansion is not precluded by the CPP by-law, provisions in the by-law are required to acknowledge these interim development scenarios; while still protecting for the evolution of the long term use of the site and surrounding area.

### 3.4.1. Considerations

Presently, there is a mix of uses that exist within Midtown. These uses include: automobile related uses (such as car dealerships, auto repair and gas station), hotel, office, apartment buildings, large format retail, grocery stores, commercial plazas, structured parking lot, surface parking lot, vacant land, and transit stations, among others. Some of these uses are in line with the overall vision for Midtown in terms of the use and their built-form, whereas others may provide a desired use but not in the ideal built form, and finally others are uses that are not desired over the long term.

Midtown Oakville is identified as a primary strategic growth area, and as such an area that is prioritized for redevelopment and intensification. To facilitate that redevelopment to occur expeditiously, the Town needs to ensure that development approvals are undertaken efficiently, and that infrastructure is provided to support the anticipated growth. As such, the continuation of uses or their expansion should not occur where they would preclude or delay the provision of necessary infrastructure. Accordingly, permission for expansions to existing development is subject to criteria and conditions that need to be recognized in the CPP by-law.

Furthermore, it is noted that the current Zoning By-law includes site specific zoning permissions and standards. While these sites have not yet been developed in accordance with those zoning provisions, and to the extent that those provisions are in conformity with the Official Plan policies, the CPP by-law should ensure that those provisions continue.

### 3.4.2. Options

To address existing uses, the CPP By-law could provide site specific provisions or general provisions.

#### 3.4.2.1. Site Specific Provisions

The use of site specific provisions is akin to Part 15 – Special Provision of the current Zoning By-law. In this part of the By-law there are site or area specific provisions that are usually developed based on a private Zoning By-law amendment request. The site specific “existing use” provisions could be similarly identified on a schedule of CPP By-law that identifies sites that are subject to provisions that are different from the general applicable provisions of the By-law, to recognize an existing use or private Zoning By-law permission that has not yet been realized on the specific site.



#### PRO

- Carries forward existing provisions applicable to a site.
- Clearly defines each site's unique conditions.
- Clearly defines legal permissions and standards for each site.
- Provides recent development proponents assurance that the zoning provisions they have secured continue to exist.

#### CON

- Creates a precedent to provide site specific details in the CPP By-law that would otherwise be listed in a development permit, once the CPP By-law is in effect, and thereby defeats the streamline approval process of the CPPS.
- May result in a cumbersome By-law document.
- May require an amendment to the By-law when an existing use is proposed to expand or add new development to the site and therefore undermine the streamline approval process of the CPPS.

#### 3.4.2.2. General Provisions

An alternative option is to comprehensively review all of the existing uses and determine which of those are compatible with the Official Plan and ensure that they are noted as permitted uses and built form within the by-law. For example, a five or greater storey hotel is, and continues to be, a permitted use and no site specific provisions would be required for that use.

For uses and forms that are viewed as not in keeping with the Official Plan but permitted to continue or expand, provide appropriate conditions and criteria for them. For example, an existing large format retail facility, such as a grocery store, is a permitted use; however, its built form as a stand alone facility is not desirable over the long term. If the landowner desires to expand the use, the Official Plan would permit the expansion, as long as the expansion would not preclude the provision of necessary infrastructure such as parks or roads on the site. As such, provisions within the by-law could refer to conditions related to existing uses as provided in the Official Plan in relation to specific land use designations, and/or provide general existing use provision applicable to all such existing uses as of the date the by-law is passed for the Midtown Oakville area.

For an existing use that would not otherwise be permitted, such as a drive-through facility, the CPP by-law provisions may preclude their expansion and not permit them to be re-established through future redevelopment.

#### PRO

- Using general provisions to address permitted, conditionally permitted and prohibited uses for existing or pre-existing zoning permissions is in accordance with the intent of the CPP system where the by-law is a high-level framework document implementing the Official Plan, and the issued development permits and pre-existing site plan approvals provide site specific details.
- This option does not set a precedent for future CPP by-law site specific amendments to recognize specific permissions and standards for sites.

- More straightforward for development and allows for more flexibility for existing development to expand or add to a site.

#### CON

- Specific permissions and standards established for existing uses may not be easily found on a site-by-site basis. Some landowners may believe that certain use permissions that are permitted by the Official Plan policies have been removed through the passing of the CPP By-law.
- Without site specific permissions and standards listed, may be difficult to assess whether an expansion to or additional building/structure may be permitted in relation to existing use policies of the Official Plan.

## 3.5. Variation from Standards

O. Reg. 173/16 encourages CPP By-laws to include provisions that would permit variations from standards that are provided in the By-law. As in typical Zoning By-laws, the CPP By-law could provide minimum and/or maximum standards for matters such as setbacks, step-backs, floor area, lot coverage, parking and loading, etc. A development permit application however may propose a variation from that standard. In the traditional land use planning system, to obtain that variation a new application for minor variance to the Committee of Adjustment would need to be made. In the CPP system, a separate application is not required. Instead, the approval authority may consider the proposed change in the context of the Official Plan policies, provisions of the by-law and information provided in a guideline to determine whether the proposed variation is supportable, to the extent that the by-law would permit it. In that regard, provisions need to identify for what matters a variation may be permitted and to what degree. In terms of the degree of variation, it may be expressed as a percentage, or numeric value, or may be expressed in a qualitative or objective based approach.

There are many policies in the Official Plan and within OPA 70 that provide general and specific standards. Permission for a variation from a standard is often indicated where policies use words like: “may,” “should”, “encourage” or “subject to.” Some standards and/or permissions may also be subject to conditions (i.e. provision of community benefit for height over building height threshold) which are discussed in Section 3.6 below.

### 3.5.1. Consideration

A significant aspect of the Community Planning Permit System is a recognition that Official Plans are visionary documents intended to be implemented over the long term. While the best available information is used to prepare these documents, they cannot anticipate all circumstances, opportunities and challenges, and as such some flexibility is needed in their long term implementation to ensure that the document remains relevant. As such, the implementing CPP By-law also needs to build in some flexibility to maintain its relevance and its goal of streamlining development permit approval.

Through alignment with Official Plan policy, the CPP By-law can be structured to achieve that goal, while also maintaining the integrity of the CPP System of being transparent and providing development certainty.

Concurrent with the preparation of the CPP By-law, the Town is also preparing urban design guidelines for Midtown Oakville. As these two documents are drafted, consideration can be given to whether provisions need to be in one or the other document, or in both.

#### 3.5.2. Options

When developing the CPP By-law, the Town may apply numeric or qualitative/objective based provisions to set parameters for variations from standards.

##### 3.5.2.1. Numeric/Percentage Based Variation

While the CPP By-law may include minimum and maximum standards for certain matters, in some cases variations to those standards may be warranted. The CPP By-law provision may include preset ‘tolerances’ for variation from those standards. For example, the Official Plan policy states that the minimum podium separation **should** be 15 metres. The CPP By-law could then establish a minimum separation distance of 15 metres, and allow for up to a percentage variation to this separation where circumstances warrant it.

Another example could be the Official Plan policy that requires the replacement of existing non-residential gross leasable floor area with new development. The policy indicates that the minimum gross leasable floor area is required to be provided within new development, unless a study demonstrates that less gross leasable non-residential floor area would satisfy the employment objectives provided in the Official Plan within the same precinct area. In this case, the CPP By-law could include a numeric percentage to which the requirement could be lessened, irrespective of the study findings.

#### PRO

- Variation permission is predictable, reduces need to resubmit plans and drawings.
- Variation is unambiguous and leads to objective decision making.
- Permission for variation is relatively easy to administer.

#### CON

- Preset numeric variation may not address all circumstances/situations, and in some instances may not be appropriate for a particular site/situation.
- May allow for unexpected/negative outcomes.
- Permitted numeric or percentage values may not be reasonable for all sites/blocks.
- Where the preset numeric variation does not address a particular circumstance, an amendment to the CPP By-law (which would require a separate application to Council) would be required before a development permit application may be approved, thus undermining the objective of a streamlined approval process.

##### 3.5.2.2. Qualitative/Objective based variation

Using a qualitative or objective based variation means that the applicant may seek a variation from a set standard of the By-law where:

- the need for the variation is explained,
- there is confirmation that the variation does not create a negative impact, and
- the overall proposal continues to meet the vision and objectives of the Official Plan.

Using the above example, if the by-law establishes a minimum separation distance of 15 metres between podiums, however the design of the buildings and how they are situated on the site still provides sufficient distance between podiums to allow for safe passage between buildings and adequate sunlight to habitable spaces within the lower levels of the podium, then a lesser separation distance may be acceptable. This may be a matter that is discussed in a design guideline that provides context and considerations for a development permit application that proposes more narrow building separation distances.

Using the second example, this objective based approach is in-line with the policy that indicates that should a supporting study demonstrate that the employment objectives for the precinct area are met, a lesser amount of gross leasable non-residential floor area (GLFA) may be permitted. In this example, there is no preset reduction in the GLFA, and the approval authority would make its decision based on the findings of the report provided.

#### PRO

- Variation permission is based on whether the request continues to address relevant objectives or qualities of development.
- Allows for variation relative to site specific circumstances and unanticipated conditions.
- Maintains the objective of a streamlined approval process.

#### CON

- Variation permission is not predictable.
- The permission for variation is less objective, may result in an inconsistent response to similar applications.
- More time may be required to prepare and respond to the request for variation given the need to provide and accept the rationale for each request.

#### 3.5.2.3. Hybrid

The hybrid option would result in a CPP by-law that, for some matters, permits an objective/quality based permission for a variation from standards, and in other cases uses a numerically based variation, depending on the standard. This approach would rely on the policies of the Official Plan and guidance material to inform the type of variation and the decision making process associated with it.

## 3.6. Conditions

In accordance with the regulation, the OP policies set out the **types** of conditions that may be imposed in the following policies:

28.15.3 Any requirements, standards, **conditions**, criteria **set out in the policies** of this Plan that are related to **site plan control** or **zoning** are deemed to also apply in the context of a Community Planning Permit By-law.



28.15.7 Approval of development permit applications may be subject to **conditions** that are **to be met prior to, at the time of, or following issuance** of a development permit.

28.15.8 The CPP by-law may include any of the types of **conditions listed in O. Reg. 173/16**<sup>24</sup>, as well as:

- a) conditions that require **payment in lieu** of a matter that is otherwise required;
- b) conditions that provide the Town with an **equivalent benefit** that is otherwise gained through the implementation of the Town's **community benefits charge by-law**;
- c) any other type of **condition that is required to ensure the safety and security** of persons, property, and the natural environment;
- d) conditions that establish **lapsing periods** for development permit approval after which the approval is rescinded;
- e) conditions which establish a **set time** within which the development permit is in effect;
- f) conditions which put a development permit issuance on **hold** until a specified time or specified matter(s) has/have been addressed.

28.15.9 Any such condition may require an **agreement** which may be required to be registered on title.

#### 3.6.1. Considerations

As noted in policy 28.15.7, the approval of a development permit application may be subject to conditions that are met prior to, at the time of, or after the issuance of a development permit, and some conditions may be met long after the development permit is issued. The ability to impose the full range of conditions noted above is unique to the community planning permit system. While some of the listed conditions are imposed via similar approvals, (i.e. site plan or minor variance) such as conveyance of land or entering into agreements; others, such as monitoring requirements, are new to the Town.

O. Reg. 173/16 requires that the CPP by-law to **outline** conditions that the approval authority may impose when approving development permit applications. The outline would provide a general description and/or provide essential features of the types of conditions noted above.

Provisions in the by-law could include all or some of the following:

- description of condition,
- whether the condition is met prior to, at the time of, or after development permit issuance,
- whether the condition needs to be registered on title,
- whether certain types of development may be exempt from having to satisfy the condition, and
- cross references to Official Plan policy and/or guidance document to provide guidance in terms of structuring the condition.

---

<sup>24</sup> See Table 15 for the list of conditions provided in O. Reg. 173/16.

## 3.6.1.1. Description of condition

A description of the condition would elaborate on the condition listed in section 28.15 of the Official Plan. The description may include how this condition is generally intended to be met. For example, if a condition of approval is that land is dedicated to the Town, the condition may be that the lands to be conveyed are clearly denoted on the issued development permit. Table 15 provides the list of conditions along with their description.

TABLE 15 PROPOSED DESCRIPTION OF CONDITIONS

Condition	O. Reg. 173/16 and OP Policy	Description
Cash-in-lieu of Parking	1. A condition that is permitted by section 34, 40, 41 or 42 of the Act or by section 113 or 114 of the City of Toronto Act, 2006.	Subject to Town parking strategy, Town may permit cash-in-lieu of providing parking, where proposal is in need to parking but is not able to provide it on site. <sup>25</sup>
Site Plan related conditions		See <i>Planning Act</i> section 41 (7) and (8). Includes conveyance of land for right-of-way (ROW) or expansion to ROW, provision of transit facility, etc., to be identified on the development permit plan.
Parkland Dedication or Cash-in-lieu		See Town by-law <a href="#">Parkland-Dedication-By-law</a>
Tree Protection and on site vegetation	2. A condition that is related to the removal or restoration of vegetation.	See Town by-laws <a href="#">Private-Tree-Protection-By-law</a> and <a href="#">Town-Tree-Protection-By-law</a> Furthermore, conditions may apply to managing and maintaining vegetation that is provided to address sustainability of development such as green roofs and walls, bioswales, stormwater management, and measures to address heat-island effect.
Site Alteration		See Town by-law <a href="#">Site-Alteration-By-law</a> Conditions may include matters that address water balance and storm water management to ensure no negative impact from development.
Monitoring	4. A condition that is related to ongoing monitoring requirements that are considered necessary for the protection of, i. public health and safety, or ii. the natural environment.	Monitoring of matters related to public health and safety and the natural environment may be a condition of development permit approval. The condition would include the means, frequency, and duration of monitoring. This may include the monitoring of low impact development measures to ensure that they continue to provide

<sup>25</sup> Per the *Planning Act*, the Town is not able to require minimum parking rates, except for bicycle parking. As such, a cash-in-lieu provision would apply where the applicant has identified a need for parking but is unable to provide it on site.

Condition	O. Reg. 173/16 and OP Policy	Description
		the function for which they were designed.
Community Benefit	5. A condition that requires the provision of specified facilities, services and matters in exchange for a specified height or density of development, which may be within the ranges set out under clause (2) (c) or outside those ranges as set out under clause (3) (f).	In exchange to permitting building heights to exceed established height thresholds, proportional community benefit(s) as listed in the Official Plan are required to be provided. (See section 4 of this report regarding the threshold height and standards, and options for defining <i>proportional</i> .)
Exception to prohibited matters related to wetlands, hazard and contaminated lands, and natural heritage	6. With respect to land described in paragraph 3 [marshy lands], 3.1 [contaminated lands; sensitive or vulnerable] or 3.2 [natural features and areas] of subsection 34 (1) of the Act, a condition that is related to the matters that would otherwise be prohibited under those paragraphs.	N/A
Agreements	7. A condition requiring the owner of the land to enter into one or more agreements with the municipality respecting one or more other conditions imposed under clause 10 (9) (c), (d) or (e).  28.15.9 Any such condition may require an agreement which may be required to be registered on title.	An agreement between the land-owner and the Town may be required per <i>Planning Act</i> and/or policies of the Official Plan. Agreements may address matters related to site remediation, securities for provision of site improvements and facilities such as wayfinding signs, trees, public art, provision of housing over the long term, etc.  Certain agreements may be required to be registered on title to ensure that the provisions of the agreement apply to future landowners.
OP policy criteria or conditions related to site plan control or Zoning By-law	28.15.3 Any requirements, standards, <b>conditions</b> , criteria <b>set out in the policies</b> of this Plan that are related to <b>site plan control</b> or <b>zoning</b> are deemed to also apply in the context of a Community Planning Permit By-law.	This provision is provided to ensure continuity of criteria, conditions that are associated with site plan control and zoning. Policies in the Official Plan related to matters such as legal non-conforming uses, and holding provisions apply to development permit applications.
Payment in Lieu	28.15.4 a) conditions that require payment in lieu of a matter that is otherwise required;	For any of the conditions listed, where the applicant is unable to provide the required condition in kind, the Town may accept cash-in lieu of the in-kind matter.
Community Benefit Charge By-law equivalent	28.15.4 b) conditions that provide the Town with an equivalent benefit that is otherwise gained through the	The Town's Community Benefit Charge By-law does not apply within a CPP area. To ensure fairness across the Town, development that is 5 storeys or greater and provides more than 10

Condition	O. Reg. 173/16 and OP Policy	Description
	implementation of the Town's community benefits charge by-law;	units will be subject to the same charge that is provided in the <a href="#">Community Benefits Charge By-law 2022-069</a> , unless exempt from the charge. In lieu of the cash charge, in kind benefit may be provided. In-kind benefits may be matters listed in adopted policies 20.6.6 and 28.15.12 of the Official Plan.
<b>Protection of safety and security of persons, property and natural environment.</b>	28.15.4 c) any other type of condition that is required to ensure the safety and security of persons, property, and the natural environment;	Where proposed development requires mitigation from hazards, or is required to provide ongoing mitigation to protect the natural environment, conditions may be required to ensure that those mitigation efforts are maintained over the long term. For example, the provision of a landscaped buffer to the "natural area" or on-going maintenance of a swale may be a condition of the development permit.
<b>Lapsing of approval</b>	28.15.4 d) conditions that establish lapsing periods for development permit approval after which the approval is rescinded;	To ensure timely development and that any development permit application approval continues to be contextually appropriate, the Town may impose a lapsing date in relation to the development permit application and/or the issued development permit. For example, the development permit application that is subject to fulfilling conditions prior to development permit issuance may lapse within a set period of time, if conditions are not yet fulfilled/satisfied. Or, the issued development permit may lapse if building permits are not applied for within a set period of time.
<b>Temporary Use</b>	28.15.4 e) conditions which establish a set time within which the development permit is in effect; <sup>26</sup>	A development permit may be temporary to allow a use within a set period of time. This may be appropriate for seasonal uses and interim uses.
<b>Holding Provision</b>	28.15.4 f) conditions which put a development permit issuance on hold until a specified time or specified matter(s) has/have been addressed.	A development permit application may be approved, however, the issuance of the permit may be withheld until specified matters are addressed and/or complimentary permits are issued. This condition may be appropriate where certain studies must be completed; infrastructure is required

<sup>26</sup> Adopted policy 28.15.6 of the Official Plan provides a cross reference to policy 28.7.2 (now 30.7.2 of the 2025 Office Consolidation) which provides criteria for temporary uses.



Condition	O. Reg. 173/16 and OP Policy	Description
		to be in place to service the proposed development; or where permits from other entities such as Conservation Halton are required.

#### 3.6.1.2. Timing to meet condition

The By-law could identify whether certain conditions are required to be met prior to or following development permit issuance, or both. For example, the dedication of land must be noted on the issued development permit plan, and prior to issuing a building permit the applicant is required to prove that the deed to that land has been transferred to the Town.

#### 3.6.1.3. Agreement(s) Registered on Title

The By-law could identify which type of conditions would require an agreement between the applicant/land-owner and the Town or another entity, and which of those agreements are required to be registered on title. For example, an application that proposes to provide affordable residential units may be required to register those units on title, to ensure that they remain affordable within the established timeframe, and at a rate that is deemed affordable based on the terms of the agreement. As another example, where there is a responsibility for the end user to maintain a matter on site, an agreement for that perpetual maintenance to occur would also be registered on title.

#### 3.6.1.4. Exemptions from Conditions

In some instances, certain types of development may be exempt from having to fulfil a condition that would otherwise be required for any other development. These exemptions could be noted in the By-law. For example, a condition to provide 4% of land value in-cash or in-kind to obtain a development permit approval (as per policy 28.15.4 (b)) may not be applicable to all classes of development and/or all types of development (as is the case with the current CBC By-law). These exemptions could be noted in the By-law as it relates to each type of condition, where applicable.

#### 3.6.1.5. Cross References to Official Plan Policy

In some instances, the drafting of a condition may need to consider direction provided in the Official Plan. Providing appropriate cross references ensures that the policy direction is followed/considered. For example, for a development permit application that proposes to provide a mid-block connection, the adopted Official Plan policy 20.5.2 (c)(iii) states that the connection may be publicly or privately owned and shall be publicly accessible. As such, the development permit application approval may include a condition that certain lands are conveyed to the Town for public access, or a condition that a public easement over the land is secured prior to building permit issuance. As such, the policy cross reference would provide context for conditions related to land dedication and agreements registered on title.

Furthermore, adopted policy 20.5.2 (c)(v) identifies a number of matters that may be provided within a mid-block connection, such as lighting and bicycle parking facilities, as a condition of approval. The issued development permit would need to include where those facilities are to be located within the site. As such, the policy reference in the provisions of the by-law provides context for why the condition

is stated in the development permit application approval. Consideration needs to be given to how detailed the policy references should be; i.e., a general reference to section 20, or references to specific policies of the Official Plan.

### 3.7. Schedules and Maps

To support the implementation of the OPA, consideration needs to be given to the maps and figures provided in the Official Plan and whether any or all of them need to be reflected in the by-law. Within OPA 70 there are six schedules and two figures. These maps assist with the interpretation of policies related to land use, built-form, and infrastructure. In addition, policies refer to spill flood hazard and hazardous lands which are mapped by Conservation Halton.

#### 3.7.1. Considerations

Typically, zoning maps depict land use designations provided in the Official Plan. These zoning maps are referred to in order to determine land use permissions and specific built form standards that may be different based on the zone within which the site is located. Sometimes the zoning maps may be more granular than what is provided in an Official Plan. For example, the Official Plan may have a land use designation of Urban Core (UC), whereas the Zoning By-law may have sub-zones UC1, UC2, etc. where a distinction among these areas is warranted based on use permissions or other matters.

Some zoning maps use “overlays” to address certain matters. The overlay is useful when desired by-law provisions do not align with a zone and are intended to be applied to general areas. For example, the newly adopted Zoning By-law for the City of Richmond Hill includes schedules that assign maximum density of development to areas zoned as Centres and Corridors, and separate schedules that assign minimum and in some cases maximum building height, along with maximum podium height, that are separate from the zones assigned to those areas (City of Richmond Hill, 2025).

To further assist with interpretation, a by-law may also include appendices. The appendices provide information that assists with the interpretation of the by-law. The appendices are usually not statutory, which means they can be updated without a formal amendment to the by-law. As an example, the current Town of Oakville Zoning By-law appendix includes a map of conservation authority regulated areas. This information originates from the conservation authorities and may be updated when these authorities update their mapping.

When preparing the CPP By-law, consideration needs to be given to if and how the OP schedules and figures need to be recognized in the By-law. Table 16 below provides an overview of the relevant Official Plan schedules and their relationship to the CPP By-law.

**TABLE 16 OFFICIAL PLAN SCHEDULES AND FIGURES AND THEIR RELATIONSHIP TO THE BY-LAW**

Schedule/Figure	Purpose	Relationship to the CPP by-law
Schedule L1: Land Use	Assigns permitted/prohibited uses that align with overall Midtown vision.	Permitted and prohibited uses are required provisions of the by-law.
	Conceptually designates future public parks, actual parks are designated as Park and Open Space.	Land for future parks may be acquired as a condition of development permit application approval.

Schedule/Figure	Purpose	Relationship to the CPP by-law
	Through future OP consolidations, new parks are redesignated accordingly.	Future public parks may require an administrative change to be recognized in the By-law as public park.
<b>Schedule L2: Minimum Density</b>	Assigns minimum density of development on a block/sub-block basis. Density assignments do not directly align with land use designations.	CPP By-law is required to provide minimum and maximum standards.
<b>Schedule L3: Maximum Density</b>	Assigns maximum density of development on a block/sub-block basis. Density assignments do not directly align with land use designations.	CPP By-law is required to provide minimum and maximum standards. Approval of development permit applications are required to ensure that maximum density requirements are not exceeded.
<b>Schedule L4: Building Height Thresholds</b>	Assigns threshold building height, development that proposes to exceed height is required to provide a proportional community benefit in relation to the additional height permitted. Height thresholds do not directly align with land use designations or density assignments. Assigns minimum height requirements for certain types of development.	CPP By-law is required to provide threshold that triggers provisions that allow the Town to negotiate community benefits in exchange for permitting height above the threshold established in the By-law.  Approval of development permit applications are required to ensure that minimum height requirements for certain development are met.
<b>Schedule L5: Transportation Network</b>	This schedule provides a new network of streets to facilitate movement of people and goods and delineate development blocks. This schedule also identifies the provision of new bridges and underpasses, transit hubs and BRT stations, and required right-of-way widths for streets.	The provision of transit facilities and transit user amenities may be considered as a community benefit to be provided in exchange for an increase in height above the thresholds provided in Schedule L4.  The provision of new roads/road widenings may be a condition of development permit application approval.
<b>Schedule L6: Active Transportation</b>	To support objectives of Midtown Oakville where residents, workers and visitors utilize multiple modes of transportation, this schedule identifies future active transportation routes, and facilities to provide for an interconnected network. The schedule also identifies mid-block connections to increase opportunities for active transportation travel.	Certain facilities identified on this schedule may be considered as a community benefit to be provided in exchange for an increase in height above the thresholds provided in Schedule L4. Provision of mid-block connections would be identified in development permit applications, their conveyance to the town or public access easement may be a condition of development permit application approval. Location of buildings within a development permit application should provide allowances to create mid-block connections as conceptually shown on Schedule L6.
<b>Figure E1: Precincts</b>	Precinct areas have unique qualities that collectively achieve the vision for Midtown. This map identifies the lands that are subject	Variations to standards related to minimum non-residential gross leasable floor area are linked to precinct areas identified in Figure 1.

Schedule/Figure	Purpose	Relationship to the CPP by-law
	to each of the five precinct areas of Midtown.	
<b>Figure E2: Active Frontages</b>	This figure highlights certain street fronts in Midtown that are targeted to provide street-facing non-residential uses and wider building setbacks to ensure active, vibrant walkable streets.	Certain built form standards and use permissions are required for areas of Midtown that are identified as Active Frontage on Figure 2.

#### 3.7.2. Options

The following options may be considered in relation to each schedule or figure of the Official Plan:

##### 3.7.2.1. Provide as a schedule/map of the by-law

A map/schedule of the By-law is a statutory element of the By-law and any amendment to the map/schedule would need to be undertaken through a formal process in accordance with section 34 of the *Planning Act*. As a map/schedule, it connects multiple provisions of the By-law to specific areas within the CPP area.

##### 3.7.2.2. Provide as an overlay schedule

An overlay schedule of the By-law is a statutory element of the By-law and any amendment to the overlay schedule would need to be undertaken through a formal process in accordance with section 34 of the *Planning Act*. As an overlay schedule, it connects certain provisions of the By-law to specific areas within the CPP Area.

##### 3.7.2.3. Provide as an appendix

An appendix of the By-law is a non-statutory, information element of the By-law and any amendment to it may be done administratively. The information is provided along with the By-law for ease of reference.

##### 3.7.2.4. Do not provide in the by-law

For some matters, only a reference to the Official Plan schedule or figure may suffice. In this manner, information is not repeated in the By-law and any amendment to the schedule/figure is undertaken only within the Official Plan and not also to the CPP By-law.

### 3.8. Community Building Key Directions

Section 5 of this report provides key directions related to community building matters which are informed by the preceding analysis and consultation with the public and stakeholders.



## 4. Commensurate Community Benefits

In accordance with the O. Reg. 173/16 sections 3(5) the Official Plan includes policies that allow the Town to impose conditions along with development permit approval that require the applicant to provide facilities, services or matters in exchange for the Town permitting development to exceed specified building heights. These adopted policies are as follows:

28.15.10 Where the CPP By-law authorizes conditions that require the provision of specified facilities, services and matters in exchange for a specified height or density of development, the CPP By-law shall:

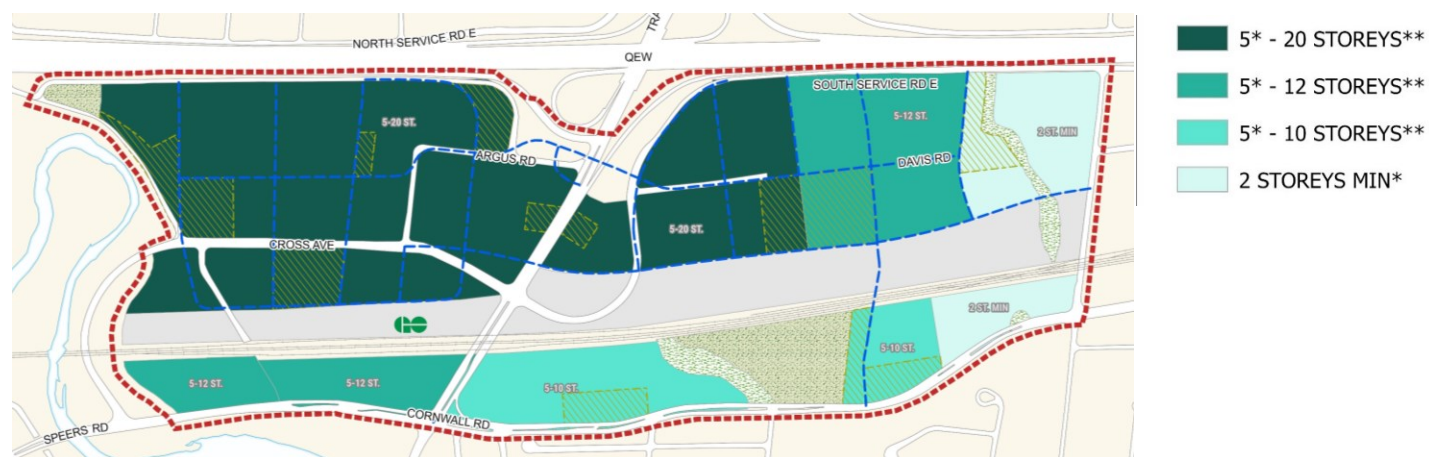
- a) include provisions establishing a proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height and/or density of development that may be allowed, and
- b) establish density and/or height thresholds in accordance with CPP Area policies of this Plan. For the subject sites to which these provisions would apply, the threshold height and/or density must be greater than the required minimum and lower than the maximum height and/or density permitted in this Plan.
  - i. In the case of Midtown Oakville, the building heights set out on Schedule L4: Threshold Heights are the applicable building height thresholds, and the minimum and maximum densities set out on Schedules L2: Minimum Density and L3: Maximum Density are the applicable minimum and maximum densities, respectively, referred to in policy 28.15.10 (b).

28.15.11 All facilities, services, and matters as well as cash-in-lieu of them shall be allocated to lands within the subject community planning permit area.

Specific to Midtown and the implementation of this type of condition are the following policies and schedules:

### 20.5.1 (f) Building Height

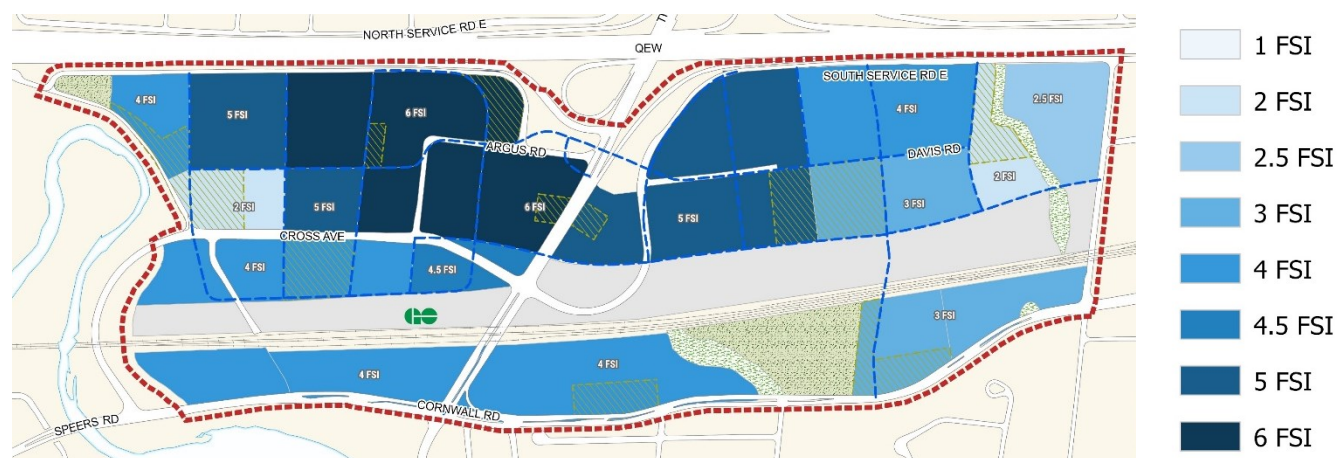
- i. Building height thresholds are shown on Schedule L4. Additional height beyond the threshold may be permitted through a development permit application or through a rezoning application, subject to:
  - 1. the maximum density allocation for the site is not exceeded, and
  - 2. community benefits or cash-in lieu of benefits, which are listed in Section 28.15.12 and Section 20.6.6, are provided in accordance with town by-laws.



**FIGURE 7 EXCERPT OF SCHEDULE L4: THRESHOLD BUILDING HEIGHT**

#### 20.5.1 (e) Site Density

- ii. The maximum gross floor area that may be permitted on a development site shall be in accordance with floor spaces indices provided on Schedule L3: Maximum Density and the policies of this Plan.



**FIGURE 8 EXCERPT OF SCHEDULE L3: MAXIMUM DENSITY**

To give effect to these policies, the CPP By-law is required to:

- provide minimum and maximum standards, and may provide variations to those standards, as discussed in Section 3.0 of this report,
- authorize imposing a condition to provide facilities, services and matters in exchange for permitting a specified height or density that is within the minimum and maximum standards of the By-law and may be outside of permitted variations to those standards.
- specifically identify where within the CPP Area the condition may be imposed, and
- establish a proportional relationship between the quantity or monetary value of facilities, services and matters that may be required and the height or density of development that may be allowed.

When reviewing development permit applications, the approval authority must take into consideration the policies and provisions related to the permission of exceeding building height thresholds in exchange for providing facilities, services, or matters (i.e. community benefit) along with the balance of policies and provisions of the OP and CPP By-law. As such, the provision of community benefit does not override **other** policy/by-law requirements (i.e. urban design elements).

This section of the Key Direction report focuses on determining the appropriate proportional relationship provisions the CPP By-law should provide. When establishing this proportional relationship, several factors should be considered:

- expectations for both applicant and Town are clear,
- proportional relationship is fair for both the Town and the applicant,
- the benefit provided is valued by the community receiving it, and
- the proportional relationship approach is repeatable.

To inform proposed options, the Town may consider current procedures in terms of previous *Planning Act* s. 37 Bonus provisions and the current Community Benefits Charge as depicted in Table 17, as well as by considering provisions used by other municipalities where the CPP By-law is in effect or drafted, as listed in Table 18. This information along with consultation on this matter will assist in determining:

- a) whether certain community benefits should be prioritized and if so how;
- b) whether the ability to negotiate community benefits should be delegated, and if so to whom;
- c) whether notice should be given to third parties about the applicant's interest to provide community benefits in exchange for height, and if so when, to whom and by what means; and
- d) what are the appropriate provisions to include in the By-law to address the proportional relationship between building height permission and the provision of community benefits (i.e. facilities, services or matters).

**TABLE 17 OVERVIEW OF TOWN PROCEDURES FOR SIMILAR COMMUNITY BENEFIT ATTAINMENT *PLANNING ACT* TOOLS**

Procedure Element	Section 37 Bonusing (Town of Oakville, n.d.)	Community Benefit Charge (Town of Oakville, 2022)
<b>Trigger to negotiate</b>	Complete application, applicant indicates desire to exceed height/density threshold provided in OP.	All applications 5 storeys or greater and with 10+ units are required to pay fee.
<b>Authority to negotiate</b> <ul style="list-style-type: none"> <li>• new application,</li> <li>• change to agreement terms</li> </ul>	<b>Executive Leadership Team</b> is advised. <b>Director of Planning and Development, Legal and Finance</b> are involved in the negotiation. <b>Council</b> passes by-law which includes Section 37 provisions. <b>Council</b> approves recommendations to permit the bonus in exchange for community benefit. <b>Council</b> authorizes staff to execute Section 37 agreement, agreement includes provisions to allow for changes.	Administration of this by-law is delegated to the <b>Manager of Realty Services</b> – re land value appraisal; <b>Director, Planning and Development</b> – re: planning application and provision of in-kind matter and <b>Treasurer</b> – determination of fees and manages reserve fund.
<b>Notice of negotiation</b>	Per <i>Planning Act</i> , notice of public hearing	n/a

Procedure Element	Section 37 Bonusing (Town of Oakville, n.d.)	Community Benefit Charge (Town of Oakville, 2022)
Measure of “commensurate” benefit	Based on a percentage of land value uplift (typically 50% of uplift)	CBC charge is 4% of pre-building permit land value, in cash or in-kind per matters listed in the Town’s <a href="#">Community Benefits Charge Strategy</a> Note: strategy identifies specific matters and estimated costs.
Notice of decision (result of negotiation)	Per <i>Planning Act</i> , notice of decision to pass by-law	n/a
Agreement	Required, and is registered on title	May be required, and registered on title

**TABLE 18 SUMMARY OF PROPORTIONAL RELATIONSHIP PROVISIONS IN IN-EFFECT AND DRAFT CPP BY-LAWS**

Jurisdiction and [Status as of April 28, 2025]	Relevant Section of By-law [Notice]	Incentive [Negotiator]	Benefit Calculation Provision
<a href="#">City of Brampton</a> (City of Brampton, 2015) [In effect]	Chapter 1 General Provisions, Section 5.7 Chapter 2, Part 5 Application Processing, Section 5.6 [Notice of Decision, per O. Reg.]	Height and/or Density [Staff, Director of Planning]	The exchange relationship is noted in the site specific development permit (not specified in by-law).
<a href="#">Town of Innisfil</a> (Town of Innisfil, 2017) [In effect]	Sections 1.17 and 4.13.2 [Notice of Application and Notice of Decision]	For either height or density [Council]	Negotiated between Town and applicant via application approval. Value of benefit equitable in relation to value of increase in height and density. (Not specified in by-law.)
<a href="#">City of Guelph</a> (City of Guelph, 2025) [In effect, passed April 8, 2025]	Section 1.14 [Notice of Application and Notice of Decision]	Height <b>or</b> density above “Class 1” maximums [Class 2: Staff, General Manager, Planning and Building; Class 3: Council]	Prioritizes affordable housing, 33% of units above threshold height/density are affordable or Cash Equivalent (\$97,000 per affordable unit) which may be used towards affordable housing or other matters, or a combination of both. Affordable price and rents, and cash equivalents are provided in by-law.
<a href="#">Burlington</a> [ <a href="#">Proposed May 2024 By-law</a> ] (City of Burlington, 2024)	Section 5.30 [Notice of Application and Notice of Decision]	Height above thresholds for Class 2 and Class 3 [Class 2: Staff, Director of Community Planning; Class 3: Council/Committee of Council]	Prioritizes affordable housing and parkland contribution, includes a cash equivalent for each on a per unit or non-res GFA basis.
<a href="#">City of Waterloo</a> (City of Waterloo, 2024) [DRAFT By-law]	Section 1B.15 [Notice of Application for Class 3 Applications and Notice of Decision for both]	Density (measured in bedroom per ha) without exceeding max. height. [Class 2: Staff, Director of Planning; Class 3: Council/Committee of Council]	Prioritizes affordable housing, XX% of units above threshold height/density are affordable or Cash Equivalent (TBD) which may be used towards affordable housing or other matters

### 4.1. Prioritization of Benefits

In accordance with the adopted Official Plan policies listed above, the condition to provide community benefit applies when the development permit applicant **chooses** to exceed the building height threshold assigned to the development site on Schedule L4. This increased building height may be permitted as long as the maximum FSI assigned on Schedule L3 is not exceeded and the applicant provides community benefit(s) that are proportional to the increase in building height requested.

The adopted Official Plan policies provide a list of potential community benefits that may be provided for this transaction to be accepted, as follows:

#### **Midtown Specific**

##### 20.6.6 Community Benefits

In accordance with policy 28.15.10 a condition of development permit approval may be the provision of specified facilities, services and matters. In addition to the benefits listed in policy 28.15.12, the following are benefits that may be provided:

- a) grade separated pedestrian and cycling facilities across the QEW, railway tracks or Trafalgar Road;
- b) community facilities such as:
  - a creative centre, including associated studio, office, exhibition, performance and retail space; and,
  - a public library;
- c) improved local transit facilities and transit user amenities; and
- d) contributions towards a district/renewable heating/cooling/energy system.

#### **Townwide**

##### 28.15.12 Benefits, All Areas

The facilities, services, and matters that may be provided by operation of these provisions include, but are not limited to, the following and may be further specified in the by-law.

- a) public transit infrastructure, facilities, services and improved pedestrian access to public transit;
- b) public parking;
- c) affordable housing for a wide array of socio-economic groups;
- d) conservation and preservation of cultural heritage resources;
- e) protection and/or enhancement of natural features and functions;
- f) public service facilities and improvements to such facilities;
- g) parkland and improvements to parks;
- h) day care centres;
- i) public art;
- j) integration of office uses in mixed-use developments;
- k) sustainable building initiatives; and,



- l) other local improvements that contribute to the achievement of the Town's building, landscape and urban form objectives as set out in this Plan and supporting documents

Policy 28.15.12 item (l) identifies "other local improvements that contribute to the achievement of the Town's building, landscape and urban form objectives as set out in this Plan and supporting documents" as another type of community benefit that may be offered in exchange for permitting additional building height. This item provides additional discretion for the approval authority to consider matters that have not yet been contemplated in terms of meeting the community building objectives of the Town. This allows the approval authority to consider such matters without having to amend the Official Plan, should it be determined that the proposed matter is appropriate and desirable as a community benefit. To assist with making a decision as to whether or not such a new matter is acceptable, the CPP By-law could provide some parameters or criteria beyond what is provided in the Official Plan policies, such as stating that the proposed benefit is required to be identified in a Town Master Plan, for example.

The lists in the Official Plan are not prioritized and are not exhaustive. The Town does have the option to specify additional matters in the CPP By-law, and may choose to prioritize certain facilities, services or matters within the provisions of the By-law.

##### 4.1.1. Considerations

To guide the preparation of the CPP By-law, consideration may be given to whether or not the list of community benefits noted above should be prioritized to assist applicants and the approval authority with their future negotiations regarding the exchange of height permission for community benefits. To assist with this discussion, it is helpful to know what are current Town practices in relation to similar situations; i.e., the Town's procedure as it relates to Section 37 Bonus per the pre Bill 197 *Planning Act*, and the Town's current procedure with respect to implementing the Community Benefits Charge By-law.

The Town's previous [Section 37 Procedure](#) applies a case-by-case analysis of community need relative to the development proposal and allows for cash-in-lieu of providing a specific benefit. All Section 37 related cash is placed in a specific reserve fund, which is then used in support of matters that are listed in the Official Plan as potential community benefits.

The Town's current [Community Benefits Charge Strategy](#) (CBC Strategy) identifies specific matters and their costs. The Act allows the Town to request up to 4% of the development proposal's land value in cash (which is put into a reserve fund) or "in kind." Where cash is provided, the capital budget process determines how CBC reserve fund is expended in relation to those matters. The *Planning Act* requires allocation of at least 60% of reserve fund annually. In the case of "in-kind" facilities, services or matters, these would be determined on a case-by-case basis and in relation to the development proposal and how it could provide any of the community benefits listed in the CBC Strategy.

When considering possible community benefits, the Official Plan provides some inherent prioritization. This is established in the policies and schedules specific to Midtown. The identification of future parks for example would clearly indicate that for sites where these parks are designated and the Town's current Parkland Dedication By-law alone would not yield the amount of parkland proposed for that site, the provision of the additional required parkland would be a clear priority community benefit in exchange for additional building height. Similarly, Schedule L6 regarding active transportation identifies future pedestrian bridges. For sites where these bridges are proposed to be provided, the construction

of the bridge would be a priority community benefit that could be exchanged for additional building height. The policies of the Official Plan that encourage the provision of affordable housing and the provision of non-residential development within the Urban Core land use designation above the minimum requirements established in the Official Plan, also provide inherent prioritization of matters that could be accepted in exchange for the additional building height permission.

Another input for determining what community benefits may be prioritized over others is Council's Strategic Action Plan priorities: Growth Management, Community Belonging, Environmental Sustainability, and Accountable Government. When determining the most appropriate community benefit from the list provided in the Official Plan, the approval authority is guided by the Strategic Action Plan priorities and objectives along with the opportunities the development site and proposal may have to achieve those objectives.

The above scenarios are focused on situations where the development applicant is able to provide an 'in-kind' community benefit. The advantage of 'in-kind' benefits is that they are provided concurrent with the development and are in most cases provided directly on site. Community benefits such as "green" (sustainable) building elements and affordable housing are excellent candidates because they can be provided in proportion to the building and relative to the additional height that is permitted. Small scale community benefits intended for public use such as public parking facilities, day-care centres, and public art are also scalable and are best integrated with development at the outset of the proposal. However, for large-scale community benefits, ones that are off-site, or ones that are intended for broad public use, coordinating among public and private development and timing the provision of the benefit may be challenging. For example, a new library facility that is proposed prematurely relative to demand may not yet be viable or operational without major Town investment in staffing and stocking the facility for which funding is not yet budgeted. In the case of "off-site" community benefits, the land needed to provide that benefit may not yet be available to complete the provision of the project.

To that end, the policies of the Official Plan permit the Town to collect cash-in-lieu of providing a specific community benefit. Any cash collected through this process is put into a reserve fund which can then be accessed for the Town to provide any of the listed community benefits. The benefit of providing cash is that it allows the Town to undertake major projects that are unlikely to be undertaken by any single development proposal. This means that the provision of the community benefit will likely occur some time after the development is constructed and occupied, given that more funds are required for the project to be initiated. As noted above, any development that is five stories or greater and provides more than 10 residential units would be required to provide a CBC charge equivalent fee; as such, funds collected through the fulfillment of either of these conditions require cash contributions may be applied to these 'off-site' matters.

Another consideration regarding the prioritization of benefits is recognizing that some of the community benefits listed in the Official Plan are matters that have Town funding sources, whereas others presently do not, are not specific to Midtown only, or are under-funded. As such, priority may be given to those unfunded matters. For example, presently there is no funding specific to the provision of affordable housing or implementing green building elements (including district energy systems) in buildings or on private lands. In the case of public parkland, the lands received through the implementation of the Town's parkland by-law will not satisfy the target of 12 hectares of parkland across Midtown, which means that additional lands may need to be acquired through other means. In contrast, for matters such

as pedestrian bridges, transit infrastructure, and natural heritage restoration and enhancement, those may be funded through the townwide development charge.

### 4.1.2. Options

When preparing the CPP by-law it is important to determine whether the Town should continue to use its current procedure of assessing community benefit provision on a case-by-case basis or to include priority setting provisions within the By-law or through a new Town procedure. Prioritization of benefits is more relevant in the case of 'in-kind' benefits. Where the benefit is cash-in lieu of the benefit, Council determines the allocation of funding through its capital planning and budget work.

#### 4.1.2.1. No Prioritization Provisions (Case-by-Case)

An option can be that there are no priority setting provisions in the By-law and the approval authority takes into consideration the inherent priority setting established in the Official Plan along with considering Council's Strategic Action Plan and the opportunities that the specific development site has to offer.

#### 4.1.2.2. Prioritization Provisions (Structured)

Alternatively, the CPP By-law or a Town procedure could include specific direction which prioritize certain community benefits over others. The priority setting could consider the following (in no specific order):

- In-kind vs. Cash-in-lieu (which impacts the timing of when the benefit is delivered)
- On-site vs. Off-site (which addresses the location of the benefit)
- Midtown specific items list and schedule vs. General items list (which addresses the type of benefit provided)
- Unfunded vs. Funded matters (which speaks to whether the benefit could be provided/funded through other means)

## 4.2. Procedure for Negotiation

### 4.2.1. Considerations

For this matter specifically, the policies highlighted above are the ones that collectively authorize the Town to work with development proponents in partnership to build community in manner that provides community benefits beyond what the normal planning process achieves. These policies establish the policy trigger and criteria for community benefit negotiation.

The negotiation that will occur when building height is proposed to exceed assigned height thresholds in exchange for community benefit starts early in the development application approval process. Since the development permit application includes plans and drawings (including building elevation), any application that proposes building heights above the height threshold specified in Schedule L4 triggers this process. Given that the OP policies list possible community benefits, the applicant may propose possible proportional benefits.

The approval of the development permit application will include the agreed upon building height permission, and be conditional upon the provision of the agreed upon community benefit. Where the community benefit is a matter that is to be provided following the issuance of a development permit and/or building permit, the agreement will be required to be registered on title and therefore implemented by the applicant and/or a subsequent landowner.

The O. Reg. recognizes that in some cases an agreement may need to be revised, and as such, provisions in the By-law will also need to address how those revisions can be made, this matter is discussed in section 2.5 of this report.

As noted in section 2.3 above, the CPP By-law provides provisions regarding the delegation of approval authority and scope of authority. Meanwhile, section 2.4 above speaks to optional notice provisions in the By-law. Specific to negotiating community benefits and giving notice of such negotiations, consideration of current town practices is informative. Table 17 (above) summarizes current Town practice as it relates to (old) Section 37 Bonus and (new) Section 37 Community Benefit Charge.

Providing notice of the negotiation is generally secondary to the development application proposal in both processes. Providing notice of the negotiation in the case of the development permit application provides greater transparency to the CPP By-law implementation process. Recipients of the notice not only are provided with information regarding the proposed development but are also made aware of any additional benefit the approval of the development may provide. Recipients of the notice can then provide comment regarding the proposed development as well as the proposed community benefit, which may be informative to the negotiators of the community benefit and the ultimate decision maker. With that in mind, consideration should be given to when, how, and to whom the notice should be provided. To assist with those considerations, it is helpful to note how other municipalities who have in effect or in-draft CPP By-laws have addressed this matter, as noted in Table 18 above.

### 4.2.2. Options

#### 4.2.2.1. Authority to Negotiate

Further to section 2.3, the by-law may specify the approval authority and scope of approval regarding the negotiation for benefit. Should decision making may be delegated to a committee or staff, the scope of the authority could include the authority to negotiate community benefit. Consideration for delegating this authority includes the same matters noted in section 2.3, including the 45-day period to approve a development permit application, after which the application may be appealed to the Ontario Land Tribunal. As such, the By-law should identify which entity (staff, Committee or Council) has the authority to negotiate community benefits in the following situations, if intended to be different from the authority to approve the application:

- new development permit application,
- change to an issued development permit, and
- change to terms of an agreement.

### 4.2.2.2. Notice of Negotiation

As noted in Section 2.4 above, the O. Reg. authorizes Council to decide how, when, to whom notice of application should be given, and prescribes minimum requirements in terms of a notice of decision. The CPP By-law can provide additional and more broad direction. In the case of community benefit negotiation, the range of options in terms of notice include:

- a) No specific notice
- b) Highlight in notice of application
- c) Highlight in notice of decision

Furthermore, the By-law could specify to whom and through what means the notice is provided, if the provision of notice is anticipated to be different from what is proposed for applications that do not include community benefits. Entities that could be made aware of these negotiations include:

- a) Agencies (as appropriate)
- b) Indigenous Community (as appropriate)
- c) Land owners (within 60m – 120m)
- d) General Public

## 4.3. Benefit Proportion Approach

A significant and fairly unprecedented element of the CPP By-law will be provisions that describe the proportional relationship between the additional building height that is permitted in the issued development permit and the community benefit that is provided in exchange for it. The O. Reg. 173/16 directs that the CPP By-law establish a proportional relationship between the quantity or monetary value of facilities, services and matters that may be required and the height or density of development that may be allowed. In the case of the CPP By-law for Midtown Oakville, the adopted Official Plan policy 28.15.10 states that the CPP By-law shall:

- a) include provisions establishing a proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height and/or density of development that may be allowed, and
- b) establish density and/or height thresholds in accordance with CPP Area policies of this Plan. For the subject sites to which these provisions would apply, the threshold height and/or density must be greater than the required minimum and lower than the maximum height and/or density permitted in this Plan.
  - i. In the case of Midtown Oakville, the building heights set out on Schedule L4: Threshold Heights are the applicable building height thresholds, and the minimum and maximum densities set out on Schedules L2: Minimum Density and L3: Maximum Density are the applicable minimum and maximum densities, respectively, referred to in policy 28.15.10 (b).

As such, both the regulation and the policy permit the by-law provisions to direct for a proportional relationship that is based on the “quantity” or the “monetary value” of the community benefit.



“Quantity” means: the amount or number of something, especially that can be measured, for example units, square metres, number of installations, etc.

Per the Official Plan policy, this benefit is required to be proportional to the building height that is above the threshold building height assigned to the development site on Schedule L4, provided the gross floor area of the resulting building does not exceed the maximum gross floor area assigned to the site on Schedule L3. As such, when determining the proportion of community benefit in relation to the building height, the Town could consider the additional floors or more specifically the gross floor area that is achieved within those additional floors.

### 4.3.1. Considerations

The provisions in O. Reg. 173/16 and the policies in the Official Plan require that there be a proportional relationship between benefits and height. The word “proportional” means: corresponding in size or amount to something else. The terminology does not suggest “equal.” In other words, if X GFA is provided above the threshold height, it does not necessarily mean that X GFA should be provided in the form of a community benefit.

Considerations around developing the proportional relationship need to take into account many factors, including the viability of development and the impact additional height of buildings may have on the immediate and surrounding community, as well as the impact providing the benefit may have on the future occupants of the development and the surrounding community.

In most cases, a development permit applicant is likely to be able to achieve the maximum GFA assigned to a development site without necessarily having to increase the building height above the threshold height. Accordingly, an applicant may simply choose to reconfigure the building mass to avoid having to negotiate for additional height. This may also occur when that there may be very little market value difference for a proponent to build taller rather than wider. As such the provisions in the by-law need to be established in a manner that would motivate the applicant to provide the Town’s desired community benefit(s) in exchange for an increase to the height of a building.

The proportional relationship established in the By-law may also be informed by any prioritization that is given to certain community benefits, such that for matters that are highly desirable, the proportional relationship should be one that would motivate the applicant to propose higher priority matters more so than perhaps a matter that is lower on the list of Town priorities. And similarly, the Town may be motivated to accept taller buildings where the community benefit that is negotiated for that additional height is provided in the right place at the right time.

### 4.3.2. Options

As noted in Table 18 which provides a jurisdictional scan of in-effect and draft CPP by-law provisions, there is not a lot of precedent in terms of the use of these by-law provisions. Based on current Town practice and examples from other jurisdictions, four options are proposed, in no particular order as shown in Figure 9:

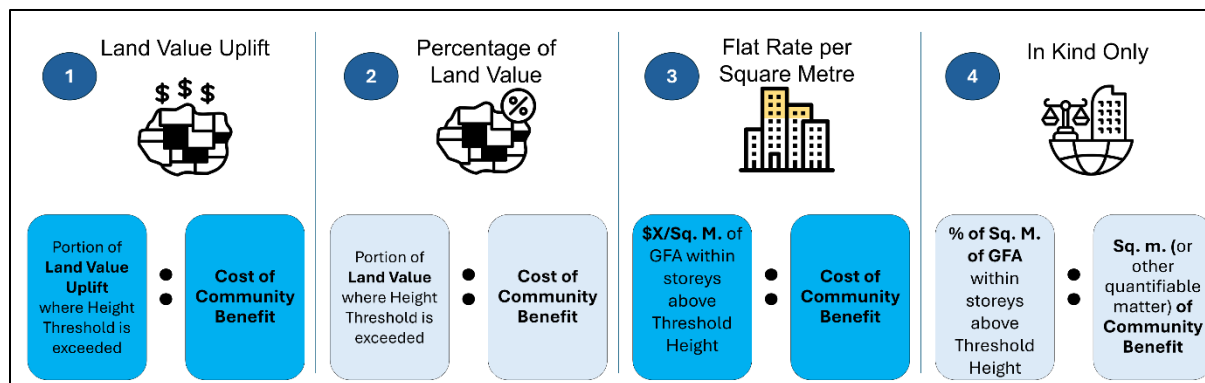


FIGURE 9 OPTIONS FOR PROPORTIONAL RELATIONSHIP

The following provides a brief description of the proposed options, and provides a preliminary list of pros and cons for each option. The recommended option could be one of the proposed options or a combination, which will be determined through further consultation.

#### 4.3.2.1. Land Value Uplift

This option proposes to attribute a proportion of land value gain to the value of community benefit.

This approach has been used by the Town under the (old) Section 37 Bonus provisions of the *Planning Act*. Where the community benefit is in proportion to a percentage of the land value gain as a result of the total GFA achieved on site in contrast with the land value that would otherwise be achieved without the increase in building height (and associated GFA gain). This option assumes that there is a land value change when height is greater than the threshold building height. This option then proposes that a proportion of that land value uplift is dedicated to community benefit in cash or in kind.

Traditionally, this approach requires the following steps:

1. Applicant would undertake a land appraisal based on development that does not exceed building height and a second appraisal based on pre-building permit land value (with building heights above threshold).
2. The land value “uplift” equals the difference in value determined by the two appraisals.
3. Town establishes a **set percentage of land value uplift** that would be applied to “community benefit” which the applicant would provide in cash or in kind.
4. Where in-kind matters are provided, a cost estimate by qualified professional may be required.
5. Where community benefits require public ownership or operation, or include stipulations such as long term affordability, agreements will need to be registered on title.

PRO:

- This approach is the Town’s current practice, where there is a change in zoning for a specific site, and therefore the Town has experience applying it.
- This approach has been applied in other municipalities, also where there is a change in zoning, and therefore the development community is also familiar with it.

- As land value increases, the Town would be able to negotiate for more community benefits.

CON:

- This approach requires undertaking two land appraisals.
- Land value assessments can be subjective, open for dispute, and may be subject to lengthy challenge.
- The approach is reliant on real estate value rather than the benefit or cost to the community.
- It may result in few benefits if there is little to no change in land value. The correlation of the percent of uplift and benefit of increased height may be weak. In most cases, the driver for land value uplift is a gain in permitted land use and/or gross floor area (through a change in zoning). Given that the Midtown Oakville policies establish land use and a maximum FSI, the density of development may not change with height and the land value assessments may result in no or very little difference or “uplift” at the time of the development permit application.
- Land value can vary from site to site resulting in some applicants paying much higher fees/contributing more in-kind benefit than others for the same increase in building height.
- If land value assessments are based on pre-building issuance, it is difficult to incorporate this into the early pro-forma stages of development and/or assess whether an in-kind matter is equal to the cash that would otherwise be provided.

##### 4.3.2.2. Percent of Land Value

This option proposes to establish that when height is exceeded, a set charge based on a proportion of land value is applied to the site, which is irrespective of how much taller or more GFA is gained within the building.

This approach is similar to the current Community Benefit Charge by-law (CBC) fee that applies to development of sites where the building height is five or more storeys and consists of ten or more units. In the case of the CBC, the applicant is required to provide 4% of the land value in cash or in kind, irrespective of the total number of units and/or floors the development proposes.

This approach results in an inverse relationship between building height and community benefit. Such that the shorter the building height, the greater the community benefit relative to it, and vice-versa.

Approach:

1. Town establishes a **set percentage of land value** that is offered by the applicant when a development is permitted to exceed the building height threshold (irrespective of number of storeys).
2. Applicant would undertake a land appraisal to determine pre-building permit land value.
3. The pre-set percentage of that value would be applied to “community benefit” in cash or in kind.
4. Where in-kind matters are provided, a cost estimate by qualified professional may be required.
5. Where community benefits require public ownership or operation, or include stipulations such as long term affordability, agreements will need to be registered on title.

PRO:

- The applicant can build the pre-set value into their pro forma, early in the development process.
- The applicant can decide to what height they would need to build based on market conditions, in order to ensure the development is viable, while providing the community benefit in cash or in kind.
- This approach requires only one land appraisal based on the zoning established through the passing of the CPP by-law, which is already required for the purpose of satisfying adopted policy 28.15.8 (b) of the Official Plan for any development greater than five storeys and proposing more than 10 residential units.<sup>27</sup>
- This approach is administratively straightforward.

CON:

- This approach requires a land appraisal.
- Land value assessments can be subjective, open for dispute, and may be subject to lengthy challenge.
- The approach is too reliant on real estate value rather than the benefit or cost to the community associated with the taller building.
- This approach may not be viewed as “proportional with height.”
- This approach may be seen as a disincentive to applicants who wish to only marginally exceed threshold building height; conversely the Town may not receive full benefit value where applicants seek to maximize permitted gross floor area at the set rate.
- Land value can vary from site-to-site resulting in some applicants paying much higher fees than others for the same increase in building height.

#### 4.3.2.3. Flat Rate per GFA or Unit

This option proposes to establish a dollar value rate that is assigned per square metre of gross floor area that occurs in storeys of the building that are above the height threshold. The resulting dollar value calculation is then paid in cash or in kind. This approach establishes a monetary value to the provided community benefit that is directly proportional to the gross floor area resulting in the additional height permitted.

A few variations to this approach include:

- The flat rate could be based on a percentage of standard construction cost, or portion of the per square metre market price/rent, at the time of application.
- The flat rate could be applied on a per unit basis for residential development (i.e. irrespective of unit size).

---

<sup>27</sup> Adopted policy 28.15.8 (b) provides the following condition of development permit approval:

b) conditions that provide the Town with an equivalent benefit that is otherwise gained through the implementation of the Town's community benefits charge by-law;

This approach is applied in other jurisdictions. For example, the [City of Halifax](#), Nova Scotia applies a rate of \$4.40 per 0.1 m<sup>2</sup> of GFA above established thresholds (Halifax Regional Municipality, 2015).<sup>28</sup>

Approach:

1. Town **establishes a set “flat rate” per sq. m.** of GFA gained within storeys above the threshold height.
2. Applicant chooses to exceed the building height threshold. The per square metre value is applied to all of the GFA proposed within the storeys above the building height threshold.
3. The total per square metre value would be applied to “community benefit” in cash or in kind.
4. Where in-kind matters are provided, a cost estimate by qualified professional may be required.
5. Where community benefits require public ownership or operation, or include stipulations such as long term affordability, agreements will need to be registered on title.

PRO:

- No land value appraisal is required.
- The flat per square metre or per unit rate is the same for all development sites, creating more fairness for applicants seeking increases in building height.
  - If a per unit value is applied, this may incentivize the provision of larger units.
- The calculation of community benefit is objective and administratively straightforward.
- Cost of additional building height is easily calculated and applicant can build the cost into their pro forma early in the development process and make an informed choice whether to exceed the building height threshold.

CON:

- Determining the preset value to apply may be challenging.
  - Town may use third party resources such as the Altus construction cost data or TREB average unit values/rents if those are to be used as the basis for the preset value.
- The preset value, if not set in a manner that is responsive to market conditions, may stifle/delay development or result in a loss of opportunity for the Town when market conditions are favourable.
- A one rate approach may not relate to or motivate the provision of priority community benefits.

#### 4.3.2.4. “In kind” only based on Community Value/Priority

This option considers a quantity relationship rather than the monetary value relationship the preceding options propose. With this option, the proportion of community benefit relative to the increase in building height is based on the value of that community benefit to the success of Midtown as a complete community. As such, ratios are established relative to the type of community benefit provided and the gross floor area “gained” by the height increase.

---

<sup>28</sup> The Halifax Regional Municipality uses three different approaches to density bonusing depending on the area of the municipality. In other growth areas, they use a land value uplift method (Halifax Regional Municipality, 2021).



This option emphasizes the provision of in-kind community benefits. An applicant chooses to incorporate community benefits within building and/or site, which increase marketability of building. The Town supports increase in height to achieve those community benefits based on Town priorities and values.

The premise here is that the benefit is an *offering*, not a *taking*.

This approach was recently adopted in [New York City](#) through its “[Universal Affordable Preference](#).” It applies a 1:1 ratio for up to a 20% increase in building height from threshold heights. In other words, up to a 20% increase in building height is permitted if the same amount of GFA is dedicated to affordable housing.

With this option, the Town would establish set ratios relative to the various community benefits that may be offered. The ratio would be based on rates that would incentivize development to provide the desired benefits. For example:

- Affordable housing may be set at a 1:5 ratio, such that 1 affordable unit is dedicated for every 5 additional units obtained by an increase to the building height.
- Parkland may be set at a ratio of 1:(GFA\*assigned FSI), such that for every additional square metre multiplied by the assigned FSI, 1 square metre of parkland (more than what is required by the Parkland Dedication by-law) is provided.
- Non-residential or community facility GFA may be set at a ratio of 1:10, such that 1 square metre of GFA is dedicated to that use for every 10 square metres of GFA that is obtained by an increase to the building height.
- Sustainable development measures may be set at a ratio of the equivalent GFA associated with 0.1 FSI for achieving level 1 of established green development standards, 0.3GFA for achieving level 2, and 0.75 for achieving level 3.

Approach:

1. Town assigns ratio of in-kind community benefit that is exchanged for increase in GFA storeys above the building height based on the type and priority of the benefit offered.
2. Proponent selects from menu of options and proposes building height accordingly.
3. More than one type of community benefit can be provided, based on the ratios provided for each benefit.
4. The in-kind provisions are for the base land or gross floor area of a building, the operator of the space is responsible for fit-ups.
5. Where community benefits require public ownership or operation, or include stipulations such as long term affordability, agreements will need to be registered on title.

PRO:

- The relationship is based on priorities and values that lead to developing a complete community.

- Applicant is given the choice to proceed with taller building based on whether one or more of the community benefits are achievable on their site and the overall development project is viable through their upfront proforma analysis.
- Ratios are determined based on desirability and ability for proponent to provide them, not dollar values.
- Results in applicant providing benefits on their site rather than relying on it to occur somewhere else.
- Benefits are defined, visible and achieved concurrent with development.

CON:

- Would be difficult to apply to an 'off site' benefit or equate a cash in lieu value; as such, not all of the community benefit options listed in the Official Plan may be provided using this process.
- Applicant may not be willing or may be unable to provide the quantified benefits.

#### 4.4. Commensurate Community Benefit Key Directions

Section 5 of this report provides key directions related to commensurate community benefit matters, which are informed by the preceding analysis and consultation with the public and stakeholders.

## 5. Recommended Key Directions

The following recommendations are provided based on the preceding analysis and consultation with technical teams, landowners and the public, as described in Appendix 1 of this report.

### 5.1. Administrative Matters Key Directions

#### 5.1.1. Structure and Scope of CPP By-law

- 1 Prepare the by-law in a user-friendly and familiar manner.** Use plain language, and provide definitions for uncommon terms or terms that are intended to have a specific meaning.
- 2 Structure the by-law in a manner that makes it compatible with the Town's online systems.** Presently, the Town provides the Zoning By-law online, so too should the CPP by-law. As well, development permit applications should be submitted via online forms, and tracked through Town systems, with final approvals accessible to the general public, as appropriate.
- 3 Structure the by-law in a manner that makes it possible to add in other parts of the Town.**
- 4 Streamline development permit, site alteration and tree-protection approvals within a single development permit application process.** In accordance with the definition of *development* per O. Reg. 173/16 all three matters can be addressed within a single development permit application; however, where a matter is only related to tree-protection and/or site alteration, the Town's usual application process that applies under those by-laws would apply (see exempt matters below).
- 5 Structure as a tool nested under the Official Plan** and implements the Official Plan policies.
- 6 Provide sufficient flexibility to be responsive to market and context that may change over time.**

#### 5.1.2. Exempt Matters

- 7 Exempt the following matters** from having to apply for a development permit within a CPP Area.
  - tree removal (where the removal is unrelated to new development or expansion to existing, the exemption would allow the current tree protection by-law process to apply)<sup>29</sup>
  - site alteration (where the site alteration is unrelated to new development or expansion, the exemption would allow current site alteration by-law process to apply)<sup>30</sup>
  - 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;
  - a new non-residential building or structure on town-owned land, provided that the building or structure is less than 100 square metres;
  - a temporary building or structure on public lands allowed through a municipal permit; and

---

<sup>29</sup> For tree removal that will be addressed through the development permit application process, the Town's Tree Protection by-law will need to be amended to exempt those matters.

<sup>30</sup> For site alteration that will be addressed through the development permit application process, the Town's Site Alteration by-law will need to be amended to exempt those matters.

- 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.<sup>31</sup>

### 5.1.3. Classes of Development and Notice

**8 Provide a table such as the following to address classes of development and notices:**

**TABLE 19 RECOMMENDED CLASSES OF DEVELOPMENT AND NOTICES**

Class	Description	Notice of Complete Application	Notice of Decision
1	Parking Lot (new or change to)	<ul style="list-style-type: none"> <li>• Email to: applicant, public agency</li> <li>• Sign on Site</li> </ul>	To applicant and as prescribed.
2	Temporary Sales Office or Other Temporary Use (less than 6 months)	<ul style="list-style-type: none"> <li>• Email to: applicant and public agencies</li> <li>• Sign on Site</li> <li>• Town website</li> </ul>	To applicant and as prescribed.
3	Expansion to an existing building or Temporary Use (more than 6 months)	<ul style="list-style-type: none"> <li>• Email to applicant and public agencies</li> <li>• Sign on Site</li> <li>• Town website Mail to adjacent property with 60m</li> <li>•</li> </ul>	To applicant and as prescribed.
4	New Development (not defined as Class 1, 2, or 3)	<ul style="list-style-type: none"> <li>• Email to applicant, public agencies, Indigenous community<sup>32</sup></li> <li>• Sign on Site</li> <li>• Town website</li> <li>• Mail to adjacent property with 120m</li> </ul>	To applicant and as prescribed.

**9 Include proposal and decision regarding community benefit in notices.**

<sup>31</sup> This is required per O. Reg. 173/16.

<sup>32</sup> To date, the Mississaugas of the Credit First Nation has expressed an interest in being consulted on development permit applications.

### 5.1.4. Delegation of Authority

**10** In accordance with similar development approvals, **delegate authority as follows:**

**TABLE 20 RECOMMENDED DEVELOPMENT PERMIT APPROVAL AUTHORITY**

Approval	Decisions on New Development Permit Application	Revise a Development Permit	Enter into and revise agreements
All Classes of Development	Staff	Staff	Staff
Negotiating community benefit, if applicable	Staff	Staff	Staff
Class 4 Matter	Where staff deem application requires it, Council makes decision.	Where staff deem application requires it, Council makes decision.	Where staff deem application requires it, Council makes decision.

The return of decision making authority to Council would occur in cases where a decision related to the development permit would impact a related Council decision. For example, where the applicant is proposing development that would require the provision of infrastructure that requires Council to adjust the phasing of that infrastructure with an approved master plan and/or capital budget. Another circumstance may be where a 'non-standard' or 'low priority' community benefit is offered in exchange for an increase in building height above the established threshold (see Section 5.3.1 for more information regarding community benefit prioritization).

### 5.1.5. Processes

**11** Provide the following process within the by-law that identified mandatory and discretionary steps by class of development.

**TABLE 21 RECOMMENDED DEVELOPMENT PERMIT PROCEDURES**

Step	Rationale	New Application <sup>33</sup> Mandatory (M) Discretionary (D)				Revision to a Development Permit	Revision to an Agreement <sup>34</sup>
Class of Development		1	2	3	4		
<b>PART 1: Pre-Application</b>							
Consult Municipality Determine if Permit is Required	The applicant will need to confirm whether or not the proposal requires a development permit.	M				n/a	n/a
Determine Class of Development	If a permit is required, the municipality will need to confirm the class of development	M				n/a	n/a

<sup>33</sup> The requirement for each step may depend on the class of development. As such, some steps are noted as mandatory or discretionary in the table.

<sup>34</sup> Agreements apply to those related to a development permit approval as well as those related to pre-existing site plan application approvals located within the Community Planning Permit System area.



Step	Rationale	New Application <sup>33</sup> Mandatory (M) Discretionary (D)				Revision to a Development Permit	Revision to an Agreement <sup>34</sup>
Class of Development		1	2	3	4		
	that it is, which will establish the applicable fees, etc. that is associated with that class of development.						
Prepare Complete Application	Per O. Reg. 173/16, the applicant is required to prepare a complete application. The contents of that application is outlined in the regulation. The Official Plan also identifies additional material that may be required to be provided in support of the application.	M				Discretionary, applicant may be required to provide supplementary material to support requested change.	Discretionary, applicant may be required to provide supplementary material to support requested change.
PART 2: Application (45 days)							
Submit Complete Application	(See above, prepare complete application per direction provided at pre-application stage.)	M				Mandatory, if nothing else, a fee would be required to consider the proposed change.	Discretionary
Determine if application requires a Council approval	Staff may recommend the application be considered by Council. <sup>35</sup>	n/a	n/a	n/a	D	D (Class 4 only)	D (Class 4 only)
Issue public notice of application <sup>36</sup>	Depending on the class of development, a notice of complete application may or may not be required.	M	M	M	M	Discretionary, Town may determine that matter is substantive and warrants notification.	n/a
Municipal review	All applications must be reviewed by municipal staff. The range of staff involved in the review will depend on the nature of the application and class of development.	M				Mandatory	Mandatory

<sup>35</sup> A return of approval authority to Council may be appropriate where the approval of the proposed development permit application would impact Council decision making on related matters such as capital planning.

<sup>36</sup> See Table 19 regarding type and range of notice required.

Step	Rationale	New Application <sup>33</sup> Mandatory (M) Discretionary (D)				Revision to a Development Permit	Revision to an Agreement <sup>34</sup>
Class of Development		1	2	3	4		
Agency/Other review	Some applications may need to be reviewed by agencies and others outside of the municipality, the range of reviewers will depend on the nature of the application and class of development.	X	D	M	M	Discretionary, if proposed change impacts an agency/other, then may require consultation.	Discretionary, if proposed change impacts an agency/other, then may require consultation.
Staff Report to Approval Authority	Depending on the nature of the application and class of development, a staff report describing the application and how it meets requirements of the Official Plan and CPP by-law may be required for the approval authority to issue an informed decision.	X	D	M	M	Discretionary	Discretionary
Approval Authority Decision*	The approval authority is required to render their decision on all applications.	M				Mandatory	Mandatory
PART 3: Issue Development Permit							
Issue written notice of decision with reasons	Notice of decision with reasons is required for all applications.	M				Mandatory	Mandatory
Make Permit approval a publicly available document.	Depending on the nature of the application and class of development, the approved development permit may be made publicly available, similar to how site specific exemptions to the Zoning By-law or minor variance approvals are publicly available.	X	D	M	M	Discretionary, if change is substantive, may require updating prior approval.	n/a
Clear/Secure conditions, including registering an	Where development application approvals are subject to conditions prior to the	D	D	D	D	Discretionary	n/a

Step	Rationale	New Application <sup>33</sup> Mandatory (M) Discretionary (D)				Revision to a Development Permit	Revision to an Agreement <sup>34</sup>
Class of Development		1	2	3	4		
<b>agreement on title (if applicable)</b>	issuance of the permit, the clearing of those conditions may be required.						
<b>Issue development permit</b>	Where the application is approved, and any conditions required prior to issuing the approval are met, the Town is required to issue the development permit.	M				Mandatory (to recognize change in permit)	n/a
<b>Clear/Secure conditions, including registering an agreement on title (if applicable) and/or undertaking a site inspection.</b>	Where development application approvals are subject to conditions after the issuance of the permit, the clearing of those conditions may be required.	D	D	D	D	Discretionary	Discretionary, the revised agreement in most cases would need to be registered on title.

## 5.2. Community Building Key Directions

### 5.2.1. Affordable Housing

- 12** In the fall of 2025, consult on possible policies, provisions and programs that may work in combination with each other to facilitate the development of affordable housing in Midtown.
- Draft inclusionary zoning enabling Official Plan policies, if deemed appropriate.**
  - Draft inclusionary zoning provisions, if deemed appropriate.**
  - Consult on community improvement programs and draft Community Improvement Plan.**
  - Prioritize provision of affordable housing as an in-kind community benefit where height of buildings are proposed to exceed threshold and where the CBC equivalent charge may apply.**

### 5.2.2. Criteria for Decision Making

- 13** **Include criteria in the by-law as appropriate**, for relevant provisions of the by-law:
- cross reference criteria policies of the Official Plan,
  - embed criteria within the by-law, and/or
  - refer to guidance material.

### 5.2.3. Permitted/Prohibited Uses

- 14 List permitted and prohibited uses** in accordance with Official Plan policies and where appropriate, build on provisions from the Town's Zoning By-law. Provide appropriate level of specificity regarding permitted uses in line with each use.
- 15 Identify where uses are subject to conditions and/or criteria.**
- 16 Ensure that definitions** for permitted/prohibited uses are flexible to address unforeseen complimentary uses that are akin to those listed in the by-law to minimize the need to amend the CPP by-law to introduce a new permitted/prohibited use. Where appropriate, use definitions provided in the Town's Zoning By-law for consistency.

### 5.2.4. Existing Uses

- 17 Ensure existing uses are legal**, undertake a comprehensive analysis of existing uses and site specific zoning provisions, where necessary provide site specific provisions, otherwise apply general provisions for all other matters.

### 5.2.5. Variations from Standards

- 18 Apply variations from standards in accordance with Official Plan policy.** For some matters apply objective/quality based permission for a variation from standards, and in other cases uses a numerically based variation, depending on the standard. This approach would rely on the policies of the Official Plan and guidance material to inform the type of variation and the decision making process associated with it.
  - a) Where standards are provided in the by-law and Official Plan policies include criteria for decision making, refer to criteria provided (as a cross reference, or embed in by-law if necessary).
  - b) Where standards are provided in the by-law and Official Plan policies allow for variation subject to study, refer to Official Plan study requirement.
  - c) Where standards are provided in the by-law and Official Plan policies allow for variation based on language that uses terms such as: "should," "may," "is an encouraged," and no criteria for variation is provided, embed criteria within by-law and/or refer to relevant guideline for direction regarding the appropriateness of the variation.

### 5.2.6. Conditions

- 19 Provide a table of types of conditions** in the by-law that includes the following headers:
  - Type of condition
  - Description
  - Timing of fulfillment of condition (this could be prior to or post issuance of the development permit)
  - Agreements (denote whether an agreement is required/discretionary)
  - Registration of Agreement (denote whether an agreement is required to be registered on title)
  - Exemptions (identify whether certain matters are exempt from a type of condition)

## 5.2.7. Schedules and Maps

**20 Provide Schedules and Appendices in relation to Official Plan schedules and figures as follows:****TABLE 22 RECOMMENDED COMMUNITY PLANNING PERMIT BY-LAW MAPPING**

Schedule/Figure	Purpose	CPP by-law
<b>Community Planning Permit Area</b>	Per O. Reg. requirements and Official Plan policies, the CPP area needs to be “described” in the by-law.	Provide a key map that identifies the Midtown Oakville CPP Area within the Town of Oakville. Provide a Schedule that identifies Midtown Oakville as a CPP Area.
<b>Schedule L1: Land Use</b>	Assigns permitted/prohibited uses that align with overall Midtown vision.  Conceptually designates future public parks, actual parks are designated as Park and Open Space.  Through future OP consolidations, new parks are redesignated accordingly.	Provide a schedule that includes Zones for each of the land use designations.     Provide a provision that allows for an administrative change to the schedule when a new park is created.
<b>Schedule L2: Minimum Density</b>	Assigns minimum density of development on a block/sub-block basis. Density assignments do not directly align with land use designations.	Provide an Overlay Schedule with assigned minimum density target per block, in accordance with the OP schedule. Provide direction in by-law regarding the calculation of density, including where a site is located on more than one block, and identify any exemptions from achieving minimum targets.
<b>Schedule L3: Maximum Density</b>	Assigns maximum density of development on a block/sub-block basis. Density assignments do not directly align with land use designations.	Provide an Overlay Schedule with assigned maximum density target per block, in accordance with the OP schedule. Provide direction in by-law regarding the calculation of density, including where a site is located on more than one block.
<b>Schedule L4: Building Height Thresholds</b>	Assigns threshold building height, development that proposes to exceed height is required to provide a proportional community benefit in relation to the additional height permitted. Height thresholds do not directly align with land use designations or density assignments.	Provide an Overlay Schedule with building height threshold, and minimum building height (where applicable), include any exemption from minimum height requirement. To implement OP policy regarding maximum podium (base) height, include proposed ROW location and width information on this Overlay Schedule.
<b>Schedule L5: Transportation Network</b>	This schedule provides a new network of streets to facilitate movement of people and goods and delineate development blocks. This schedule also identifies the provision of new bridges and underpasses, transit hubs and BRT stations, and required right-of-way widths for streets.	Refer to OP Schedule. (see also Building Height Threshold)



Schedule/Figure	Purpose	CPP by-law
<b>Schedule L6: Active Transportation</b>	To support objectives of Midtown Oakville where residents, workers and visitors utilize multiple modes of transportation, this schedule identifies future active transportation routes, and facilities to provide for an interconnected network. The schedule also identifies mid-block connections to increase opportunities for active transportation travel.	Refer to OP Schedule.
<b>Figure E1: Precincts</b>	Precinct areas have unique qualities that collectively achieve the vision for Midtown. This map identifies the lands that are subject to each of the five precinct areas of Midtown.	Refer to Figure E1.
<b>Figure E2: Active Frontages</b>	This figure highlights certain street fronts in Midtown that are targeted to provide street-facing non-residential uses and wider building setbacks to ensure active, vibrant walkable streets.	Provide an Overlay Schedule along with building set back standards from “Active Frontage” streets. Also, incorporate into Zone Schedule to address non-residential use requirements.
<b>Conservation Halton Regulated Area</b>	Policies in the Official Plan require consultation with Conservation Halton regarding spill flood hazard and hazard land areas. Permits may be required from CH prior to development approval.	Provide a map of the regulated area in the Appendix of the By-law, this map could also include the estimated floodplain and spill flood hazard areas. As an appendix, the map may be updated when CH updates its regulated area and hazard mapping.
<b>Railyard Influence Area and Highway and Pipeline Corridor setbacks.</b>	Policies in the Official Plan require setbacks and land use compatibility mitigation. Permits may be required from public agencies such as MTO and TransNorthern Pipeline.	Provide a map of the influence area and corridors as an Appendix of the By-law.

### 5.3. Commensurate Community Benefit Key Directions

#### 5.3.1. Prioritization of Benefits

##### **21 Prioritize provision of community benefits in the following order of priority:**

- **Location (providing benefits on development site)**
- **Policy (provide types of benefits identified in Section 20 Midtown Oakville)**
- **Timing (provide in-kind benefit, concurrent with development)**
- **Funding (provide benefits that are unfunded or underfunded)**

By including this prioritization of benefits, development permit applicants will have an understanding of the type(s) of benefits the Town is most interested in when proposing community benefits in exchange for the permission to exceed building height thresholds.

This prioritization of benefits may also inform proportional relationship provisions within the by-law.

### 5.3.2. Benefit Proportion Approach

**22 Undertake additional analysis and further define proportional relationships based on: “Rate (dollar) per Square Meter” and the “In-kind Only” options.**

The land value related options are too unpredictable, making it difficult for development permit applicants to incorporate provisions whether in cash or in kind- in the early stages of their development proposal. Whereas the Rate per Square Meter or In-kind Only options have the potential to be more predictable and fair among all land owners who are interested in seeking additional building height in their proposals.

## References

- Building Industry and Land Development. (2021, June 1). *Affordable Housing in the City of Toronto - A Responsibility We All Share*. Retrieved from BILD Industry Reports: <https://www.bildgta.ca/wp-content/uploads/2022/06/Affordable-housing-in-the-city-of-Toronto.pdf>
- City of Brampton. (2015, December). *Main Street North - Development Permit System*. Retrieved from City of Brampton: <https://www.brampton.ca/EN/Business/planning-development/projects-studies/Pages/main-street-north.aspx>
- City of Burlington. (2024, June 11). *Burlington Major Transit Station Areas Community Planning Permit By-law Proposed May 2024*. Retrieved from City of Burlington : [https://ehq-production-canada.s3.ca-central-1.amazonaws.com/4029234b7238ffc8b29811c9543d253de52c0f79/original/1716327064/e2d3a429788454810ec7b0969ce0f27a\\_Recommended\\_Burlington\\_MTSA\\_-\\_Community\\_Planning\\_Permit\\_By-law\\_-\\_May21\\_Final.pdf?X-Amz-Algorithm=AWS4](https://ehq-production-canada.s3.ca-central-1.amazonaws.com/4029234b7238ffc8b29811c9543d253de52c0f79/original/1716327064/e2d3a429788454810ec7b0969ce0f27a_Recommended_Burlington_MTSA_-_Community_Planning_Permit_By-law_-_May21_Final.pdf?X-Amz-Algorithm=AWS4)
- City of Guelph. (2025, April 8). *Item 8.2 Stone Road and Edinburtgh Road Community Planning Permit Decision Reoirt, 2025; Attachment 2 - City of Guelph CPP By-law*. Retrieved from City Council - Planning Revised Agenda, April 8, 2025: <https://pub-guelph.escribemeetings.com/Meeting.aspx?Id=d02d93c4-3e3f-45e1-b8f9-89f1a243d2b5&Agenda=Merged&lang=English&Item=18&Tab=attachments>
- City of Richmond Hill. (2025, March 26). *City of Richmond Hill by-law number 30-25 Comprehensive Zoning By-law*. Retrieved from Zone Richmond Hill: [https://www.richmondhill.ca/en/resources/Development-Planning/2025-04-ZoneRH-By-law-30-25\\_signed.pdf](https://www.richmondhill.ca/en/resources/Development-Planning/2025-04-ZoneRH-By-law-30-25_signed.pdf)
- City of Waterloo. (2024, December). *Draft Uptown Primary Node and Erb Street Corridor CPP by-law*. Retrieved from City of Waterloo: [https://hdp-ca-prod-app-wr-engage-files.s3.ca-central-1.amazonaws.com/7817/3752/1514/558a3cf0ee4f7c7c0e074e176359dec0\\_DRAFT\\_Waterloo\\_CPP\\_By-law\\_December\\_2024\\_AODA\\_28229.pdf](https://hdp-ca-prod-app-wr-engage-files.s3.ca-central-1.amazonaws.com/7817/3752/1514/558a3cf0ee4f7c7c0e074e176359dec0_DRAFT_Waterloo_CPP_By-law_December_2024_AODA_28229.pdf)
- Environmental Defence. (n.d.). *The Mid-Rise: Manual Unlocking Mid-Rise to end Ontario's Shortage*. Retrieved from Environmental Defence, Reports and Guides: [https://environmentaldefence.ca/wp-content/uploads/2024/11/241106\\_The-Mid-rise-Manual\\_pages.pdf](https://environmentaldefence.ca/wp-content/uploads/2024/11/241106_The-Mid-rise-Manual_pages.pdf)
- Government, O. (2021, 06 1). *O. Reg. 173/16: COMMUNITY PLANNING PERMITS*. Retrieved from <https://www.ontario.ca/laws/regulation/160173>: <https://www.ontario.ca/laws/regulation/160173>
- Halifax Regional Municipality. (2015, October 8). *Halifax Regional Municipality Density Bonusing Study*. Retrieved from Halifax Regional Municipality: <https://townofoakville.sharepoint.com/sites/CPPBy-law/Shared%20Documents/Forms/AllItems.aspx?id=%2Fsites%2FCPPBy%2Dlaw%2FShared%20>

- Documents%2FCPP%20By%2Dlaw%2FResearch%2FHalifax%5FDensity%5FBonusing%5FStudy%2Epdf&parent=%2Fsites%2FCPPBy%2Dlaw%2FShared%20D
- Halifax Regional Municipality. (2021, May). *Regional Plan Review Issue Paper Density Bonusing*. Retrieved from Halifax Regional Municipality: [https://cdn.halifax.ca/sites/default/files/documents/business/planning-development/applications/24063-DensityBonusing\\_IssuePaper\\_May2021Comp.pdf](https://cdn.halifax.ca/sites/default/files/documents/business/planning-development/applications/24063-DensityBonusing_IssuePaper_May2021Comp.pdf)
- Ontario Government. (2021, June 1). *O. Reg. 173/16: COMMUNITY PLANNING PERMITS*, Currency date from June 1, 2021. Retrieved from e-Laws: <https://www.ontario.ca/laws/regulation/160173>
- Town of Innisfil. (2017, May 24). *Our Shore Innisfil Community Planning Permit By-Law*. Retrieved from Town of Innisfil: <https://innisfil.ca/en/building-and-development/resources/Documents/CPPSBookletFINAL-compressed-size.pdf>
- Town of Innisfil. (2017, May 24). *Our Shore Innisfil Community Planning Permit By-law 062-17*. Retrieved from Town of Innisfil: <https://innisfil.ca/en/building-and-development/resources/Documents/CPPSBookletFINAL-compressed-size.pdf>
- Town of Oakville. (2022, August 5). *Community Benefits Charge strategy*. Retrieved from Town of Oakville: <https://www.oakville.ca/getmedia/f244a3ac-eac6-4411-9246-9510af02ffca/town-hall-finance-community-benefits-charge-strategy.pdf>
- Town of Oakville. (2024). *Official Plan Amendment 67*. Retrieved from Town of Oakville: <https://pub-oakville.escrimemeetings.com/filestream.ashx?DocumentId=70301>
- Town of Oakville. (2025, February 18). *Adopted Official Plan Amendment 70 Midtown Oakville and Community Planning Permit System Official Plan Amendment*. Retrieved from Midtown Oakville Growth Area Review: <https://www.oakville.ca/getmedia/8dd7c4c2-ffff-4bc0-93f9-c17d38acdb4b/planning-midtown-community-planning-permit-system-OPA.pdf>
- Town of Oakville. (2025, April 22). *By-law 2025-033*. Retrieved from Town of Oakville: <https://bylaws.oakville.ca/bylaws-all/2025-033>
- Town of Oakville. (2025, April 22). *Livable Oakville Plan Consolidation*. Retrieved from Livable Oakville Plan: <https://www.oakville.ca/business-development/planning-development/official-plan/livable-oakville-plan/>
- Town of Oakville. (n.d.). *Bonusing under Section 37 of the Planning Act Procedure*. Retrieved from Town of Oakville Community Development Policy: <https://www.oakville.ca/town-hall/policies-procedures/community-development-policy/bonusing-under-section-37-of-the-planning-act-procedure/>

## Appendix 1. Public Consultation and Feedback

### Approach

Public consultation regarding key directions for preparing the Community Planning Permit By-law commenced with notification of the June 5<sup>th</sup> open house. Notice of the open house was issued through the Town's public engagement calendar and community advisory, paid advertising through Metroland Media Group, social media (LinkedIn, X, Instagram and Facebook), and hand delivered post cards to properties within 240m of the Midtown boundary.

The Open House took place on June 5<sup>th</sup> at Town Hall. Approximately 35 members of the public attended the event, asked questions and provided feedback. The information panels shared at the open house were also provided on the Town's website.

Following the Open House and until June 12, members of the public were invited to complete an online questionnaire wherein they could provide their feedback.

Stakeholder meetings were held with public agencies and Midtown landowners during the week of June 9<sup>th</sup>.

### Open House

The open house was held on June 5, 2025 from 6:30 – 8:30 p.m. at Town Hall. A copy of the panels presented at the meeting is provided in Appendix 3. Approximately 35 people attended the Open House. Those who attended were able to discuss the proposed key directions with staff and ask questions regarding the Midtown Oakville and the Community Planning Permit System. Some attendees provided comments using Post It Notes which they placed on panels, as shown below.



**Help shape this direction...**


## Structure and Scope of CPP By-law

The following are basic principles of preparing the CPP by-law:

- 1. Prepare the by-law in a user-friendly and familiar manner.**  
Use plain language and provide definitions for uncommon terms or terms that are intended to have a specific meaning.
- 2. Structure the by-law in a manner that makes it compatible with the Town's online systems.**  
Provide by-law online. Enable development permit applications to be submitted via online forms, and have them tracked through Town systems, with final approvals accessible to the general public..
- 3. Structure the by-law in a manner that makes it possible to extend to other parts of the Town.**
- 4. Streamline development permit, site alteration and tree-protection approvals within a single development permit application process.**  
Enable all three matters to be addressed within a single development permit application; however, where a matter is only related to tree-protection and/or site alteration, the Town's usual application process that applies under those by-laws would apply.

Are there other matters to consider in terms of the structure or scope of the by-law?  
(Please share your response here or through the online questionnaire, Section 1.)

Integration w/ Data Hub


10 **meetmidtown**  **OAKVILLE**

**Help shape this direction...**

**Classes of Development and Notices**

The following are proposed "classes of development" and associated complete application notice requirements:

Class	Description	Notice of Complete Application
1	Commercial Parking Lot (new or change to existing)	• Email to Applicant
2	Temporary Sales Office or Temporary Use (less than 6 months) accessory to existing development	• Email to Applicant, Public Agency • Post Sign on Site • Post on town website
3	Change/Minor Expansion to existing use  OR Small Scale New Development (greater than 50 sq. m. but less than X sq. m.)	• Email to Applicant, Public Agency • Post Sign on Site • Post on town website • Mail to Adjacent Property with 60m
4	Large Scale New Development (greater than X sq. m.)	• E-mail to Applicant, Public Agency, Indigenous community • Mail to Adjacent Property with 120m, • Post sign on site • Post on town website

**Classes of Development**

- What other "Classes of Development" should there be in the by-law?

**Notice Approach**

What other approach to giving notice regarding the proposed "Classes of Development" should there be?

(Please share your response here or through the online questionnaire, Section 3.)

13 **meetmidtown** **OAKVILLE**

**Notice Approach**


What other approach to giving notice regarding the proposed "Classes of Development" should there be?

(Please share your response here or through the online questionnaire, Section 3.)

**OAKVILLE**



Help shape this direction...


 **Exempt Matters**

The following are proposed matters that would be exempt from having to apply for a development permit application:

- Site alteration and/or tree removal only (separate permit process)
- 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;
- a new non-residential building or structure on town-owned land, provided that the building or structure is less than 100 square metres;
- a temporary building or structure on public lands allowed through a municipal permit; and
- the placement of a portable classroom on a school site of a district school board (note: this is required per O. Reg. 173/16).

What other types of development or matters should be exempt?  
(Please share your response here or through the online questionnaire, Section 2.)

Small changes of uses (floor unit to small shop)		


12 meetmidtown 

apply

What other types of development or matters should be exempt?  
(Please share your response here or through the online questionnaire, Section 2.)

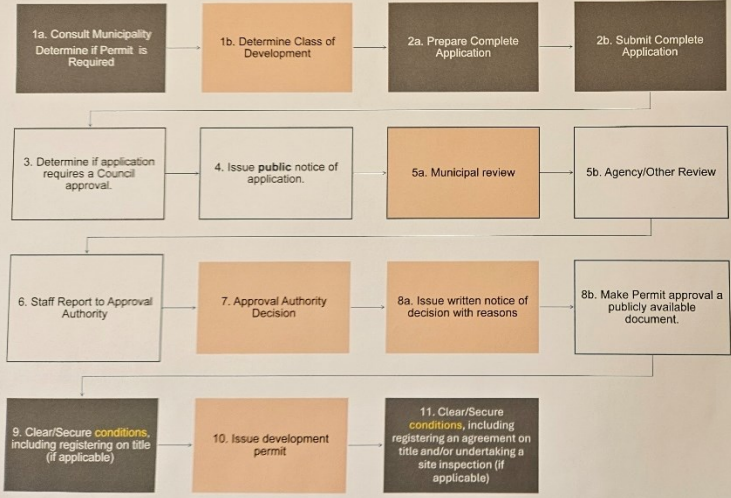
either	Small changes of uses (floor unit to small shop)		
ded			

**Help shape this direction...**

 **Development Permit Application Process**

The following is a proposed processes for approval of a new development permit application;

**Note:** The proposed process for all classes of development delegates all decision making to staff, as is the case for most similar planning application types within the Town. The proposed process includes Step 3, where approval authority could be returned to Council, upon staff's recommendation.



1a. Consult Municipality Determine if Permit is Required → 1b. Determine Class of Development → 2a. Prepare Complete Application → 2b. Submit Complete Application → 3. Determine if application requires a Council approval. → 4. Issue public notice of application. → 5a. Municipal review → 5b. Agency/Other Review → 6. Staff Report to Approval Authority → 7. Approval Authority Decision → 8a. Issue written notice of decision with reasons → 8b. Make Permit approval a publicly available document. → 9. Clear/Secure conditions, including registering on title (if applicable) → 10. Issue development permit → 11. Clear/Secure conditions, including registering an agreement on title and/or undertaking a site inspection (if applicable)


☐ Municipality (required) 
 ☐ Municipality (optional) 
 ☐ Applicant (required)

• Are there steps that should be removed or added?  
 PUBLIC INPUT?

• Are there discretionary steps that should be made mandatory?

• For Step #3, what situation should warrant a Council decision?  
 Not many.  
 Only bigger scale changes.

(Please share your response here or through the online questionnaire, Section 4)

16 **meet midtown** 

tep removed or added?


PUBLIC INPUT?

• Are there discretionary steps that should be made mandatory?

• For Step #3, what situation should warrant a Council decision?  
 Not many.  
 Only bigger scale changes.



**Help shape this direction...**

 **Land use - Existing**

The following are proposed options to address existing uses and uses subject to approved site-specific zoning but not yet built:

**NOTE:** Official Plan policies permit existing uses to continue, to expand, and to redevelop. The expansion or redevelopment of certain existing uses are exempt from certain policies such as minimum height and density requirements, provided the expansion or redevelopment does not preclude the provision of infrastructure required to support Midtown growth.

**OPTION 1: Site Specific Provisions**


PRO	CON
<ul style="list-style-type: none"> <li>Carries forward existing zoning provisions applicable to a site.</li> <li>Clearly defines legal permissions and standards for each site. Provides recent development proponents assurance that the zoning provisions they have secured continue to exist.</li> </ul>	<ul style="list-style-type: none"> <li>Creates a precedent to provide site specific details in the CPP by-law that would otherwise be listed in a development permit, and thereby defeats the streamline approval process that the CPPS is intended to be.</li> <li>May result in a cumbersome by-law document.</li> </ul>

**OPTION 2: General Provisions**

PRO	CON
<ul style="list-style-type: none"> <li>Using general provisions to address permitted, conditionally permitted and prohibited uses for existing or pre-existing zoning permissions is in accordance with the intent of the CPP system where the issued development permits and pre-existing site plan approvals provide site specific details.</li> <li>This option does not set a precedent for future CPP by-law site specific amendments to recognize specific permissions and standards for sites.</li> </ul>	<ul style="list-style-type: none"> <li>Specific permissions and standards established for existing uses may not be easily found on a site by site basis. Some landowners may believe that certain use permissions that are permitted by the Official Plan policies have been removed through the passing of the CPP by-law.</li> </ul>

Are there other Pros and Cons to be considered for these options?  
(Please share your response here or through the online questionnaire, Section 5.)

			<p>CON: Backwards. will complicate by-law</p>				
--	--	--	---	--	--	--	--

20 **meetmidtown**  **OAKVILLE**

and standards for sit


Pros and Cons to be considered for these options?  
(Please share your response here or through the online questionnaire, Section 5.)

		<p>CON: Backwards. will complicate by-law</p>		
--	--	---	--	--

**midtown**



**Help shape this direction...**

 **Variation from Standards**

The following are proposed options to address variation from standards in the by-law:

Official Plan policies set standards or requirements, however, for policies that use words such as: "may," "should," "is encouraged," or "subject to" – allow for a variation from the standard or requirement.

**OPTION 1: Numerically**

**PRO**

- Variation permission is predictable, reduces need to resubmit plans and drawings.

**CON**

- Preset numeric variation may not address all situations or circumstances, applicant may be required to seek an amendment to the CPP by-law before a development permit application can be approved, thus undermining the objective of a streamlined approval process.

**OPTION 2: Qualitatively**


**PRO**

- Variation permission is based on whether the request continues to address relevant objectives or qualities of development.
- Maintains the objective of a streamlined approval process.

**CON**

- Variation permission is not predictable

Are there other Pros and Cons to be considered for these options?  
(Please share your response here or through the online questionnaire, Section 6.)


25 **meetmidtown**  **OAKVILLE**

ection 6.)

**Pro:**  
Allows for a dynamic  
and naturally changing  
community



Booth 2: Community Planning Permit By-law


Let's  
Talk...

## Community Building Matter

### Permission to exceed building height threshold

**Policy 20.5.1 (e) Site Density** assigns maximum gross density for a site using floor space index (FSI).


Theoretical development on a site where density maximum is achieved, and height threshold is not exceeded.



Results in eight 12-storey midrise buildings, while achieving maximum permitted 6 FSI.

**Policy 20.5.1 (f) Building Height** assigns building height thresholds for sites in storeys.

Theoretical development on a site where density maximum is not achieved, height thresholds are met, and land is conveyed for public park.




Results in seven 20-storey buildings achieving 4.5 of the permitted 6 FSI and provides public parkland.

**Policy 20.5.1 (f) Building Height** permits additional height beyond the threshold, subject to:

- the maximum density allocation for the site is not exceeded, and
- community benefits or cash-in lieu of benefits, are provided.

Results in seven 20+ buildings while achieving maximum density and providing community benefits.




Theoretical development on a site where density maximum is achieved, height threshold are exceeded, and land is conveyed for public park along with other community benefits.

Community benefits include: Affordable Residential Units, Solar Panels, Green Roofs, Integrated community facility (e.g. library, retail, etc.) beyond development or Education Change needs, Non-residential GFA greater than minimum required, District Energy System, and Parkland greater than required by Parkland Dedication By-law.

Legend: Yellow circle = Possible community benefits, Orange circle = Floor area above the building height threshold.

27 **meet midtown** OAKVILLE

achieved, and height threshold is not exceeded.



Monolithic and repetitive - Not good! →


**Policy 20.5.1 (f) Building Height** permits additional height beyond the threshold, subject to:

Additional height

is not

s, are

Results in seven 20+ buildings while achieving maximum density and providing community benefits.



Community benefits include: Affordable Residential Units, Solar Panels, Green Roofs, Integrated community facility (e.g. library, retail, etc.) beyond development or Education Change needs, Non-residential GFA greater than minimum required, District Energy System, and Parkland greater than required by Parkland Dedication By-law.

Legend: Yellow circle = Possible community benefits, Orange circle = Floor area above the building height threshold.



Let's

Talk...

## Community Building Matter Possible Community Benefit



The Official Plan lists the following potential community benefits:

■ On-site matter

■ On or Off-site matter

### TOWN WIDE (Policy 28.15.12)

Matters without a Town funding source.

- public parking
- affordable housing
- conservation and preservation of cultural heritage resources
- day care centres
- public art
- integration of office uses in mixed use developments;
- green buildings
- other local improvements

Matters with a funding source

- public transit infrastructure, facilities, services and improved pedestrian access to public transit
- protection and/or enhancement of natural features and functions
- public service facilities
- parkland and improvements to parks

### MIDTOWN OAKVILLE (Policy 20.6.6)

Matters without a Town funding source

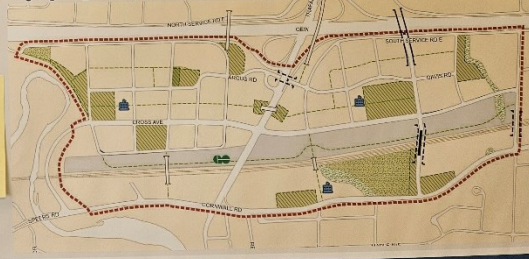
- contributions toward district/renewable heating/cooling/energy system

Matters with a funding source.

- grade separated pedestrian and cycling facilities across the QEW, railway tracks or Trafalgar Road
- community facilities
- improved local transit facilities and transit user amenities

#### Excerpt of Schedule 1: Land Use

Highlighting conceptual "Park" designated areas and priority areas for schools.



meet midtown

OAKVILLE

facilities, services and  
to public transit  
ent of natural features

to parks

To include  
protection  
of wildlife/  
birds

#### Excerpt of Schedule 1: Land Use

Highlighting conceptual "Park" designated areas and pr









**Help shape this direction...**





**Prioritization of (In-Kind) Community Benefits**

The following are proposed considerations to inform the prioritization of community benefits in the case of "in kind" benefits.

Select your preference for each:  
Select one option for each of the four categories.


 <b>In-Kind</b> vs. <b>Cash-in-Lieu</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	 <b>On-site</b> vs. <b>Off-Site</b> <input checked="" type="checkbox"/> <input type="checkbox"/>
 <b>Midtown specific matters</b> vs. <b>General items list</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	 <b>Unfunded Matters</b> vs. <b>Funded Matters</b> <input checked="" type="checkbox"/> <input type="checkbox"/>

**Prioritize the following :**  
Insert your prioritization into a column using numbers 1 to 4, 1 being the highest priority.





Consideration	1	2	3	4
 <b>Timing</b> (In-kind vs. Cash-in-lieu)				
 <b>Location</b> (On-site vs. Off-site)				
 <b>Type</b> (Midtown specific matters (per list and schedules) vs. General items list)				
 <b>Funding availability</b> (Unfunded matters vs. Funded matters)				

**NOTE:** Where the community benefit is provided in cash – Council determines how and when those funds are applied within Midtown through its capital planning and budget work.





(Please share your response here or through the online questionnaire, Section 7.)

29 **meetmidtown** 

Select your preference for each:  
Select one option for each of the four categories.

 <b>In-Kind</b> vs. <b>Cash-in-Lieu</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	 <b>On-site</b> vs. <b>Off-Site</b> <input checked="" type="checkbox"/> <input type="checkbox"/>
 <b>Midtown specific matters</b> vs. <b>General items list</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	 <b>Unfunded Matters</b> vs. <b>Funded Matters</b> <input checked="" type="checkbox"/> <input type="checkbox"/>

**Prioritize the following :**  
Insert your prioritization into a column using numbers 1 to 4, 1 being the highest priority.

Consideration	1	2	3	4
 <b>Timing</b> (In-kind vs. Cash-in-lieu)				
 <b>Location</b> (On-site vs. Off-site)				
 <b>Type</b> (Midtown specific matters (per list and schedules) vs. General items list)				
 <b>Funding availability</b> (Unfunded matters vs. Funded matters)				

**NOTE:** Where the community benefit is provided in cash – Council determines how and when those funds are applied within Midtown through its capital planning and budget work.

(Please share your response here or through the online questionnaire, Section 7.)




Help shape this direction...

## Commensurate Community Benefits

The following explains the approach and provides potential Pros and Cons for the Land Value Uplift option:

1

Land Value Uplift



- Applicant undertakes a land appraisal based on development that does not exceed building height and a second appraisal based on pre-building permit land value (with building heights above threshold).
- The land value "uplift" equals the difference in value determined by the two appraisals.
- Town establishes a **set percentage of land value uplift** that would be applied to "community benefit," which the applicant would provide in cash or in-kind.
- Where in-kind matters are provided, a cost estimate by qualified professional may be required.
- Where community benefits require public ownership or operation, or include stipulations such as long term affordability, agreements will need to be registered on title.

Pro	Con
<ul style="list-style-type: none"> <li>Both the Town and development community are familiar with this approach.</li> </ul>	<ul style="list-style-type: none"> <li>Requires undertaking two land appraisals.</li> <li>The correlation of the percent of uplift and benefit of increased height may be weak.</li> <li>Land value can vary from site to site.</li> <li>It is difficult to incorporate this into the early pro-forma stages of development.</li> </ul>


What are other Pros and Cons to be considered for this option?  
(Please share your response here or through the online questionnaire, Section 8.)

Ap  
Another study that  
Staff need to spend  
time to review.  
Applicants can  
show the information  
that is in the report.

31 meetmidtown
OAKVILLE

and Cons to be considered for this option?  
(Please share your response here or through the online questionnaire, Section 8.)

Ap  
Another study that  
Staff need to spend  
time to review.  
Applicants can  
show the information  
that is in the report.






Help shape this direction...


**Share your additional comments**

Please add any additional comments that may assist with preparing the forthcoming Community Planning Permit By-law.



	Make the Sun Shade Study available online please						

P.D. Stewer  
Leadership panel  
asked for more  
small table top.

35 **meetmidtown** 

## **Online Questionnaire**

An online questionnaire to gather feedback was available from June 5<sup>th</sup> – June 12<sup>th</sup>. A copy of the questionnaire and responses to it is provided in Appendix 2.

## **Public Agency and Mississaugas of the Credit River First Nation Meeting**

A meeting with public agencies was held on June 10, 2025. This meeting included twenty-three representatives from Halton Region, Conservation Halton, Halton District School Board, Halton Catholic District School Board, Oakville Hyrdo, Enbridge, Cogeco, as well as Town staff. During the meeting the following matters were presented and discussed:

- Classes of development and exemptions
- Processing a development permit application
- Conditions of application approval

Through this engagement, information regarding classes of development and agency interest in the various type of development was discussed, and it was noted that Conservation Halton would have an interest in even Class 1 development (commercial parking) owing to the spill flood hazard area within Midtown. Furthermore, it was noted that given the complexity of some studies, consideration should be given in the processing of applications to intake those studies in advance of the complete application start time, or to conditionally approve development permit applications subject to the satisfactory completion of certain types of studies, i.e. ensuring infrastructure and health and safety matters are properly addressed.

## **Landowner Meeting**

A meeting with Midtown Oakville area landowners was held on June 11, 2025. Twenty-one landowners and/or their representatives attended. During the meeting the following matters were presented and discussed:

- Elements of the by-law that inform the completion, review, and approval of a development permit application and issuance of a development permit.
- Options the Town is considering in relation to determining the proportional relationship between community benefits and permission to increase the height of buildings beyond the height threshold provided in the Official Plan for the site.

In terms of classes of development, participants indicated that more clear parameters regarding how potential types of development, such as staging areas that are temporary but longer than 6 months, would be classified, or to what extent is an expansion to an existing use is considered minor, should be provided.

In terms of process, participants asked how much time would be required to confirm an application is complete given that the total decision making time is 45 days.

In terms of the proportional relationship between additional building height and community benefit, participants asked how rental housing would be quantified through this By-law. Participants also noted that using land value as the basis for determining a proportional relationship is too open.

Participants also sought clarification regarding how existing approvals would be considered in this process, and whether an existing approval would be used as the threshold height rather than the thresholds provided in the OPA.

### Feedback received

Based on the above noted engagement, feedback received has informed and been incorporated in the preceding sections of this report.

## Appendix 2. Online Questionnaire and Responses

### Online Questions

The online questionnaire consisted of the following information and questions:



#### **Midtown Community Planning Permit (CPP) By-Law Key Directions QUESTIONNAIRE (June 2025)**

Please provide your responses to the following questions to help inform Key Directions for preparing the forthcoming Midtown Oakville Community Planning Permit By-law. Refer to Open House panels available at [Oakville.ca/Midtown](https://oakville.ca/Midtown) when responding. There are 9 sections to this questionnaire, feel free to only respond to questions that are of interest to you.

Responses will be shared with town staff and Council and your feedback will be used to inform the recommended Key Directions for Council's consideration.

Note: Personal information captured in this questionnaire is collected under the Municipal Act for the purpose of gathering feedback to help support the development of a forthcoming Community Planning Permit By-law. Your responses will not be distributed to any external sources and will only be used by the study team. Questions about the collection of information or for alternate formats of the questionnaire can be sent to [sybelle.vonkursell@oakville.ca](mailto:sybelle.vonkursell@oakville.ca) or call 905-845-6601, ext. 6020.

#### **Section 1 Structure and Scope of the Community Planning Permit (CPP) By-law**

A CPP By-law implements the Midtown Oakville official plan policies (OPA 70). The by-law would replace the Town's zoning by-law for the Midtown Oakville area and in so doing streamlines the planning approval process for new *development*. All *development* (including permanent and temporary buildings, removal of trees, and altering the grading of a site) may be subject to this process.

The following are basic principles of preparing the CPP by-law:

1. Prepare the by-law in a user-friendly and familiar manner;
2. Structure the by-law in a manner that makes it compatible with the Town's online systems;

3. Structure the by-law in a manner that makes it possible to extend to other parts of the Town; and
4. Streamline development permit, site alteration and tree-protection approvals within a single development permit application process.

**1. Are there other general matters to consider in terms of the structure and scope of the by-law?**

Enter your answer

**Section 2 Administrative Matters of the CPP By-Law: Exempt Matters**

The following are proposed matters that would be exempt from having to apply for a development permit application (but may be subject to other application processes):

- applications for site alteration and/or tree removal **only**;
- a building or structure that is 50 square meters or less in size that is either accessory to or in addition to, an existing building or structure;
- a new non-residential building or structure on town-owned land, provided that the building or structure is less than 100 square meters;
- a temporary building or structure on public lands allowed through a municipal permit; and
- the placement of a portable classroom on a school site of a district school board (note: this is required per O. Reg. 173/16).

**2. What other types of development or matters should be exempt from having to apply for a development permit?**

Enter your answer

**Section 3 Administrative Matters of the CPP By-Law: Classes of Development and Notices**

Within the CPP By-law, the Town may identify "classes of development." Different classes may be subject to different procedures, including notification procedures and fees. The following four "Classes of Development" are proposed based on similar applications the Town currently processes.

- **Class 1:** Commercial Parking Lot (new or change to existing)
- **Class 2:** Temporary Sales Office or Temporary Use (less than 6 months) accessory to existing development
- **Class 3:** Change/Minor Expansion to existing use or Small Scale New development (greater than 50 sq. m. but less than X sq. m.)
- **Class 4:** Large Scale New Development (greater than X sq. m.)



### 3.What other “Classes of Development” should there be in the by-law?.

Enter your answer

4.Below are the proposed four classes of development along with options in terms of to whom notice of complete application could be made. Select the option that represents the broadest range of notice necessary for each Class of Development. (Applicant represents the smallest range and Public represents the largest).

	Applicant (Email)	Public Agency (Email)	Public via sign on site	Adjacent La ndowners (mail within 60 m)	Adjacent La ndowners (mail within 120 m)	Public via Town Website
Class 1: Commercial Parking Lot (new or change to existing)						
Class 2: Temporary Sales Office or Temporary Use (less than 6 months) accessory to existing development						
Class 3: Change/Minor Expansion to existing use or New development (greater than 50 sq. m but less than X.						
Class 4: New Development (greater than X sq. m.)						

#### Section 4 Administrative Matters of the CPP By-Law: Development Permit Application Process

The following are proposed process steps for approval of development permit applications. Identify the steps that should be mandatory, discretionary or not applicable.

**5. For Class 4: Large Scale New Development applications, identify the steps that should be mandatory, discretionary or not applicable.**

	Mandatory	Discretionary	Not Applicable
<b>1) Consult Municipality and Determine if Permit is Required</b>			
<b>2) Prepare and Submit Complete Application</b>			
<b>3) Determine if application requires a Council approval.</b>			
<b>4) Issue public notice of complete application</b>			
<b>5 a) Municipal staff review</b>			
<b>5 b) Public Agency Review review</b>			
<b>6) Staff report to approval authority</b>			
<b>7) Approval Authority Decision</b>			
<b>8 a) Issue Written Notice of Decision</b>			
<b>8 b) Make permit approval publicly available</b>			
<b>9) Clear Conditions (if applicable)</b>			
<b>10) Issue Development Permit</b>			
<b>11) Clear Conditions and site inspection (if applicable)</b>			

**6. For step #3 regarding Class 4 Development, revisions to permits and/or agreements, what situation(s) should warrant a Council Decision? (Note: This step assumes that decision making authority is delegated from Council to staff or a Committee, as is the case for similar development application types.)**

Enter your answer

**7. What steps identified in Question #5 should be discretionary in the case of Class 1, 2 or 3 matters and in the case of revising an issued development permit or an agreement?**

Enter your answer

### Section 5 Community Building Matters for the CPP By-law: Existing Land Use

Official plan policies permit existing uses to continue, to expand, and to redevelop. The expansion or redevelopment of certain existing uses are exempt from certain policies such as minimum height and density requirements, provided the expansion or redevelopment does not preclude the provision of infrastructure required to support Midtown growth. Two options are proposed to address existing land uses. **Option 1: Site Specific Provisions** for each existing use or site specific zoning provisions that would not in conformity with the official plan if newly proposed, and **Option 2: General Provisions** to address uses in general (for example "all legally established uses as of the passing of this by-law are permitted.")

#### 8.What are benefits (pros) that might be achieved by Option 1: Site Specific Provisions for existing land uses?

Enter your answer

#### 9.What are benefits (pros) that might be achieved by Option 2: General Provisions for existing land uses?

Enter your answer

#### 10.What are challenges (cons) that might be achieved by Option 1: Site Specific Provisions for existing land uses?

Enter your answer

#### 11.What are challenges (cons) that might be achieved by Option 2: General Provisions for existing land uses?

Enter your answer

### Section 6 Community Building Matters for the CPP By-law: Variances from Standards

Official plan policies set standards or requirements, however, policies that use words such as: "may," "should," "is encouraged," or "subject to" – allow for a variation from the standard or requirement. Two options are proposed to address variances from standards. **Option 1: Numerically** would establish a numeric value or percentage within which an applicant can seek an increase or reductions from a set standards in the by-law, and **Option 2: Qualitatively** would permit a variance from the set standard based on criteria and/or demonstration that the objectives associated with the established standard are achieved.

#### 12.What are benefits (pros) that might be achieved for permitting variation to standards by Option 1: Numerically?

Enter your answer

#### 13.What are benefits (pros) that might be achieved for permitting variation to standards by Option 2: Qualitatively?

Enter your answer

**14.What are challenges (cons) that might be achieved for permitting variation to standards by Option 1: Numerically?**

Enter your answer

**15.What are challenges (cons) that might be achieved for permitting variation to standards by Option 2: Qualitatively?**

Enter your answer

#### **Section 7: Community Building Matters: Prioritization of (In-Kind) Community Benefits**

Policies 20.6.5 and 28.15.12 of the OPA 70 list several facilities, services and matters as possible community benefits that may be received in exchange for permission to exceed building height thresholds provided in Schedule L4: Building Height Thresholds of the OPA. The Official Plan policies also permit that in-lieu of providing the specified community benefits, the Town may accept cash, which is placed in a reserve fund and then used to provide the listed matters at a later date. Where the community benefit is provided in cash – Council determines how and when those funds are applied within Midtown through its capital planning and budget work.

**16.Select what is more important to you in terms of the timing of the community benefit being delivered.**

- Concurrent with the development (In-kind)
- At a later time from when the development is built (Cash-in-lieu)

**17.Select what is more important to you in terms of the location of the community benefit provided:.**

- On-site (benefit provided on the development site)
- Off-site (benefit provided anywhere within Midtown but not on the development site)

**18.Select what is more important to you in terms of the type of the community benefit provided:**

- Midtown specific matter per policy 20.6.6
- Town wide matter per policy 28.15.12

**19.Select what is more important to you in terms of the availability of other funding sources for the community benefit provided:**

- Town has other funding sources (funded) for the proposed benefit.
- Town does not have/has limited funding source (unfunded) for the proposed benefit.

**20. Please rank the following in terms of most important (move to the top of list) to least important (move to bottom of list) consideration when prioritizing the provision of community benefits:**

- Timing (In-kind vs. Cash-in-lieu)
- Location (On-site vs. Off-site)
- Type (Midtown specific listed matter vs. Townwide listed matter)
- Other Funding Source availability (Unfunded matter vs. Funded matter)

#### **Section 8 Community Building Matter: Commensurate Community Benefits**

Official plan policy 28.15.10 requires the CPP by-law to include provisions establishing a proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height and/or density of development that may be allowed. Four options are proposed to establish the required proportional relationship.

1. **Land Value Uplift** (An approach the Town has used in relation to Height/Density Bonusing. With this approach, community benefits are provided that are equivalent in cost to a portion of the uplift in land value that is achieved by the increase in building height.)
2. **Percentage of Land Value** (This is the approach the Town uses with its Community Benefits Charge By-law. A percentage of the overall land value is directed to the provision of community benefit.)
3. **A Flat Rate** ( in dollars) per square meter of additional storeys above the height threshold (This approach applies a flat rate (in dollars) per square metre of additional storeys above the height threshold is charged, and those funds are directed to the provision of community benefits that are equal to the sum charged..)
4. **In Kind Only** (This approach would establish a ratio for each type of community benefit that may be provided on the development site. Ratios are determined based on the priority of the community benefit to the Town and what would motivate the developer to provide it. For example 1 sq. m. of GFA is required to be for affordable housing for every 10 sq. m. of market housing that is achieved above the building height threshold.)

**21. What are possible positive outcomes of applying a "Land Value Uplift" approach to establishing a proportional relationship?**

Enter your answer

**22. What are possible negative outcomes of applying a "Land Value Uplift" approach to establishing a proportional relationship?**

Enter your answer



**23.What are possible positive outcomes of applying a "Percentage Land Value " approach to establishing a proportional relationship?**

Enter your answer

**24.What are possible negative outcomes of applying a "Percentage Land Value " approach to establishing a proportional relationship?**

Enter your answer

**25.What are possible positive outcomes of applying a "Flat Rate " approach to establishing a proportional relationship?**

Enter your answer

**26.What are possible negative outcomes of applying a "Flat Rate" approach to establishing a proportional relationship?**

Enter your answer

**27.What are possible positive outcomes of applying a "In Kind Only" approach to establishing a proportional relationship?**

Enter your answer

**28.What are possible negative outcomes of applying a "In Kind Only" approach to establishing a proportional relationship?**

Enter your answer

#### Section 9 Tell us about yourself...

To ensure that the Town is reaching a broad audience, please complete the following questions, all are optional.

**29.What is your age?.**

- Under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 64-75
- 75 and over

**30.Have you participated in the Midtown Oakville process prior to this engagement?**

- Yes, since 2018
- Yes, since 2022
- Yes, since 2023

- Yes, since 2024
- Yes, since early 2025
- No, this is my first time

**31. Which of the following describes your interest in this process? (choose all that apply)**

- I live in Oakville
- I work in Oakville
- I work for clients with properties in Oakville
- I work for clients with properties in Midtown
- I am interested in learning about the Community Planning Permit System
- I am interested in learning more about Midtown Oakville.
- I represent a public agency/utility that provides services in Oakville.
- I am Indigenous or represent an Indigenous community.
- I support the provision of affordable housing in Midtown.
- I support the provision of sustainable development in Midtown.
- I support making Midtown a great place to live, work and play.

**32. In which postal code do you live/work?**

- L6H
  - L6J
  - L6K
  - L6L
  - L6M
  - Other
-

## Questionnaire Responses

A total of 17 responses were submitted to the questionnaire. The average time taken to submit a response was 32 minutes given the technical nature of the questions. The responses are provided verbatim as follows:

Question 1: Are there other general matters to consider in terms of the structure and scope of the by-law?
Add an approval of stylistic match to the neighbourhood, especially for high-rises in a low-rise residential area
Whatever you do make it 'realistic' & NOT ridiculously 'NIBISM'
My main concern about Midtown's development is to end up with a liveable and efficient place to live and work. The design needs to fit in with Oakville's existing community, infrastructure and liveability. I thought the development was going to be phased over the next 30 years? You need to start slowly and build a framework that is amendable over time. For the first 10 years, the policies and bylaws need to be fairly rigid or we are going to have a mess on our hands in terms of traffic, infrastructure and liveability that negatively impacts existing property values. IMO, the town does not have a strong track record on development governance. Many examples of fumbled planning and development.
Consideration of privately-owned residential property adjacent to and in the vicinity of the development property
The bylaw should consider planning and design REQUIREMENTS that need to be met by developers so that the community focus of Midtown is at the forefront of planning principles and so that any development fits in with the broader town realm. This development should not be an island within the town which we moved to because it wasn't a big city.... We need to be clear on what is a REQUIREMENT - i.e. it must be met, compared with a GUIDELINE that the Town may not be able to enforce.
Percentage of lot coverage? Can we be certain that there are greenspaces on the lots being developed. Supports not only available land for tree coverage, but allows for Green infrastructure stormwater solutions
Make sure it includes affordable rental housing for low income persons
If there is going to be a CPP, which is questionable, it should only apply to Midtown and no where else in the town.
We have serious concerns related to this survey and the unrealistic timeline. The open house info and this survey require extensive legal and planning study for a considered response. For the general public (present and future taxpayers) the by-law would need to be much more "user-friendly" than the language herein. Streamlining permits including site alteration and tree removal/protection will aid developers, but will not safeguard livability for taxpayers. There does not seem to be anything suggesting how the bylaw will help develop a Midtown that will fit into the entire Town so that the so called "midtown complete community" does not cause a fragmented larger community, that is the Town of Oakville, which is at great risk given serious transportation, flooding, and community service concerns and the crisis in affordability. Online compatibility seems a "nice-to have" but secondary at this critical point in getting the right kind of bylaw.
By-law needs to consider the needs of existing residents, along with proper consultation for development. Midtown will have a significant impact on current residents and their voice is critical for all development

**Question 2: What other types of development or matters should be exempt from having to apply for a development permit?**

new residential buildings 4plexes

Anything above 20 stories high

Public Transit shelters

This is a difficult question to answer. What is the rationale for having Midtown permit processes any different from other parts of the town? None of the above mentioned issues seem problematic to me. Can someone build a factory or commercial establishment that is clearly not in the communities best interest without a permit?

Items that are health and safety related even if external to the current building envelope.  
Replacement of a building staged to replace a similar structure of equivalent area. Modifications to an existing building that do not add additional GFA.

None

none ... should all be reviewed before any action is taken

the minimum size of the building should be increased. Why only 50 s.m that's too small?

We do not favor ANY extensions in exemptions.

None

**Question 3: What other “Classes of Development” should there be in the by-law?**

density of development - based on plans for number of units of studio, 1 bed etc. Higher density developments have greater sales value and have a greater need for community benefits.

small scale new development (less than X sq.m)

Class 4 New Development, more than 20 stories

Don't know. What are other towns/cities doing? Seems like we are trying to reinvent the wheel?

Renovations for health and safety related matters that may require some change in building foot print in order to comply with current or future access or health and safety requirements.

Class 4 should be further subdivided into vertical development and horizontal development. Vertical development (i.e. commercial or condo towers) need additional considerations - windage, sun shadows

Building Heights

just have two classes - small and large development

**Question 4: Below are the proposed four classes of development along with options in terms of to whom notice of complete application could be made. Select the option that represents the broadest range of notice necessary for each Class of Development. (Applicant represents the smallest range and Public represents the largest).**

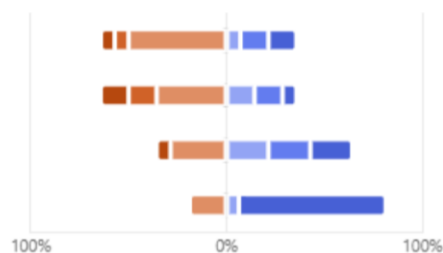
- Applicant (Email)    ● Public Agency (Email)    ● Public via sign on site    ● Adjacent Landowners (mail within 60 m)  
 ● Adjacent Landowners (mail within 120 m)    ● Public via Town Website

**Class 1:** Commercial Parking Lot (new or change to existing)

**Class 2:** Temporary Sales Office or Temporary Use (less than 6 months) accessory to existing development

**Class 3:** Change/Minor Expansion to existing use or New development (greater than 50 sq. m but less than X.

**Class 4:** New Development (greater than X sq. m.)



**Question 5: For Class 4: Large Scale New Development applications, identify the steps that should be mandatory, discretionary or not applicable.**

- Mandatory    ● Discretionary    ● Not Applicable

1) Consult Municipality and Determine if Permit is Required

2) Prepare and Submit Complete Application

3) Determine if application requires a Council approval.

4) Issue public notice of complete application

5 a) Municipal staff review

5 b) Public Agency Review review

6) Staff report to approval authority

7) Approval Authority Decision

8 a) Issue Written Notice of Decision

8 b) Make permit approval publicly available

9) Clear Conditions (if applicable)

10) Issue Development Permit

11) Clear Conditions and site inspection (if applicable)





<b>Question 6: For step #3 regarding Class 4 Development, revisions to permits and/or agreements, what situation(s) should warrant a Council Decision? (Note: This step assumes that decision making authority is delegated from Council to staff or a Committee, as is the case for similar development application types.)</b>
Any development with a density higher than FSI of 3.
None. Build the homes
Any development over 20 stories high
I will not be living in Midtown but will be affected by how it looks and traffic. There needs to be a hard cap on building height and better explanation of how traffic will flow in all directions including the QEW, going downtown.
Developments that require modification from current zoning to another zone. Developments that also fundamentally change the neighborhood ability to access via road, or will become a strain on the capacity of current infrastructure including sewers, water and amenities such as park land or community facilities or encroach on sensitive use areas
<ul style="list-style-type: none"> <li>-If development requires a change to Town or Region infrastructure (e.g. water, sewer, roads), or other related infrastructure (e.g. hydro or cell towers)</li> <li>-If development has the potential for a significant effect on traffic flow in the area (e.g. more truck traffic, significantly more vehicles, adding or reducing bus routes, adding or reducing bike lanes)</li> <li>-If development encroaches on or affects a surface water body or environmentally sensitive area or public park during or after construction</li> <li>-If development has the potential to impair the use of adjacent or neighbouring properties (e.g. noise, dust, shadows, runoff, truck traffic)</li> <li>-If there is significant public opposition to the proposed development</li> </ul>
Should only require Council decision if a change from the official plan is involved.
Council decisions should be made for development applications that do not meet the Town's Midtown Bylaw or the CPP conditions. If a developer meets all the Town guidelines then Council shouldn't need to make a decision.
would depend on the scope and magnitude of the revision, especially if 'more' is requested and if a community benefit is being altered/reduced
When there is a change of land-use different from that approved by the Official Plan
This is very confusing. Why are there so many steps? A CPP is supposed to be easy and this is far from it!! If you use a CPP, get Council out of it. They slow everything down. They're a bottleneck.
All Class 4 Developments should go to Council. Decision making on such major proposals should not be delegated to Staff. Their expertise is necessary but decisions of this scale need to be decided by elected Councillors who represent taxpayers.

<b>Question 7: What steps identified in Question #5 should be discretionary in the case of Class 1, 2 or 3 matters and in the case of revising an issued development permit or an agreement?</b>
None if over 20 stories high; should be automatically prohibited
No discretion or ability to buy more building height. The cash in lieu of height option is a terrible idea. These tall buildings will be an eyesore. Go look at other cities who went ahead with this.
Any steps that change the metrics used for the decision by more than 10%. If the development grows by more than that % it needs to be revisited.
None. These are important issues that affect the whole Town.

No comment - I am not a planner.

There are no steps in question 6. This survey is too confusing.

None.

**Question 8: What are benefits (pros) that might be achieved by Option 1: Site Specific Provisions for existing land uses?**

Enable better scrutiny of individual proposals / uses. Midtown is not a large area so easy to do.

better land use according to its site

Only concerned about buildings over 20 stories high

Opportunity to consider specific situations such as traffic, grade, etc.

Can't think of any

Will provide current owners clarity on what they can do on their property including renovations etc.

Town would be able to encourage expansion but still monitor and mitigate potential negative effects on the community. Developer would be able to negotiate improvements.

Allowing existing provisions would be more transparent for everyone

More control over planning decisions.

Planning does need to consider each site's unique conditions.

**Question 9: What are benefits (pros) that might be achieved by Option 2: General Provisions for existing land uses?**

Enable current retail (like Home Depot) to continue without bureaucracy. Scalable for other larger areas beyond Midtown.

less effort to build

Only concerned about buildings over 20 stories high

Faster processing.

There needs to be hard guidelines that can be adjusted over a number of years. Not set in stone in 2025/2026

Don't know.

Less paperwork and less time-consuming

More straightforward for development

Livability for present and future residents and neighbors must be the priority, not developers.

**Question 10: What are challenges (cons) that might be achieved by Option 1: Site Specific Provisions for existing land uses?**

more paperwork, oversight, review

Only concerned about buildings over 20 stories high

All specific sites will have their own features warranting consideration.

Potential for market changes need to be considered. what happens if demand falls off during construction? Go slow to start.

If the Site Specific Provisions are so specific they in essence aren't workable by the current owner. Ie they actually become too restrictive.

Development could be bogged down. There are many sites that would fit into this category and dealing with each site separately would require a lot of effort from the Town. Developer might abandon project or escalate to provincial decision.

Could be onerous to manage

**Question 11: What are challenges (cons) that might be achieved by Option 2: General Provisions for existing land uses?**

less oversight into land use

Only concerned about buildings over 20 stories high

Opportunities will be missed to consider specific situations.

None that I can see.

May not anticipate all future uses and may be too broad as to not be enforceable.

Development might produce unexpected negative issues over which the Town would have no control.

Loss of control

**Question 12: What are benefits (pros) that might be achieved for permitting variation to standards by Option 1: Numerically?**

Clear criteria not requiring qualitative judgement or bias / influence.

more objective

Relative ease of administration

Variances need to be approved

Very specific metric to determine if review is required.

Clear boundaries and limits

Creates certainty and predictability

more clarity

Permissive language is very dangerous.

**Question 13: What are benefits (pros) that might be achieved for permitting variation to standards by Option 2: Qualitatively?**

Ability to negotiate qualitative improvements rather than rigid application of the standard.

better encapsulates the essence of the standards

Only concerned about buildings over 20 stories high

Opportunity to take advantage of specific local features

Variances need to be approved

Allows for some variance for unanticipated conditions.

None that I can see. I don't trust that developers keep their promises.

More control to accommodate specific issues that might have passed a 'numeric' test

Permissive language is very dangerous. Livability must be the overriding criterion.

**Question 14: What are challenges (cons) that might be achieved for permitting variation to standards by Option 1: Numerically?**

Determining the point at which a numerical variation is unacceptable

hard to define everything numerically

Only concerned about buildings over 20 stories high

All applicants requesting the maximum

By allowing variances you are creating the need for more resources and slowing things. Takes more analysis

If the change is slightly above the number the increase in effort can be material.

Developer could find a "loophole" and exploit it

May provide not expected outcomes but still meet the rules.

Developers, builders will negotiate in their own favour with less consideration of the common good.

Permissive language is very dangerous. Percentages are dangerous especially given the differences between sites.

**Question 15: What are challenges (cons) that might be achieved for permitting variation to standards by Option 2: Qualitatively?**

Depends on qualitative judgement - therefore entailing more of a committee approach to approval rather than individual decision.

less objective

Only concerned about buildings over 20 stories high

Applicants requesting variations that are in fact very far from the original

By allowing variances you are creating the need for more resources and slowing things. These may be easy and obvious though so could be quick approval

Becomes easier to mitigate because it's highly interpretable by all parties and will lead to more disputes.

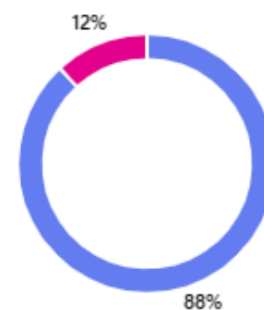
Developer could promise something and, after the development is finished, not deliver on the promise.

Too broad and subjective that could make it harder to make a decision.

That the developer or builder would make changes based on their own self-interested compared to what is best for future residents and not assuming responsibility for a sustainable, healthy community.

**Question 16: Select what is more important to you in terms of the timing of the community benefit being delivered:**

- Concurrent with the development (In-kind) 15
- At a later time from when the development is built (Cash-in-lieu) 2



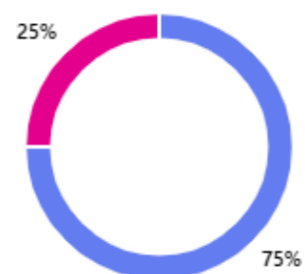
**Question 17: Select what is more important to you in terms of the location of the community benefit provided:**

- On-site (benefit provided on the development site) 9
- Off-site (benefit provided anywhere within Midtown but not on the development site) 7



**Question 18: Select what is more important to you in terms of the type of the community benefit provided:**

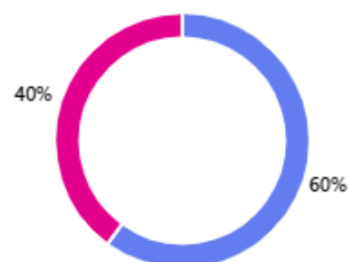
- Midtown specific matter per policy 20.6.6 12
- Town wide matter per policy 28.15.12 4





**Question 19: Select what is more important to you in terms of the availability of other funding sources for the community benefit provided:**

- Town has other funding sources (funded) for the proposed benefit. 9
- Town does not have/has limited funding source (unfunded) for the proposed benefit. 6



**Question 20: Please rank the following in terms of most important (move to the top of list) to least important (move to bottom of list) consideration when prioritizing the provision of community benefits:**

- 1 Location (On-site vs. Off-site)
- 2 Type (Midtown specific listed matter vs. Townwide listed matter)
- 3 Timing (In-kind vs. Cash-in-lieu)
- 4 Other Funding Source availability (Unfunded matter vs. Funded matter)



**Question 21: What are possible positive outcomes of applying a "Land Value Uplift" approach to establishing a proportional relationship?**

Encourages lower heights and less density of overall development

None, if above as only concerned about buildings over 20 stories high

Benefits for a wider audience

I have zero faith that the Town will accurately assess the value correctly. I thought we were building in phases? None of this BS in the first phase.

May raise more community benefit money than straight \$per square m but is subjective.

More benefits if land value increases

None, this encourages poor planning to get more money from the developers

don't know

**Question 22: What are possible negative outcomes of applying a "Land Value Uplift" approach to establishing a proportional relationship?**

Land value assessment can. be subjective and subject to lengthy legal challenge

Too much emphasis on real estate value rather than the benefit or cost to an established neighbourhood

None: if concerned only about buildings over 20 stories high

Land value uplift can be claimed without really existing

This approach is ripe for government corruption and developer manipulation.
Subjective and speculative open for dispute.
Fewer benefits if land value decreases or does not increase as expected
Encourages 'bonus' heights to get more cash
Isn't all land of the same value?
don't know
affordable housing will lessen the value for community benefits; additional height is a negative outcome

<b>Question 23: What are possible positive outcomes of applying a "Percentage Land Value " approach to establishing a proportional relationship?</b>
Encourages lower heights and less density of overall development
None: if concerned only about buildings over 20 stories high
Administratively straightforward
You need to show some examples of where this has worked out for the City in other areas.
Objective measure
Known quantity. Also benefits could apply to off-site locations.
simple to apply once land value is ascertained
A very calculable outcome- not subjective as "land value"
don't know

<b>Question 24: What are possible negative outcomes of applying a "Percentage Land Value " approach to establishing a proportional relationship?</b>
Land value assessment can. be subjective and subject to lengthy legal challenge
None: if concerned only about buildings over 20 stories high
Difficult to translate into real benefit for residents
See my answer to #22 [This approach is ripe for government corruption and developer manipulation.]
Does not take into account future land appreciation as development proceeds.
Approach would not take advantage of increased land value
Difficult to determine land value
Land could be a deteriorated property that requires extensive remediation or
don't know
additional height is a negative outcome

<b>Question 25: What are possible positive outcomes of applying a "Flat Rate " approach to establishing a proportional relationship?</b>
Amount not subject to debate and thus no assessments, valuations etc are required.
None: if concerned only about buildings over 20 stories high
Administratively straightforward
Easier to estimate quantitatively
Simple to administer
Known quantity. Also, benefits could apply to off-site locations.

Most certainty provided and most predictable
Simple
Objective Calculation
don't know

<b>Question 26: What are possible negative outcomes of applying a "Flat Rate" approach to establishing a proportional relationship?</b>
Endless challenge to the rate; if the rate is not meaningful then there is little community benefit
It needs to keep up with real estate pricing to be an effective discouragement of high-rises that are too tall
None
Difficult to translate into real benefit for residents
See my answer to #22 [This approach is ripe for government corruption and developer manipulation.]
Likely doesn't address differences in scale or scope of developments
Revenue might not cover the desired benefits
May not be fair
That the requested additional square footage will grossly increase above the Town's planned height approved in the OP. height
don't know
preset value has to be set an amount that is most favorable to the Town, regardless of developers desires for maximum profit; additional height is a negative outcome

<b>Question 27: What are possible positive outcomes of applying a "In Kind Only" approach to establishing a proportional relationship?</b>
Encourages the developer to include benefits within the development, rather than just exporting the benefit to be put on land somewhere else.
It ensures direct benefit in the project area, and might encourage more green spaces as well as affordable housing
None
May generate more overall benefits for residents
Show us where this has worked elsewhere?
None. See problems with developer provided infrastructure in other jurisdictions. Low quality and high maintenance afterwards.
Benefits are defined, visible and immediately achievable.
May drive the right behaviors for the Town if rules are correctly established
Developers will not be "generous" enough in their initial design, to build with social responsibility in mind.
Affordable rental units
don't know

**Question 28: What are possible negative outcomes of applying a "In Kind Only" approach to establishing a proportional relationship?**

Requires close scrutiny to ensure the benefit is actually planned and included

None

Difficulties in definition

See my answer to #22 [This approach is ripe for government corruption and developer manipulation.]

See above answer to 27

Benefits are not what the developer is willing to provide.

Gaming of rules by developers

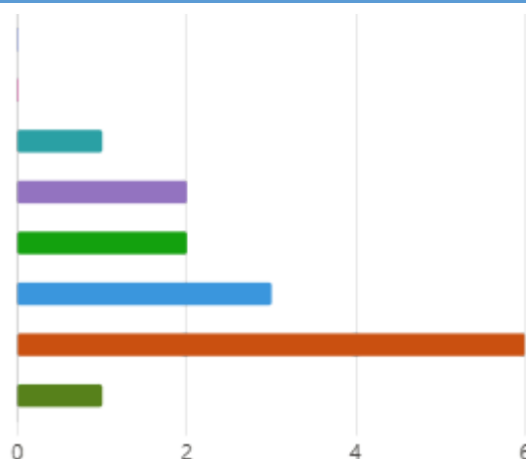
Affordable housing should be a firm requirement and Town should decide on this ratio - NOT the Developer. ratio ,

don't know. This survey is SO confusing? How is this going to help anyone? it makes NO sense!!

all community benefits are important; additional height is a negative outcome

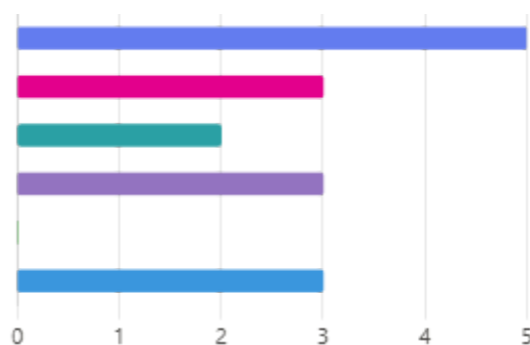
**Question 29: What is your age?**

Under 18	0
18-24	0
25-34	1
35-44	2
45-54	2
55-64	3
64-75	6
75 and over	1



**Question 30: Have you participated in the Midtown Oakville process prior to this engagement?**

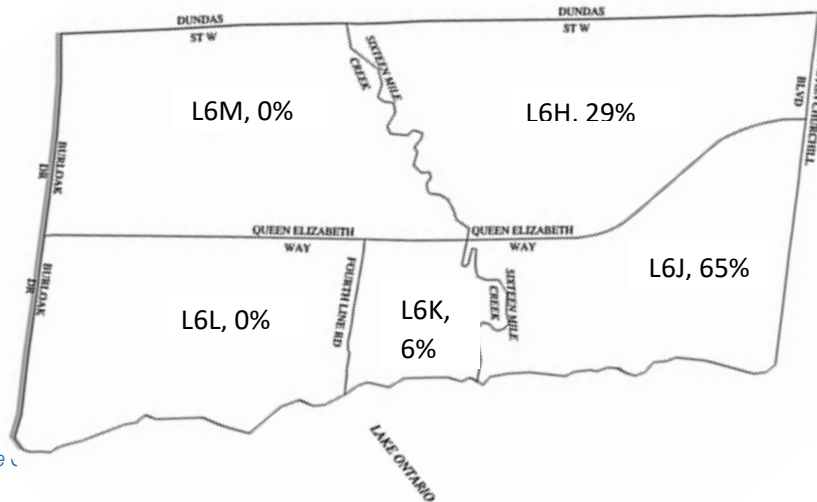
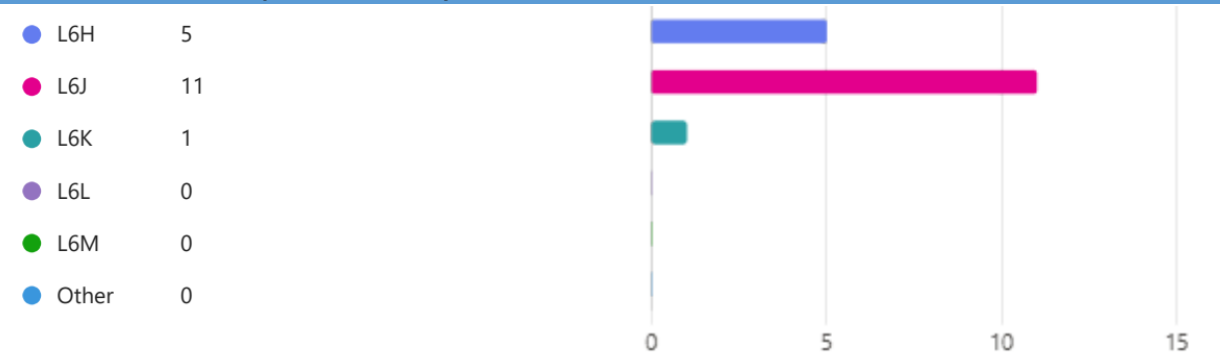
Yes, since 2018	5
Yes, since 2022	3
Yes, since 2023	2
Yes, since 2024	3
Yes, since early 2025	0
No, this is my first time	3



**Question 31: Which of the following describes your interest in this process? (choose all that apply)**


Other, comments provided were:

- Green infrastructure and nature based communities are critical to long term sustainability and health of wildlife and humans.
- I support making Midtown part of the entire Town as it cannot be complete on its own, and I support protecting the environment of the 16 Mile Creek and the spill zones of Oakville;

**Question 32: In which postal code to you live/work?**




## Appendix 3. Open House Panels

# meetmidtown

Welcome and thank you for attending!

## Preparing Community Planning Permit By-law Key Directions and Urban Design Guidelines

### Tonight's Agenda and Open House Format:

6:30 p.m. - 8:30 p.m.



Check – in at the  
registration desk.



Visit the booth(s) of  
interest and ask your  
questions.



Complete the online  
questionnaire by  
**June 12, 2025.**



# meetmidtown

## Purpose of Open House

1

### Preparing Community Planning Permit By-law Key Directions

To receive public input to inform Key Directions for preparing the Midtown Oakville Community Planning Permit By-law, which implements Midtown Oakville policy (as adopted by Council via OPA 70).

#### Midtown Oakville

#### Preparing the Community Planning Permit By-law

#### Key Directions Report

For Public Consultation  
June 2025

The forthcoming Key Directions report will:

- Inform Council and Public regarding key elements of the Community Planning Permit By-law
- Outline **options** regarding key elements of the By-law (for consultation)
- Recommend **options** for Council endorsement (following consultation)
- Provides **strategic framework** for staff to draft the CPP By-law, by having council direction up-front on those matters.

2

### Urban Design Guidelines

To consult on **preliminary directions** of the proposed urban design guidelines.

The forthcoming design guidelines will:

- Update the existing Designing Midtown Oakville to implement the Midtown Oakville Official Plan policies.
- Elaborate on Official Plan policies to assist applicants, Town staff, and decision makers when preparing and evaluating development permit applications;
- Inform implementation of the Community Planning Permit By-law; and
- Provide a collection of best practices in urban design.



## Booth 1: Background

# What is a Community Planning Permit System?

A planning approval system that applies a combination of Official Plan policy and by-law provisions to inform and evaluate development permit applications, ...



## The Community Planning Permit System.

Steps are in accordance with Ontario Regulation 173/16 Community Planning Permit System

....which results in a streamlined planning approval process:



A single **by-law** to control land use.



A single permit **application**.



**One** approval authority issues the **permit**.

Note: A development permit consists of plans and drawings and embeds site specific zoning provisions and permissions.

Midtown Oakville is the **first** Community Planning Permit Area in Oakville.

## Booth 1: Background

# Why use the Community Planning Permit System (CPPS) in Midtown?

Midtown ...

- Is the **primary growth** area of Oakville.
- Has a lot of **redevelopment potential** and is experiencing redevelopment **interest**.
- Is an area within which the Town proposes to provide **new public facilities, services and matters** to serve the Midtown community and surrounding area.
- Would benefit by applying **streamlined development** approvals to capitalize on existing and planned transit and other infrastructure.



Midtown will benefit from the use of CPPS to **support and enable**:

-  Coordinating Development with Infrastructure Service Delivery
-  Establishing Public Service Facilities
-  Establishing Park Facilities
-  Achieving Mixed-use Targets within Development
-  Achieving Housing/Affordable Housing Targets
-  Realizing Sustainability Measures
-  Protecting Natural Heritage
-  Realizing Desired Urban Design Elements



## Booth 1: Background

# What is the vision for Midtown Oakville?

## The Livable Oakville Official Plan states:

### Vision (Chapter 20 Preamble)

Midtown is...

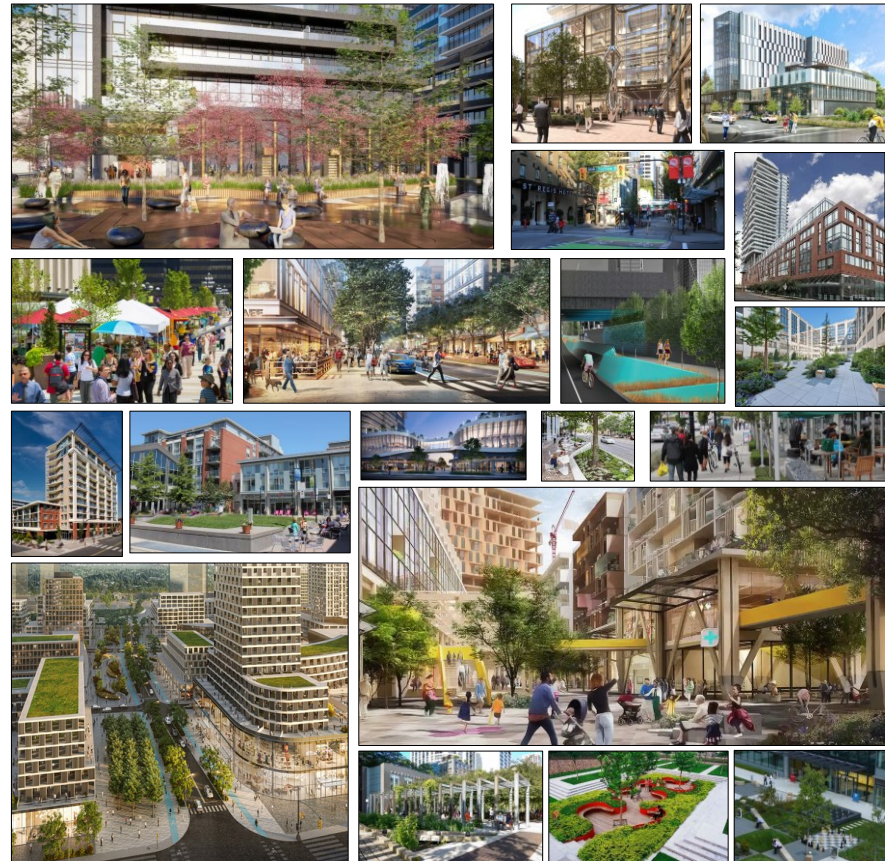
- Oakville's primary strategic growth area.
- An area planned to evolve into a vibrant, mixed-use, compact, complete urban community served by transit and active transportation facilities, while acknowledging its Indigenous, industrial, and railway history.

### Goal (Section 20.1)

Midtown is the **leading** Strategic Growth Area within the Town. Leveraging multi-modal transit and transportation systems, with access to natural heritage, regional scale commercial, institutional, recreational and office facilities, Midtown will accommodate significant residential and employment growth in a dynamic urban setting.

### Objectives (Section 20.2)

- Create a transit supportive community via built form
- Create a vibrant and complete community via mix of uses and human scale
- Achieve Midtown goals by achieving the 200 residents and job per hectare (r&j/ha) target by 2031, through monitoring and provision of infrastructure.



## Booth 1: Background

# What are the Midtown Oakville Community Planning Permit System enabling Official Plan<sup>1</sup> policies?

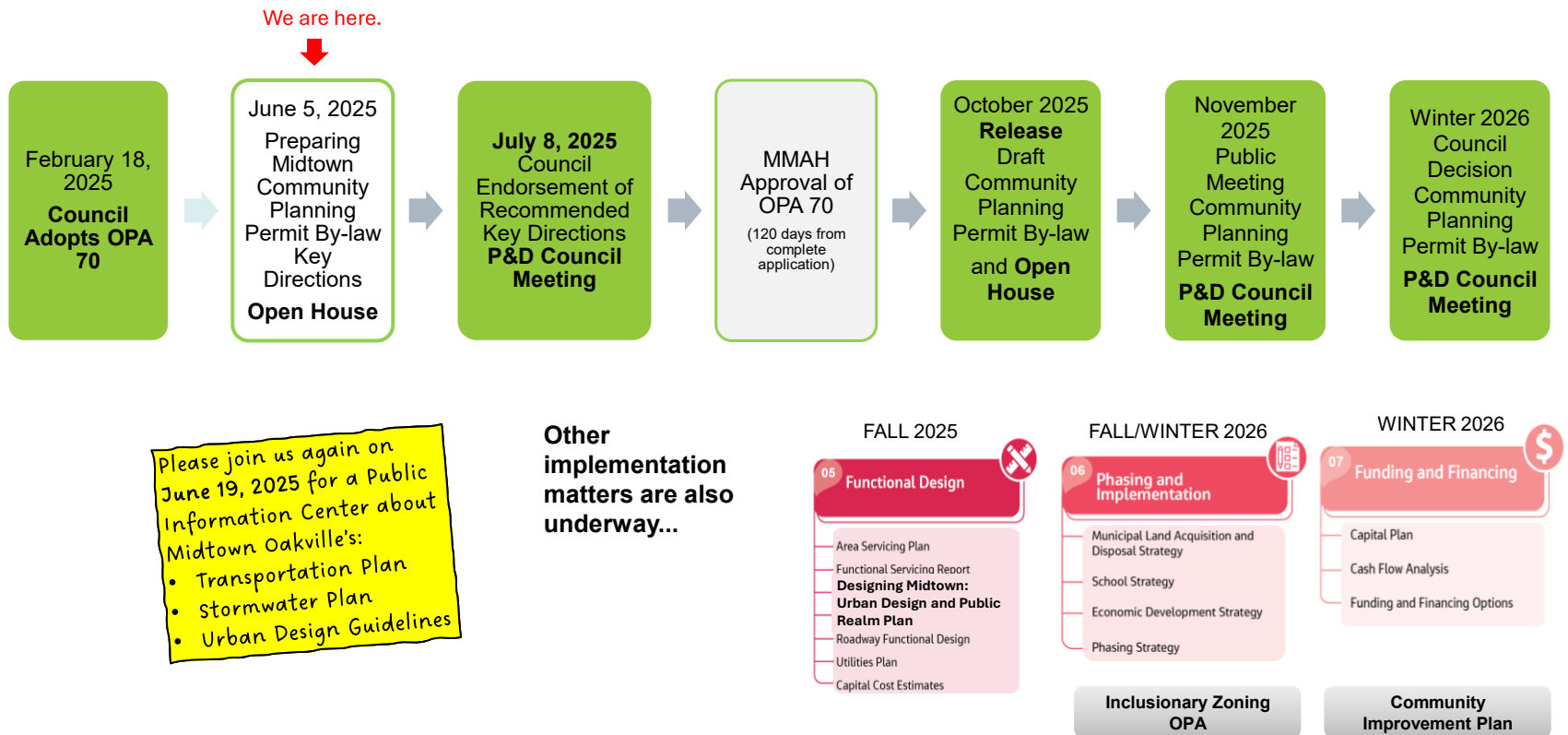
Theme	Section 28.15, Community Planning Permit System
<b>LOCATION</b>	Midtown Oakville is a CPPA area, <b>policy 28.15.1 (a)</b> .
<b>AUTHORITY</b>	Approval of development permits may be delegated from Council to staff or a committee, as set out in CPP by-law, <b>policy 28.15.5</b> .
<b>PURPOSE</b>	Community planning permit system is an alternative to the use of a zoning by-law to implement Official Plan goals, objectives and policies, <b>policy 28.15.2 and 28.15.4</b> . See also <b>Section 20 Midtown</b> , for Midtown specific goals, objectives, that provide purpose for use of CPPS.
<b>DECISION MAKING CRITERIA</b>	Criteria for decision making is provided in Official Plan Amendment (OPA) general and area specific policies. By-law may also include additional criteria that is more specific to guide decision making that is in accordance with OP goals and objectives, <b>policy 28.15.6</b> . See also <b>Section 20 Midtown</b> policies.
<b>CONDITIONS</b>	Types of conditions that may be imposed when approving and issuing development permits include everything identified in O. Reg. 173/16 plus conditions identified in general and area specific Official Plan policies, <b>policies 28.15.7 – 28.15.12</b> . See also <b>Section 20 Midtown</b> policies.
<b>COMPLETE APPLICATION</b>	The town may require additional material as part of a complete application, <b>policies 28.19.3 and 28.19.19</b> .
<b>AFFORDABLE HOUSING</b>	[Will be added to the OP after the Town's Housing Needs Assessment is completed, as a separate OPA.]

Theme	Section 20. Midtown Oakville
<b>Vision &amp; Goal</b>	Midtown is a primary strategic growth and protected major transit station area accommodating a mix of uses and significant residential and employment growth, ( <b>20. Midtown</b> ).
<b>Objectives</b>	Create a transit supportive, vibrant and complete community, achieved through use of Community Planning Permit System, promoting redevelopment greater than minimum density requirements, provision of supportive infrastructure and monitoring ( <b>20.2 Objectives</b> ).
<b>Development Concept/ Precincts</b>	Implement vision and objectives within five "Precinct" areas with unique functions ( <b>20.3 Development Concept</b> ).
<b>Land Use</b>	Designate land to permit a broad range of high-density residential, mixed-use, commercial, office employment, institutional, public service facilities, park and open space, transit, and utility uses ( <b>20.4 Land Use</b> ).
<b>Functional Policies</b>	Achieve vision and objectives through functional policies addressing: urban design and built form, mobility, storm water management, spill flood hazard, and sustainability. ( <b>20.5 Functional Policies</b> ).
<b>Implementation</b>	Implement plan through: CPP by-law, monitoring, partnerships, phasing, and landowner agreements ( <b>20.6 Implementation</b> ).

<sup>1</sup> These policies are adopted by Council in Official Plan Amendment 70 which is with the Minister of Municipal Affairs and Housing for approval.

Booth 1: Background

# CPP By-law Timeline and Next Steps



## Booth 2: Community Planning Permit By-law



# Elements of the Community Planning Permit By-law to be addressed in the Key Directions report...

## Administrative Matters



Location

Class of  
DevelopmentApplication  
ExemptionApproval  
AuthorityNotification  
ProceduresProcedures for  
review and  
change of permit

## Community Building Matters

Affordable Housing  
Inclusionary Zoning (IZ)  
within PMTSA only

Criteria



Permitted Uses



Standards



Conditions



Definitions



Prohibited Uses

Range of  
Variation



## Booth 2: Community Planning Permit By-law



## Administrative Matter: Location

**The first Community Planning Permit By-law for Oakville will apply to lands within **Midtown Oakville**.**



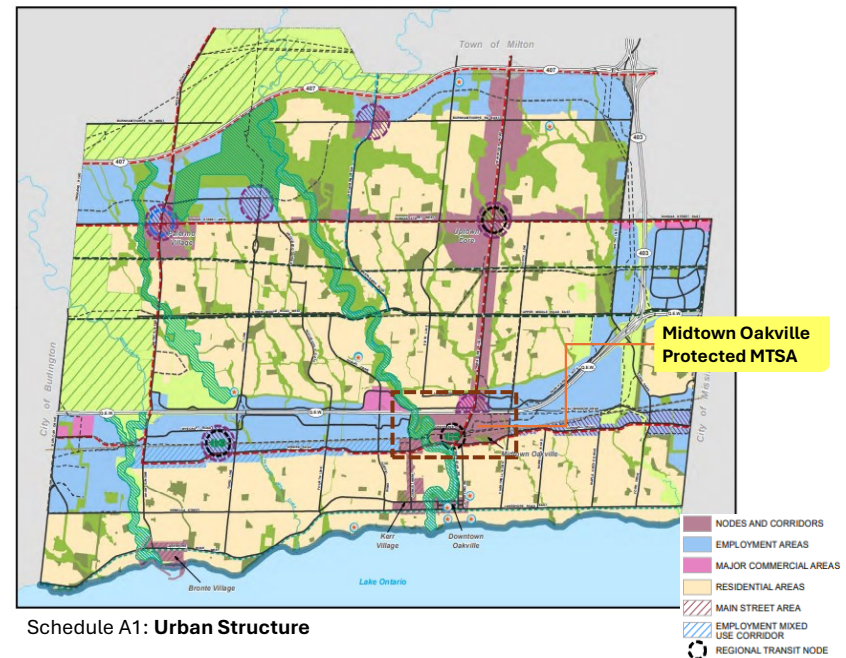
Location

Midtown Oakville is the primary Strategic Growth Area of Oakville and a Protected Major Transit Station Area (PMTSA).



Midtown current context and built form.

Through future amendments to the Official Plan, other areas of the Town may be identified as a Community Planning Permit Area and the CPP by-law can be amended to include them.



Schedule A1: Urban Structure



Help shape this direction...



# Structure and Scope of CPP By-law



The following are basic principles of preparing the CPP by-law:

- 1. Prepare the by-law in a user-friendly and familiar manner.**  
Use plain language and provide definitions for uncommon terms or terms that are intended to have a specific meaning.
- 2. Structure the by-law in a manner that makes it compatible with the Town's online systems.**  
Provide by-law online. Enable development permit applications to be submitted via online forms, and have them tracked through Town systems, with final approvals accessible to the general public,.
- 3. Structure the by-law in a manner that makes it possible to extend to other parts of the Town.**
- 4. Streamline development permit, site alteration and tree-protection approvals within a single development permit application process.**  
Enable all three matters to be addressed within a single development permit application; however, where a matter is only related to tree-protection and/or site alteration, the Town's usual application process that applies under those by-laws would apply.

Are there other matters to consider in terms of the structure or scope of the by-law?  
*(Please share your response here or through the online questionnaire, Section 1.)*


## Booth 2: Community Planning Permit By-law



## Administrative Matter: Exemptions and Classes of Development



### Exemption from Development Permit Application

- While all matters that meet the definition of development are required to apply for a development permit, certain matters may be exempt (excluded) from making such an application.

**Current town practice** for site plan control provides the following “exemptions”:

- 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;
- a new non-residential building or structure on town-owned land, provided that the building or structure is less than 100 square metres; and
- a temporary building or structure on public lands allowed through a municipal permit;
- 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.

**Current town practice** for site alteration and tree protection by-law exempt development that is subject to a site plan control application.



### Classes of Development

- To assist with streamlining development, the by-law can establish classes of development.
- This allows the Town to establish different procedures, notice requirements, complete application requirements, fees, and approval authority to different classes of development.

**Current town practice** for site plan control provides the following “classes of development”:

- Medium and high-density residential development;
- All non-residential development;
- All other types of development;
- 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; and
- A temporary sales office.

Help shape this direction...



# Exempt Matters



The following are proposed matters that would be exempt from having to apply for a development permit application:

- Site alteration and/or tree removal only (separate permit process)
- 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;
- a new non-residential building or structure on town-owned land, provided that the building or structure is less than 100 square metres;
- a temporary building or structure on public lands allowed through a municipal permit; and
- the placement of a portable classroom on a school site of a district school board (note: this is required per O. Reg. 173/16).

What other types of development or matters should be exempt?

*(Please share your response here or through the online questionnaire, Section 2.)*


Help shape this direction...



# Classes of Development and Notices



The following are proposed “classes of development” and associated complete application notice requirements:

Class	Description	Notice of Complete Application
1	Commercial Parking Lot (new or change to existing)	<ul style="list-style-type: none"><li>Email to Applicant</li></ul>
2	Temporary Sales Office or Temporary Use (less than 6 months) accessory to existing development	<ul style="list-style-type: none"><li>Email to Applicant, Public Agency</li><li>Post Sign on Site</li><li>Post on town website</li></ul>
3	Change/Minor Expansion to existing use  OR Small Scale New Development (greater than 50 sq. m. but less than X sq. m.)	<ul style="list-style-type: none"><li>Email to Applicant, Public Agency</li><li>Post Sign on Site</li><li>Post on town website</li><li>Mail to Adjacent Property with 60m</li></ul>
4	Large Scale New Development (greater than X sq. m.)	<ul style="list-style-type: none"><li>E-mail to Applicant, Public Agency, Indigenous community</li><li>Mail to Adjacent Property with 120m,</li><li>Post sign on site</li><li>Post on town website</li></ul>

## Classes of Development

- What other “Classes of Development” should there be in the by-law?

--	--	--

## Notice Approach



- What other approach to giving **notice** regarding the proposed “Classes of Development” should there be?

--	--	--

(Please share your response here or through the online questionnaire, Section 3.)

## Booth 2: Community Planning Permit By-law



## Administrative Matter: Development Permit Approval Authority and Notifications



### Approval Authority Considerations

- The Planning Act assigns approval of development permits to Council.
- The CPP By-law can delegate this decision making to a Committee or Staff to assist with streamlining the approval process.
- This decision-making authority can be different depending on the Class of Development or other factor specified in the by-law.



### Notification Considerations

- The Act requires notice of complete application and notice of decision to be issued to the applicant.
- The CPP by-law can direct that such notices be issued more broadly.
- This notice direction can be different depending on the Class of Development.

Current town practice for similar application types are follows:

Application Type	Approval Authority	Scope of Authority	Public Notice of Application/Hearing	Notice of Decision
Site Plan Control	Director of Planning & Development	Approve or refuse application with or without conditions.	• None	• To the "owner" s. 41 (12).
Minor Variance	Committee of Adjustment	Enter into agreements (CAO, Town Clerk) Approve or refuse application with or without conditions.	• Notice of <u>hearing</u> to persons and public bodies • By: sign on site, mail to landowners within 60 m, email, town website	• To Minister, applicant, and persons who appeared at the hearing and who filed a written request for notice of decision; s. 45 (10)
Minor Zoning by-law Amendment	Commissioner of Community Development	Enter into agreements Approve, modify and approve, or refuse application	• Notice of <u>application</u> and notice of public <u>hearing</u> to persons and public bodies, • By: sign on site, mail to landowners within 120 m, email, town website	• Sent to: applicant, prescribed persons and bodies, to person/public that filed written request to be notified.
Tree Protection	Director of Parks and Open Space, or designate	Approve or refuse application with/without conditions	• Notice of application • By: Sign on site	• To applicant.
Site Alteration	Director of Transportation and Engineering, or designate	Approve or refuse application with/without conditions. Enter into agreements	• None	• To applicant.



Let's  
Talk... **Administrative Matter:  
Development Permit Review Procedures**

**The CPP By-law is required to provide internal review procedures to issue permits.**



The procedures:



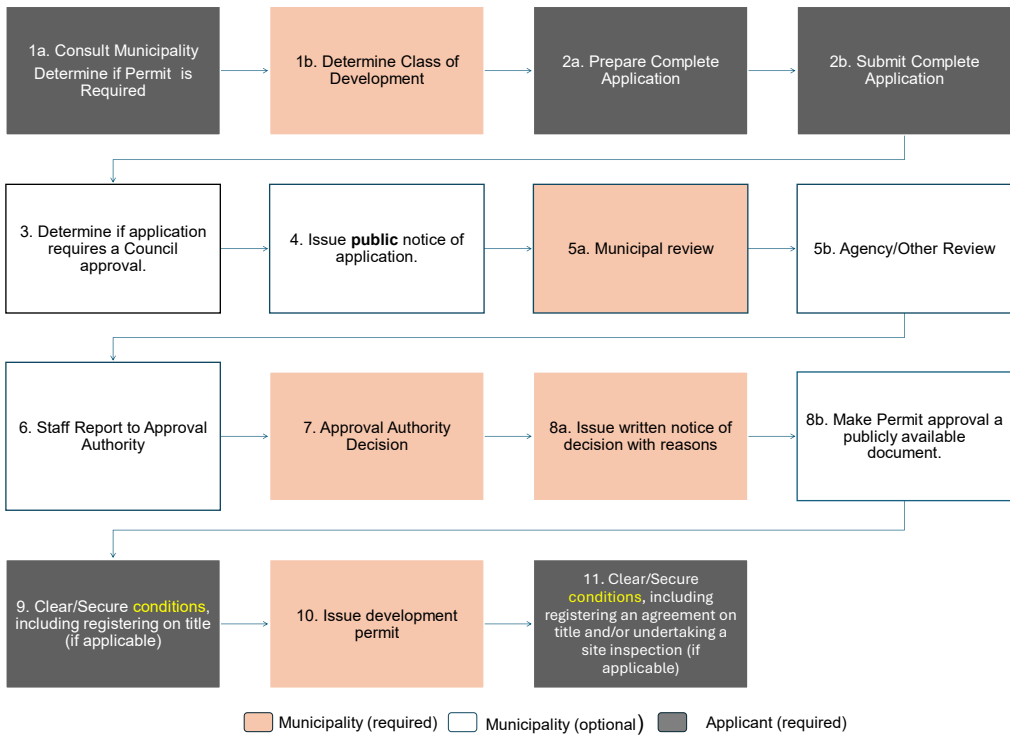
Help shape this direction...



# Development Permit Application Process

The following is a proposed processes for approval of a new development permit application;

**Note:** The proposed process for all classes of development delegates all decision making to staff, as is the case for most similar planning application types within the Town. The proposed process includes Step 3, where approval authority could be returned to Council, upon staff's recommendation.



- Are there steps that should be removed or added?

--	--	--

- Are there discretionary steps that should be made mandatory?

--	--	--

- For Step #3, what situation should warrant a Council decision?

--	--	--

(Please share your response here or through the online questionnaire. Section 4)

Booth 2: Community Planning Permit By-law



## Community Building Matter By-law Provision Types



Criteria

CPP by-law may include criteria for decision making.

The by-law may also refer to OP policies and/or guidance document.



Permitted/Prohibited  
Uses

CPP by-law must include permitted and prohibited land use for lands within the CPP area.

Land use may be subject to criteria and/or conditions.



Standards Range of  
Variation

CPP by-law must include certain standards, such as minimum density and height, maximum density, and height thresholds as well as standards such as setbacks to protect natural heritage and to address hazard lands and hazardous areas.

The by-law may include standards such as building setbacks, step-backs, maximum parking rates, bicycle parking requirements, etc.

The by-law may include variation from standards in accordance with OP policies.



Conditions

CPP by-law must outline conditions that may be imposed with the approval of development permit applications.

Conditions may be met prior to or after the issuance of the development permit.

## Booth 2: Community Planning Permit By-law



## Community Building Matter Conditions

**Per the Official Plan, the following types of conditions will be outlined within the by-law:**



Cash in lieu of required parking



A condition that is related to site alteration



Parkland dedication



Enter in to and Register Agreement on title



A condition that is related to the removal or restoration of vegetation.



Conditions in relation site plan control (i.e. road widening, walkway, fences, easements, lighting, agreements)



A condition that is related to **ongoing monitoring** related to  
i. public health and safety, or  
ii. the natural environment.



A condition that is related to provision of community benefit in exchange for height and/or density which may be within minimum and maximum standard or outside of variation from standards. By-law must establish proportional relationship.



Inclusionary Zoning Conditions



Payment in lieu of a matter otherwise required



Holding/Lapsing/Temporary

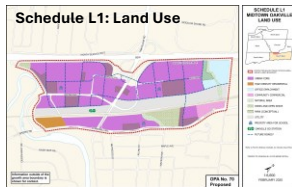


Condition equivalent to that which is provided in CBC by-law



## Community Building Matter Land Use

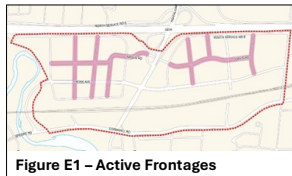
**Midtown is planned to provide places to live, work, and play by:.**



### Permitting a broad range of land use (Section 20.4.1)

that includes residential, employment, commercial, institutional and civic uses, in accordance with land use designations:

- **High Density Residential** (predominantly residential use)
- **Urban Core** (broad mix of residential and non-residential uses)
- **Office Employment** (mix of office and light industrial uses) and
- **Community Commercial** (mix of commercial, office, and service uses).
- **Park and Open Space** (predominantly public open space and recreational uses)
- **Utility** (primary utility uses, along with transit, active transportation and open space uses)



### Promoting walkable, human scale (Section 20.4.1 (h))

- Along streets identified in Figure E1 – Active Frontages, a minimum of 70% of the building fronting the street is required to accommodate non-residential uses (i.e. commercial, retail, office, institutional, and community uses).



### Generating employment (Section 20.4)

- Require replacement of equal or greater non-residential gross leasable floor area
- Require non-residential uses at grade where fronting streets and parks.
- Within Urban Core, require a minimum of 12% of total GFA to be non-residential
- Permit expansion of existing non-residential uses.

## Booth 2: Community Planning Permit By-law

### Community Planning Permit By-law response...

- Zone land in accordance with Schedule L1.
- Identify permitted and prohibited uses within each land use designation.
- Where needed, provide definitions for uses.



Permitted  
Uses



Prohibited  
Uses



Definitions

- Identify any criteria, standards, or conditions applicable to a land use within applicable zone.



Standards



Criteria



Conditions



Help shape this direction...



# Land use - Existing

The following are proposed options to address existing uses and uses subject to approved site-specific zoning but not yet built:

NOTE: Official Plan policies permit existing uses to continue, to expand, and to redevelop. The expansion or redevelopment of certain existing uses are exempt from certain policies such as minimum height and density requirements, provided the expansion or redevelopment does not preclude the provision of infrastructure required to support Midtown growth.



OPTION 1: Site Specific Provisions	
<b>PRO</b> <ul style="list-style-type: none"><li>• Carries forward existing zoning provisions applicable to a site.</li><li>• Clearly defines legal permissions and standards for each site. Provides recent development proponents assurance that the zoning provisions they have secured continue to exist.</li></ul>	<b>CON</b> <ul style="list-style-type: none"><li>• Creates a precedent to provide site specific details in the CPP by-law that would otherwise be listed in a development permit, and thereby defeats the streamline approval process that the CPPS is intended to be.</li><li>• May result in a cumbersome by-law document.</li></ul>

OPTION 2: General Provisions	
<b>PRO</b> <ul style="list-style-type: none"><li>• Using general provisions to address permitted, conditionally permitted and prohibited uses for existing or pre-existing zoning permissions is in accordance with the intent of the CPP system where the issued development permits and pre-existing site plan approvals provide site specific details.</li><li>• This option does not set a precedent for future CPP by-law site specific amendments to recognize specific permissions and standards for sites.</li></ul>	<b>CON</b> <ul style="list-style-type: none"><li>• Specific permissions and standards established for existing uses may not be easily found on a site by site basis. Some landowners may believe that certain use permissions that are permitted by the Official Plan policies have been removed through the passing of the CPP by-law.</li></ul>

Are there other Pros and Cons to be considered for these options?  
(Please share your response here or through the online questionnaire, Section 5.)

--	--	--	--

--	--	--	--



# Community Building Matter Housing

Midtown is planned to accommodate a wide range of households, including singles, couples, and families, of various ages, stages of life, and incomes.

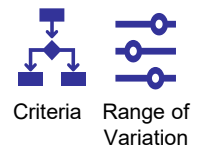


## Official Plan Policies

- Permit a variety of housing types
- Encourage variety of Housing Tenure
- Require unit size variation
  - a minimum of 35% units provide two or more bedrooms (except within buildings geared to *special needs* housing)
- Encourage incentivizing affordable housing
- Propose requiring affordable housing
  - Requirement to provide affordable units may be mandated following completion of the Town's Housing Needs Assessment, and adoption of Inclusionary Zoning enabling policies.

## Community Planning Permit By-law response...

- Identify where and to what standards residential development is permitted.
- A condition of development permit issuance may be related to unit tenure, affordability, and intended use.
- Include criteria (i.e. percentage of units required to provide 2 or more bedrooms).
- Include exemption/variation from requirement, per OP policy.
- *Through the **completion** of the Town's Housing Needs Assessment and consultation on Inclusionary Zoning enabling policies and Community Improvement Plan, adopt policies and provisions accordingly.*



Booth 2: Community Planning Permit By-law



# Community Building Matter Urban Design Direction

Midtown Official Plan policies guide the overall design – the look, the feel and the function – of the public realm, development blocks, and buildings.

Many of these policies can be translated into criteria, design direction, performance standards, and/or conditions to be implemented through the approval of development permits.



**Design guidelines**  
(Policy 20.5.1 (a))



**Public realm**  
(Policy 20.5.1 (b))



**Green roofs**  
(Policy 20.5.1 (k))



**Block design**  
(Policy 20.5.1 (l))



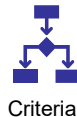
**Parks and open space**  
(Policy 20.5.1 (c))



**Utilities**  
(Policy 20.5.1 (d))

## Community Planning Permit By-law response...

Refer to Official Plan policies and design guidelines or embed criteria within by-law to inform development permit application decision making.



Require conditions as part of the development permit application approval that are in accordance with OP policy and the range of possible conditions the Town may impose.



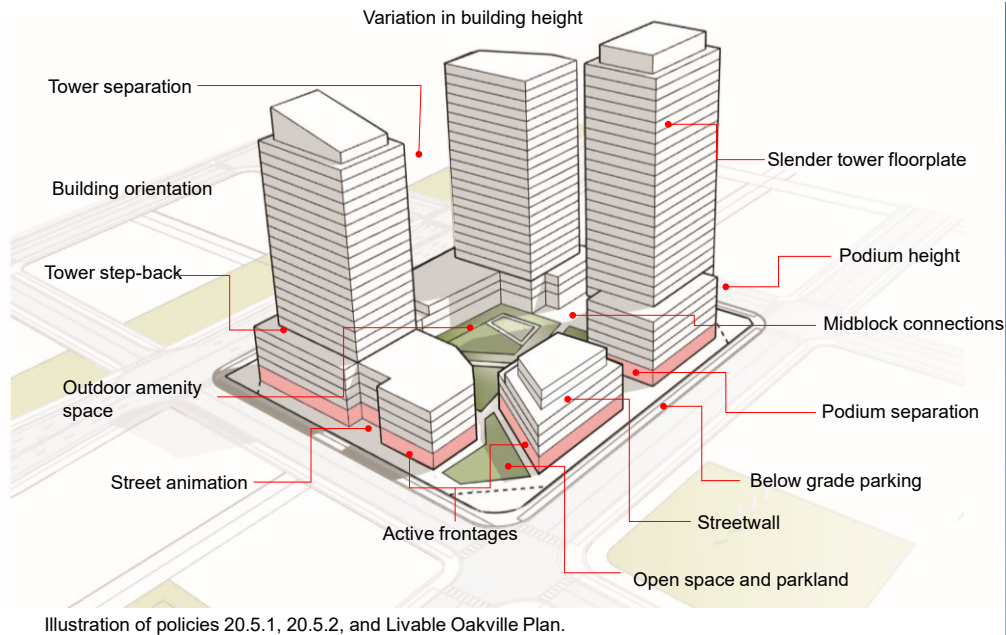
Let's

Talk...

## Community Building Matter Built Form

Official Plan policies provide standards, criteria and conditions to ensure development achieves the vision for Midtown. These policies are implemented through the approval of development permit applications.

### Booth 2: Community Planning Permit By-law



### Community Planning Permit By-law response...

Include standards for development in accordance with Official Plan policies. Where policy uses language such as: “may,” “should,” “is encouraged,” permit for variation to those standards.



Standards

Range of  
Variation

Refer to Official Plan policies and design guidelines or embed criteria within by-law to inform development permit application decision making.



Criteria

Require conditions as part of the development permit application that are in accordance with OP policy and the range of possible conditions the Town may impose.



Conditions

Booth 2: Community Planning Permit By-law



# Community Building Matter Sustainable Development

Sustainable development is promoted through mandatory, discretionary and incentivized measures, in accordance with legislation and policy in the Livable Oakville Plan.

Mandatory Measures	<ul style="list-style-type: none"> <li>• Compact urban form</li> <li>• Pedestrian, bicycle and transit facilities</li> <li>• Landscaping, street trees and furniture</li> <li>• Stormwater management facilities and techniques</li> <li>• Green infrastructure (i.e. tree canopy, low impact development, green walls)</li> <li>• Flood hazard risk mitigation</li> <li>• Design buildings to:                             <ul style="list-style-type: none"> <li>– maximize solar energy,</li> <li>– minimize wind conditions on pedestrian spaces,</li> <li>– avoid excessive shadows on public realm</li> </ul> </li> <li>• Direct utilities underground, where possible.</li> </ul>
Discretionary Measures	<ul style="list-style-type: none"> <li>• Green, Blue or Cooling roof materials</li> <li>• Bird friendly design</li> <li>• Glazing ratio for energy efficiency</li> <li>• EV charging facilities</li> <li>• On-site renewable energy production (i.e. solar panels)</li> <li>• Renewable energy generation facilities</li> <li>• Reduce embodied carbon energy in building materials (i.e. re-using materials; using lower carbon material, including tall timber; sourcing materials locally)</li> <li>• Target net-zero energy use and emissions</li> </ul>
Incentivized Measures	<ul style="list-style-type: none"> <li>• Green Buildings                             <ul style="list-style-type: none"> <li>– Renewable energy generation facilities</li> <li>– Measures towards achieving net-zero energy use and emissions</li> </ul> </li> <li>• Improved local transit facilities and transit user amenities</li> <li>• Contributions towards district/renewable heating/cooling/energy systems</li> </ul>

## Community Planning Permit By-law response...

Where quantifiable, Official Plan requirements will be listed as standards.



Standards

OP policies and guidance material may be referenced in by-law, as criteria for development permit approval.



Criteria

Discretionary measures proposed by applicant would be identified in an approved development permit (which is applicable law), and as such will be required as part of the building permit process.



Per Approved Development Permit

As a condition of development permit approval, an applicant can agree to provide one or more of the listed measures to receive permission for a proportional building height that exceeds the assigned threshold.



Conditions



Help shape this direction...



# Variation from Standards

Official Plan policies set standards or requirements, however, for policies that use words such as: “may,” “should,” “is encouraged,” or “subject to” – allow for a variation from the standard or requirement.



The following are proposed options to address variation from standards in the by-law:

**OPTION 1: Numerically**

**PRO**

- Variation permission is predictable, reduces need to resubmit plans and drawings.

**CON**

- Preset numeric variation may not address all situations or circumstances, applicant may be required to seek an amendment to the CPP by-law before a development permit application can be approved, thus undermining the objective of a streamlined approval process.

**OPTION 2: Qualitatively**

**PRO**

- Variation permission is based on whether the request continues to address relevant objectives or qualities of development.
- Maintains the objective of a streamlined approval process.

**CON**

- Variation permission is not predictable

Are there other Pros and Cons to be considered for these options?  
(Please share your response here or through the online questionnaire, Section 6.)



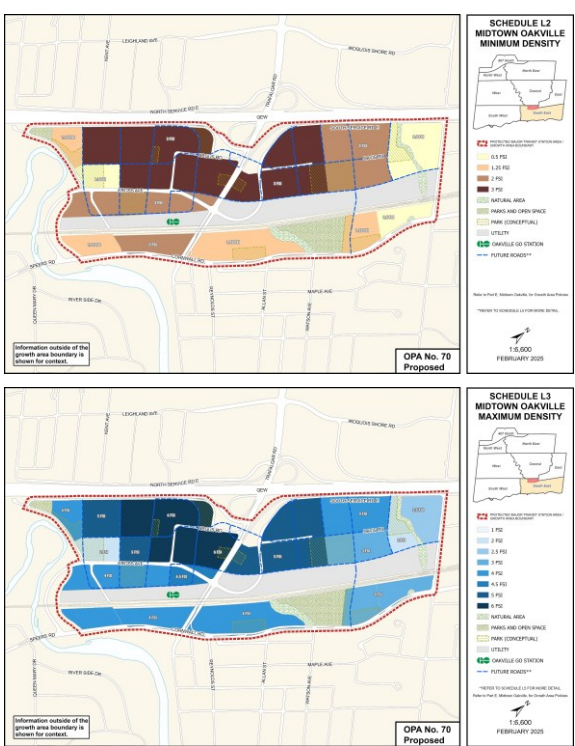


# Community Building Matter Built Form Standards

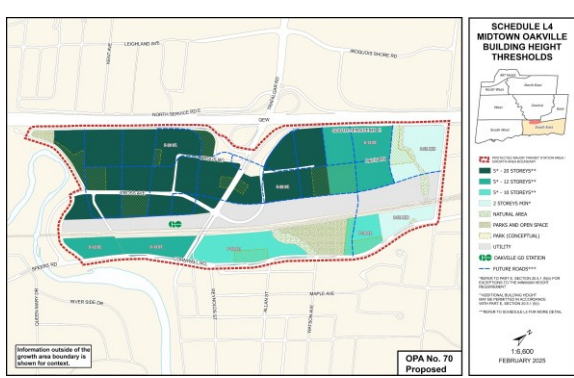
Official Plan policies and schedules provide standards, criteria and conditions specific to building density and height, which are required to be provided in the CPP By-law.

## Community Planning Permit By-law response...

Site Density Schedules L2 and L3



Building Height Thresholds Schedules L4



Minimum height and density, and maximum density are required to be provided in the CPP by-law.



Exemptions from standards (per OP direction) will be included in the by-law.



- Threshold Height**  
10 – 20 storeys depending on location.
- No threshold for lands designated Office Employment and Community Commercial
- Minimum Height**  
2 storeys within Office Employment and Community Commercial areas  
5 storeys everywhere else

**Minimum Density and Height Exemptions:**  
Provision of minimum density or height is not required on lands dedicated for public parks and open space, and for educational facilities, public service facilities, and expansion or replacement of an existing use.

Building height thresholds are required to be included in the by-law in order to authorize the Town to negotiate for community benefits.



## Booth 2: Community Planning Permit By-law

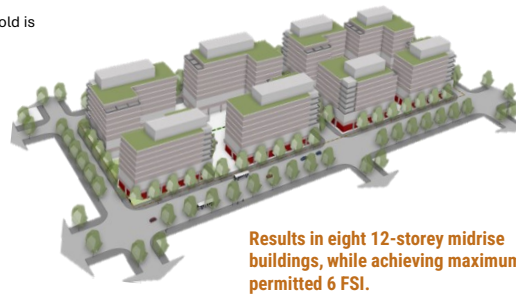
Let's  
Talk...

## Community Building Matter

### Permission to exceed building height threshold

**Policy 20.5.1 (e) Site Density** assigns **maximum gross density** for a site using floor space index (FSI).

Theoretical development on a site where density maximum is achieved, and height threshold is not exceeded.



**Policy 20.5.1 (f) Building Height** assigns **building height thresholds** for sites in storeys.

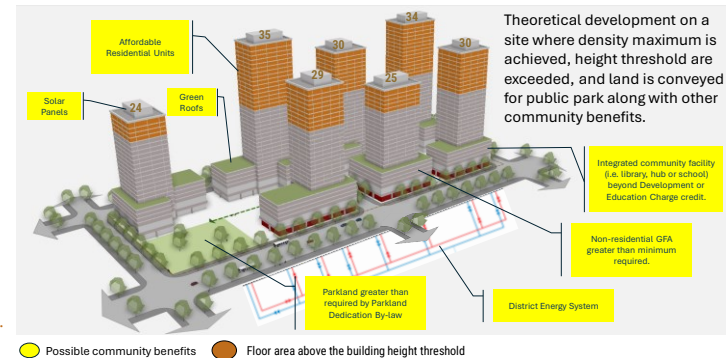
Theoretical development on a site where density maximum is not achieved, height thresholds are met, and land is conveyed for public park.



**Policy 20.5.1 (f) Building Height** permits **additional height** beyond the threshold, subject to:

1. the maximum density allocation for the site is not exceeded, and
2. **community benefits** or cash-in lieu of benefits, are provided.

Results in seven 20+ storey buildings while achieving 6 FSI and providing community benefits.



## Booth 2: Community Planning Permit By-law



## Community Building Matter

### Possible Community Benefit



The Official Plan lists the following potential community benefits:

- On-site matter
- On or Off-site matter

#### TOWN WIDE (Policy 28.15.12)

Matters **without** a Town funding source.

- public parking
- affordable housing
- conservation and preservation of cultural heritage resources
- day care centres
- public art
- integration of office uses in mixed use developments
- green buildings
- other local improvements

Matters **with** a funding source

- public transit infrastructure, facilities, services and improved pedestrian access to public transit
- protection and/or enhancement of natural features and functions
- *public service facilities*
- parkland and improvements to parks

#### MIDTOWN OAKVILLE (Policy 20.6.6)

Matters **without** a Town funding source

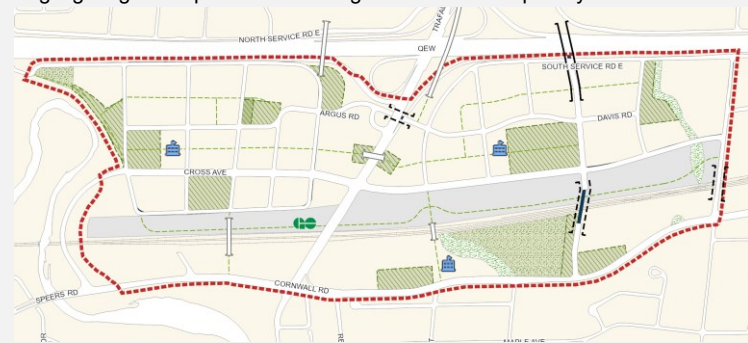
- contributions toward district/renewable heating/cooling/energy system

Matters **with** a funding source.

- grade separated pedestrian and cycling facilities across the QEW, railway tracks or Trafalgar Road
- community facilities
- improved local transit facilities and transit user amenities

#### Excerpt of Schedule 1: Land Use

Highlighting conceptual "Park" designated areas and priority areas for schools.



## Help shape this direction...







## Prioritization of (In-Kind) Community Benefits



The following are proposed considerations to inform the prioritization of community benefits in the case of “in kind” benefits.

Select your preference for each:

Select one option for each of the four categories.

 <p><b>In-Kind</b>      <b>vs.</b>      <b>Cash-in-Lieu</b></p> <div> <div></div> <div></div> </div>	 <p><b>On-site</b>      <b>vs.</b>      <b>Off-Site</b></p> <div> <div></div> <div></div> </div>
 <p><b>Midtown specific matters</b>      <b>vs.</b>      <b>General items list</b></p> <div> <div></div> <div></div> </div>	 <p><b>Unfunded Matters</b>      <b>vs.</b>      <b>Funded Matters</b></p> <div> <div></div> <div></div> </div>

Prioritize the following :

Insert your prioritization into a column using numbers 1 to 4, 1 being the highest priority.

[illegible]

NOTE: Where the community benefit is provided in cash – Council determines how and when those funds are applied within Midtown through its capital planning and budget work.

*(Please share your response here or through the online questionnaire, Section 7.)*





# Community Building Matter Proportional Community Benefit Options



Per O. Reg. 173/16, Official Plan policy 28.15.10 requires the CPP by-law to include provisions establishing a proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height and/or density of development that may be allowed.

**Options for determining a proportional relationship are:**

- 1

Land Value Uplift

An icon showing a stylized building with three dollar signs (\$ \$\$ \$\$\$) above it, representing an increase in land value.

Community benefits are provided that are equivalent in cost to a portion of the uplift in land value that is achieved by the increase in building height.
- 2

Percentage of Land Value

An icon showing a stylized building with a percentage sign (%) inside a circle next to it, representing a percentage of land value.

A percentage of the overall land value is directed to the provision of community benefit.
- 3

Flat Rate per Square metre

An icon showing a stylized building with a flat roof, representing a flat rate per square metre.

A flat rate (in dollars) per square metre of additional storeys above the height threshold is charged, and those funds are directed to the provision of community benefits that are equal to the sum charged.
- 4

In Kind Only

An icon showing a stylized building with a balance scale in front of it, representing a ratio or balance.

A ratio is established for each type of community benefit that may be provided on the development site. Ratios are determined based on priority of the community benefit to the Town and what might motivate the developer to provide it.

Help shape this direction...



# Commensurate Community Benefits

The following explains the approach and provides potential Pros and Cons for the **Land Value Uplift** option:



1

## Land Value Uplift



1. Applicant undertakes a land appraisal based on development that does not exceed building height and a second appraisal based on pre-building permit land value (with building heights above threshold).
2. The land value “uplift” equals the difference in value determined by the two appraisals.
3. Town establishes a **set percentage of land value uplift** that would be applied to “community benefit,” which the applicant would provide in cash or in-kind.
4. Where in-kind matters are provided, a cost estimate by qualified professional may be required.
5. Where community benefits require public ownership or operation, or include stipulations such as long term affordability, agreements will need to be registered on title.

Pro	Con
<ul style="list-style-type: none"><li>• Both the Town and development community are familiar with this approach.</li></ul>	<ul style="list-style-type: none"><li>• Requires undertaking two land appraisals.</li><li>• The correlation of the percent of uplift and benefit of increased height may be weak.</li><li>• Land value can vary from site to site.</li><li>• It is difficult to incorporate this into the early pro-forma stages of development.</li></ul>

What are other Pros and Cons to be considered for this option?

*(Please share your response here or through the online questionnaire, Section 8.)*


Help shape this direction...



# Commensurate Community Benefits

The following explains the approach and provides potential Pros and Cons for the **Percentage Land Value** option:



2

## Percentage of Land Value



1. Town establishes a set percentage of land value that is triggered when a development is permitted to exceed the building height threshold (irrespective of number of storeys).
2. Applicant undertakes a land appraisal to determine pre-building permit land value.
3. The pre-set percentage of that value would be applied to “community benefit” in cash or in-kind.
4. Where in-kind matters are provided, a cost estimate by qualified professional may be required.
5. Where community benefits require public ownership or operation, or include stipulations such as long term affordability, agreements will need to be registered on title.

Pro	Con
<ul style="list-style-type: none"><li>• The applicant can build the pre-set value into their pro forma, early in the development process.</li><li>• This approach requires only one land appraisal.</li></ul>	<ul style="list-style-type: none"><li>• Requires a land appraisal.</li><li>• May not be viewed as “proportional with height.”</li><li>• Land value can vary from site to site.</li></ul>

What are other Pros and Cons to be considered for this option?

*(Please share your response here or through the online questionnaire, Section 8.)*


Help shape this direction...



# Commensurate Community Benefits

The following explains the approach and provides potential Pros and Cons for the **Flat \$ Rate per Square Metre** option:



## 3 Flat \$ Rate per Square Metre



1. Town establishes a set dollar rate per sq. m. of GFA gained within storeys above the threshold height.
2. Applicant chooses to exceed the building height threshold. The per square metre value is applied to all of the GFA proposed within the storeys above the building height threshold.
3. The total per square metre value would be applied to “community benefit” in cash or in-kind.
4. Where in-kind matters are provided, a cost estimate by qualified professional may be required.
5. Where community benefits require public ownership or operation, or include stipulations such as long term affordability, agreements will need to be registered on title.

Pro	Con
<ul style="list-style-type: none"><li>• No land value appraisal is required.</li><li>• The flat rate is the same for all development sites, creating more fairness for applicants seeking increases in building height.</li><li>• Applicant can build the value into their pro forma, early in the development process.</li></ul>	<ul style="list-style-type: none"><li>• Determining the preset value to apply may be challenging.</li><li>• The preset value, if not set in a manner that is responsive to market conditions, may stifle/delay development.</li></ul>

What are other Pros and Cons to be considered for this option?

*(Please share your response here or through the online questionnaire, Section 8.)*


Help shape this direction...



# Commensurate Community Benefits

The following explains the approach and provides potential Pros and Cons for the **In-Kind Only** option:



4

## In-Kind Only



1. Town assigns ratio of in-kind community benefit that is exchanged for increase in GFA storeys above the building height based on the type and priority of the benefit offered.
2. Proponent selects from menu of benefit options and proposes building height accordingly.
3. More than one type of community benefit can be provided, based on the ratios provided for each benefit.
4. The in-kind provisions are for the base land area offered or gross floor area of a building, the operator of the space is responsible for fit-ups.
5. Where community benefits require public ownership or operation, or include stipulations such as long term affordability, agreements will need to be registered on title.

Pro	Con
<ul style="list-style-type: none"><li>• The relationship is based on priorities and community values.</li><li>• Applicant is given the choice to proceed with taller building based on whether one or more of the community benefits are achievable on their site.</li></ul>	<ul style="list-style-type: none"><li>• Would be difficult to apply to an 'off site' benefit or equate a cash in lieu value; as such, not all of the community benefit options listed in the Official Plan may be provided using this process.</li></ul>

What are other Pros and Cons to be considered for this option?

*(Please share your response here or through the online questionnaire, Section 8.)*




Help shape this direction...

Share your additional comments



Please add any additional comments that may assist with preparing the forthcoming Community Planning Permit By-law.



# meetmidtown

## Thank you for attending!

### Midtown Oakville Preparing Community Planning Permit By-law Key Directions and Urban Design Guidelines

Please join us again on  
June 19, 2025 for a Public  
Information Center about  
Midtown Oakville's:

- Transportation Plan
- Stormwater Plan
- Urban Design Guidelines

If you would like to provide more  
comments, please complete the online  
questionnaire by **June 12, 2025**.





## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2025-117

A by-law to declare that certain land is not subject to part lot control (Blocks 106 and 122, Plan 20M-1272 – Caivan (Creekside) 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 8<sup>th</sup> day of July, 2025

---

MAYOR

---

CLERK

**SCHEDULE "A"**

1. Block 106, Plan 20M-1272, designated as Parts 1 to 6, inclusive, on Plan 20R-22925, Oakville
2. Block 122, Plan 20M-1272, designated as Parts 1 to 5, inclusive, on Plan 20R-22933, Oakville



**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2025-118**

A by-law to declare that certain land is not subject to part lot control (Blocks 197, 198 and 267, Plan 20M-1270, and Block 255, 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 designated 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 8<sup>th</sup> day of July, 2025

---

MAYOR

---

CLERK



**By-law Schedule “A”**

1. Block 197, Plan 20M-1270, designated as Parts 1 to 11, inclusive, on Plan 20R-22991, Oakville
2. Block 198, Plan 20M-1270, designated as Parts 1 to 13, inclusive, on Plan 20R-22982, Oakville
3. Block 267, Plan 20M-1270, designated as Parts 1 to 9, inclusive, on Plan 20R-22992, Oakville
4. Block 255, Plan 20M-1288, designated as Parts 10 to 17, inclusive, on Plan 20R-22992, Oakville



## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2025-122

A by-law to declare that certain land is not subject to part lot control (Block 216 and part of Block 207, Plan 20M-1270 – Primont (Joshua Creek) Inc.)

**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 8<sup>th</sup> day of July, 2025

---

MAYOR

---

CLERK

### **SCHEDULE “A”**

1. Part of Block 207, Plan 20M-1270, designated as Parts 1 to 5, inclusive, on Plan 20R-22685, Oakville
2. Block 216, Plan 20M-1270, designated as Parts 10 to 17, inclusive, on Plan 20R-22685, Oakville



## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2025-123

A by-law to declare that certain land is not subject to part lot control (Part of Block 206, Plan 20M-1270 – Primont (Joshua Creek) Inc.)

**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 8<sup>th</sup> day of July, 2025

---

MAYOR

---

CLERK

## **SCHEDULE “A”**

1. Part of Block 206, Plan 20M-1270, designated as Parts 13, 14 and 15 on Plan 20R-22703, Oakville





**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2025-124**

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 8<sup>th</sup> day of July, 2025

\_\_\_\_\_  
Rob Burton

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Andrea Holland Acting Town Clerk