



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2022-051

Official Plan Amendment 44

A by-law to adopt an amendment to the Livable Oakville Official Plan,
Official Plan Amendment Number 44
(FCHT Holdings (Ontario) Corporation, File No.: OPA.1612.14)

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 currently known as 271 Cornwall Road and 485 Trafalgar Road (new addresses to be 281 and 291 Cornwall Road) has requested that Council amend the Livable Oakville Plan to modify the site-specific policy applying to the lands with respect to the maximum building height permitted with thin the Urban Centre land use designation, and Council is willing to grant the request.

COUNCIL ENACTS AS FOLLOWS:

1. The attached Official Plan Amendment Number 44 to the Livable Oakville 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1990, c. P.13, and shall come into effect once the deadline for filing appeals has passed or all appeals have been withdrawn or finally disposed of.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 16th day of May, 2022

MAYOR

CLERK

Official Plan Amendment Number 44 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 44 to the Livable Oakville Plan.

Part 1 – Preamble

A. Subject Land

The subject land is located at the northeast corner of Cornwall Road and Trafalgar Road, is legally described as Part of Lots 1, 2, and 3 and Part of Lot 121; Registered Plan 131 and 127, and will be known municipally as 281 and 291 Cornwall Road.

B. Purpose and Effect

The purpose of this official plan amendment (OPA) is to modify the existing site-specific exception policy, as it applies to the subject land, to increase the maximum permitted building height for two proposed mixed use (residential/commercial) towers from 10 storeys to 14 and 19 storeys, respectively.

C. Background and Basis

- The subject land covers an area of approximately 0.6 hectares that is a 400 metre walk to the Oakville GO Station platform. It is part of a larger, 5 hectare, commercial site known as the Olde Oakville Market Place, and is currently occupied by two low-rise retail/office buildings.
- As this location is within the town's Midtown Oakville urban growth centre, section 20, Midtown Oakville, of the Livable Oakville Plan applies in addition to the Plan's general policies.
- The subject land is designated "Urban Centre" on Schedule L1, Midtown Oakville Land Use, and "4-10 storeys" on Schedule L2, Midtown Oakville, Building Heights.

- The existing Livable Oakville Plan policies include site-specific exception policy 20.6.3 (below) which applies to the larger site, including the subject land:

The lands designated Urban Centre and Community Commercial at the northeast corner of Cornwall Road and Trafalgar Road are recognized as permitting the existing commercial centre and are subject to the following additional policy:

- a) *Redevelopment in this location may occur gradually in a phased manner and should:*
 - *provide an attractive gateway to Midtown Oakville and a transition to the established residential neighborhood to the south; and,*
 - *be a collection of buildings, diverse in design and character, and in harmony with each other.*

- The Owner of the subject land has requested relief from the applicable building height policies to enable the development of two mixed use towers of 14 and 19 storeys, with 960 square metres of commercial space and 317 residential units.
- As detailed in the staff report dated May 4, 2022, based on staff's review and analysis of the materials submitted in support of the 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 height limit of the towers from 10 storeys to a maximum of 14 and 19 storeys.
- The corresponding zoning by-law amendment (By-law 2022-052) provides site-specific land use regulations in conformity with OPA 44. 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 July 6, 2020.

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 adding a new subsection (b) to the existing exception policy 20.6.3 as follows:

“20.6.3 The lands designated Urban Centre and Community Commercial at the northeast corner of Cornwall Road and Trafalgar Road are recognized as permitting the existing commercial centre and are subject to the following additional policies:

- a) Redevelopment in this location may occur gradually in a phased manner and should:
 - i) Provide an attractive gateway to Midtown Oakville and a transition to the established residential neighborhood to the south; and,
 - ii) Be a collection of buildings, diverse in design and character, and in harmony with each other.
- b) Notwithstanding Schedule L2, Midtown Oakville Building Heights, the maximum building heights for the towers municipally known as 281 Cornwall Road and 291 Cornwall Road shall be 14 storeys and 19 storeys, respectively.