



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2022-046

Official Plan Amendment 43

A by-law to adopt an amendment to the Livable Oakville Official Plan, Official Plan Amendment Number 43 (70 Old Mill Road, 2317511 Ontario Inc., File No.: OPA.1614.77)

WHEREAS subsection 21(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, states that the provisions of the *Act* with respect to an official plan apply, with necessary modifications, to amendments thereto and section 17 applies to any such amendment; and,

WHEREAS subsection 22(1) of the *Planning Act* provides that a person or public body may request a council to amend its official plan; and,

WHEREAS the owner of the lands known as 70 Old Mill Road has requested that Council amend the Livable Oakville Official Plan to modify the site-specific policy applying to the lands with respect to maximum residential densities and Council is willing to grant the request.

COUNCIL ENACTS AS FOLLOWS:

1. The attached Official Plan Amendment Number 43 to the Livable Oakville Official Plan is hereby adopted.
2. This Official Plan Amendment is subject to appeal rights set out in section 17 of the *Planning Act*, R.S.O. 1990, c. P.13, and shall come into effect once the deadline for filing appeals has passed or all appeals have been withdrawn or finally disposed of.
3. If the Regional Municipality of Halton, being the Approval Authority, does not exempt this Official Plan Amendment from its approval, the Clerk is hereby authorized and directed to apply to the Approval Authority for approval of this Official Plan Amendment.

PASSED this 2nd day of May, 2022

MAYOR

CLERK

**Official Plan Amendment Number 43
to the Town of Oakville's
Livable Oakville Plan**

Constitutional Statement

The details of the amendment, as contained in Part 2 of this text, constitute Official Plan Amendment Number 43 to the Livable Oakville Plan.

Part 1 – Preamble

A. Subject Land

The subject land is located at the northwest corner of Cornwall Road and Old Mill Road, is legally described as Part of Lots 14 & 15, Concession 3, S.D.S., and municipally known as 70 Old Mill Road.

B. Purpose and Effect

The purpose of this official plan amendment (OPA) is to replace the existing site-specific exception policy with a new one that increases the High Density Residential designation's maximum density from 185 to 300 units per site hectare for the subject land, and provides for limited commercial uses, to facilitate the development of a 154-unit apartment building.

C. Background and Basis

- The subject land is approximately 0.158 hectares of a 1.893 hectare block immediately adjacent to the Oakville GO Station. The entire block is designated High Density Residential and is subject to a "6-12 storeys" height limit in the Livable Oakville Plan. The block currently contains three apartment buildings.
- The existing Livable Oakville Plan policies include site-specific exception policy 20.6.1 (below):

The lands designated High Density Residential at the northwest corner of Cornwall Road and Old Mill Road are subject to the following additional policies:

- a) *A neighbourhood shopping centre with a maximum of 930 square metres of gross leasable area may also be permitted.*

b) A maximum of 2,300 square metres of non-retail service commercial area, including office and private recreational uses, may also be permitted.

- The policies of the Livable Oakville Plan including section 20.6.1 originated in the 1984 Town of Oakville Official Plan, as amended, and were carried forward in the 2009 Livable Oakville Plan. The policies pre-date the Province's establishment of the Midtown Oakville Urban Growth Centre (around the Oakville GO Station) in the Growth Plan for the Greater Golden Horseshoe. Section 20.6.1 also predates the construction of the three existing apartment buildings.
- In 2013, the zoning permissions for the subject land were amended through By-law 2013-016 to permit a revised development concept which capped the maximum number of units on the site at 29 (plus a superintendent unit), provided a maximum building height of 36.0 metres, and permitted a maximum net floor area for non-residential uses of 155 square metres. The total number of residential units for 40, 50, 60 and 70 Old Mill Road was based on the maximum density of 185 units per site hectare applied to entire block.
- The Owner of the subject lands has requested relief from the maximum density provisions to allow for a revised development concept which provides for 154 residential units in a 12 storey mixed use building. This proposal would result in a density across the block of approximately 264 units per site hectare.
- As detailed in the staff report dated April 19, 2022, based on staff's review and analysis of the materials submitted in support of the currently proposed development, and the issues raised by Council and the public, it is appropriate to amend the Livable Oakville Plan. The amendment will have the effect of increasing the residential density cap to a maximum of 300 units per hectare for the entire block, and providing for a net leasable commercial floor area of 155 square metres at 70 Old Mill Road.
- The corresponding zoning by-law amendment (By-law 2022-046) provides site-specific land use regulations in conformity with OPA 43. Design principles have also been established to help ensure, through the site plan approval process, that the proposed development will be constructed as intended with a well-designed built form that contributes to community image and identity.
- Planning and Development Council hosted the statutory public meeting regarding this official plan amendment on February 15, 2022.

Part 2 – The Amendment

The Livable Oakville Plan is amended as follows:

A. Text Changes

Part E Section 20.6, Midtown Oakville Exceptions – Schedules L1, L2 and L3, is amended by removing the existing exception policy 20.6.1 in its entirety, and replacing it with the following new policy:

“20.6.1 The lands designated High Density Residential at the northwest corner of Cornwall Road and Old Mill Road are subject to the following additional policies:

- a) A maximum residential density of 300 units per site hectare is permitted.
- b) A maximum building height of 12 storeys, excluding one interior mezzanine level, may be permitted at 70 Old Mill Road.
- c) A maximum of 155 square metres of net leasable commercial floor area may also be permitted at 70 Old Mill Road.”