

APPENDIX F: Official Plan and Zoning Extracts

Livable Oakville

Part B: Mission Statement and Guiding Principles

Section 2.2.1 b) reinforce the Town's Urban Structure:

"b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated."

The subject lands are identified on *Schedule A1 – Urban Structure* and within a *Regional Transit Node* and a *Provincial Priority Transit Corridor* (Figures 5a and 5b). Regional Transit Nodes are located at key locations to integrate with the town-wide transportation system and to provide a focus for transit supportive development.



Part D: Land Use Designations and Policies

Section 12: Mixed Use

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

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

12.5 Urban Core

The Urban Core designation is envisioned to have a strong urban focus and incorporate retail and service commercial, major office, office and residential uses. Development should be oriented to the street and shall contribute to a high quality pedestrian-oriented and transit-supportive environment. Midtown Oakville and the Uptown Core are the primary locations for this designation.

12.5.1 Permitted Uses

- a) A wide range of retail and service commercial uses, including restaurants, commercial schools, *major office*, offices and residential uses may be permitted in the Urban Core designation. Retail and service commercial uses shall be provided on the ground floor of mixed use buildings that directly front a public street. These uses may also extend to other floors. Places of entertainment, indoor sports facilities and hotels may also be permitted. Office uses and ancillary residential uses may be provided on the ground floor and above the ground floor.
- b) The size and location of uses shall be determined through the *development* process and regulated by the implementing zoning.

12.5.2 Building Heights

- a) Buildings within the Urban Core designation shall be a minimum of eight storeys in height and a maximum of 12 storeys in height.
- b) Additional building height may be considered in accordance with the applicable bonusing policies in this Plan.

12.5.3 Parking

- a) Underground and/or structured parking shall be encouraged.
- b) Surface parking should not be permitted between buildings and the adjoining streets. However, consideration may be given to limited surface parking within these areas for the purpose of visitor or commercial parking.

Part E: Growth Areas, Special Policy Areas and Exceptions

Section 20 Midtown Oakville

Midtown Oakville is one of 25 areas identified as an “Urban Growth Centre” in the Province’s Growth Plan for the Greater Golden Horseshoe. Urban Growth Centres are to be transit-supportive regional focus areas that accommodate a significant portion of future population and employment growth in the Greater Golden Horseshoe. Midtown Oakville is an area identified for the highest intensification in the Town as an Urban Growth Centre.

20.2.3 As Midtown Oakville develops, the Town will, through public consultation and through the process of reviewing planning applications, use the objectives of promoting and enabling the evolution of Midtown into an urban growth centre and the Town’s primary Growth Area to ensure that a minimum gross density of 200 residents and jobs combined per hectare is achieved in accordance with the Growth Plan.

20.3.3 The subject site is located within the Lyons District shall evolve from its current focus on strip malls and large format retail uses into a compact mixed use neighbourhood. Cross Avenue is intended to be an attractive central spine animated by at-grade retail uses, cohesive streetscapes and open spaces that enhance the experience of the public realm. Taller residential buildings shall be located in the vicinity of Sixteen Mile Creek and the railway.

20.4.1 Significant road, transit and active transportation infrastructure, to the Midtown Oakville as shown on Schedules C, D and L3, is needed to accommodate the growth the Town is required to achieve in Midtown Oakville. Many existing roads shall be realigned, widened, extended or replaced.

Development shall not preclude the realignment and extension of Cross Avenue from Lyons Lane to Chartwell Road as a multi-purpose arterial road.

The need for the future local road shall be determined through the planning approval process in accordance with Schedule L3. The design of existing and new roads in Midtown Oakville shall promote walking, cycling and transit use.

20.4.2 *Development* and the public realm shall address the urban design direction provided in the Livable by Design Manual and the Designing Midtown Oakville document. Midtown Oakville shall be designed with a network of public spaces, of varying sizes and activity, to support residents and employees throughout as a regional destination and an urban centre. New development shall support this objective through its form, scale and detail.

Development shall promote safe, convenient and attractive pedestrian access to transit stops or stations. Barriers, such as boundary fences, shall be discouraged.

It is intended that some of the Town's tallest buildings locate in Midtown Oakville. These buildings shall be designed to the highest architectural quality and detail to create landmark buildings and contribute to a distinct skyline.

Midtown Oakville Zones

Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

7.1 List of Applicable Zones

| | |
|---------------------------------|-----|
| Midtown Transitional Commercial | MTC |
| Midtown Transitional Employment | MTE |

7.2 Permitted Uses

Uses permitted in the Midtown Oakville Zones are denoted by the symbol "✓" in the column applicable to that *Zone* and corresponding with the row for a specific permitted use in Table 7.2, below.

| Table 7.2: Permitted Uses in the Midtown Oakville Zones | | |
|---|----------|-------|
| | MTC | MTE |
| Legal uses of land, buildings, and structures existing on the lot as of the effective date of this By-law | ✓ | ✓ |
| Retail Uses | | |
| Outside display and sales area | ✓ | ✓ |
| Retail propane and transfer facility | ✓ (1)(2) | |
| Retail store | ✓ | ✓ (3) |
| Service Commercial Uses | | |
| Adult entertainment establishment | | ✓ |
| Commercial school | ✓ | |
| Dry cleaning/laundry | ✓ | |
| Financial institution | ✓ | ✓ (3) |
| Food production | ✓ | ✓ (3) |
| Pet care establishment | ✓ | |
| Place of entertainment | ✓ (4) | |
| Restaurant | ✓ | ✓ (3) |
| Service commercial establishment | ✓ | ✓ (3) |
| Sports facility | ✓ | ✓ (3) |
| Veterinary clinic | ✓ | |
| Office Uses | | |
| Business office | ✓ | ✓ |
| Medical office | | ✓ |
| Community Uses | | |
| Day care | ✓ | ✓ (3) |
| Emergency service facility | ✓ | ✓ |

OMB Appeals

Part 7 in its entirety
36 - General Electric Canada

Once Midtown Strategy projects are complete, staff anticipate an Official Plan Amendment will be required to update various schedules in the Livable Oakville Plan. Corresponding policy amendments may also be required to reflect changes recommended in the Parking Strategy and Mobility Hub Study work being undertaken in tandem with the Class Environmental Assessment.

In the interim, staff are recommending two transition zones – Midtown Transitional Commercial (MTC) and Midtown Transitional Employment (MTE) – apply that freeze building envelopes to those legally existing February 25, 2014. New buildings and structures would require a planning application, allowing Council to review a proposal and establish conformity with the Livable Oakville Plan (in particular, the acquisition of future roads required in Midtown Oakville). A limited range of additional uses are permitted that conform to the uses permitted in the Livable Oakville Plan to allow for the continued use of existing buildings should vacancies emerge.

Staff anticipate Midtown Strategy work to be complete later in 2015. Implementing zoning for Midtown Oakville would be introduced through a separate process, including a dedicated statutory public meeting for the Official Plan and Zoning By-law Amendments.

Midtown Oakville Zones

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| Table 7.2: Permitted Uses in the Midtown Oakville Zones | | |
|---|-------|-----|
| | MTC | MTE |
| Open Space Uses | | |
| <i>Conservation use</i> | ✓ | ✓ |
| <i>Park, public</i> | ✓ | ✓ |
| <i>Stormwater management facility</i> | ✓ | ✓ |
| Employment Uses | | |
| <i>Training facility</i> | | ✓ |
| Hospitality Uses | | |
| <i>Hotel</i> | | ✓ |
| <i>Public hall</i> | ✓ (1) | ✓ |
| Community Uses | | |
| <i>Art gallery</i> | ✓ | |
| <i>Community centre</i> | ✓ | ✓ |
| <i>Day care</i> | ✓ | ✓ |
| <i>Emergency service facility</i> | ✓ | ✓ |
| <i>Library</i> | ✓ | |
| <i>School, private</i> | ✓ | |
| Community Uses | | |
| <i>Conservation use</i> | ✓ | ✓ |
| <i>Park, public</i> | ✓ | ✓ |
| <i>Stormwater management facility</i> | ✓ | ✓ |

Additional Regulations for Permitted Uses Table 7.2

1. Not permitted on a *lot* abutting a residential zone.
2. Only permitted for the sale of propane to the general public for automotive and recreational purposes.
3. Permitted only within the same *building* or part thereof *used* by any other *use* not subject to this footnote.
A maximum of 20% of the *net floor area* of the *building* shall be cumulatively occupied by all *uses* subject to this footnote.
4. Permitted only as an *accessory use*.