



OAKVILLE

## REPORT

### Special Planning and Development Council

**Meeting Date: May 23, 2023**

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**FROM:** Planning Services Department

**DATE:** May 9, 2023

**SUBJECT:** **Public Meeting Report – Town-initiated Official Plan Amendment – Midtown Oakville Urban Growth Centre (File No. 42.15.59) – May 23, 2023**

**LOCATION:** Midtown Oakville

**WARD:** Ward 3

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#### **RECOMMENDATION:**

1. That the staff report titled “Public Meeting Report – Town-initiated Official Plan Amendment – Midtown Oakville Urban Growth Centre (File No. 42.15.59) – May 23, 2023” from the Planning Services Department be received.
2. That comments from Council and the public with respect to the draft town-initiated official plan amendment to implement the findings of the Midtown Oakville Growth Area Review (File No. 42.15.59) be received.

#### **KEY FACTS:**

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

- This report is about a proposed Official Plan Amendment (OPA) to the Livable Oakville Plan to implement the findings of the Midtown Oakville Growth Area Review by updating the land use policies and mapping related to Midtown Oakville, the town’s Urban Growth Centre and Protected Major Transit Station Area to the year 2051.
- Since 2006, Midtown Oakville has been one of 25 Urban Growth Centres identified in the Province’s Growth Plan for the Greater Golden Horseshoe Region (the Growth Plan). Urban Growth Centres are required to be transit-supportive regional focal areas that are required to accommodate a significant portion of future population and employment growth. Midtown

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Oakville will continue to be an important component of the Region's and Town's overall growth management strategy.

- Midtown Oakville is a key part of the town's Urban Structure which was unanimously approved by Council in September 2017. Located at the intersection of a number of the town's existing and planned high priority transit corridors, adjacent to a provincial highway corridor, containing the second busiest GO transit station in the GO network, capable of providing key linkages for the town's active transportation network, Midtown Oakville is well positioned to accommodate significant intensification and growth for Oakville moving forward.
- Sufficient growth in Midtown Oakville is required for the town's urban structure to achieve its intended goals.
- Midtown Oakville is being planned and designed to become an urban, transit-oriented community and destination for residents and visitors, designed with a compact urban form, complete with tall and mid-rise buildings framing a pedestrian-oriented public realm that prioritizes walking, active transportation, and transit use. It is to be a complete community where people can live, work, and play in walkable, mixed-use neighbourhoods.
- The current draft Midtown Oakville OPA replaces the draft Midtown Oakville OPA presented at the June 7, 2022 Planning and Development Council meeting. The current OPA continues to be a work in progress and reflects staff's current thinking in light of an evolving provincial policy regime.
- The current draft Midtown Oakville OPA was made available on the town's website for public review on May 3, 2023.
- Changes reflected in the draft OPA are intended to:
  - Establish Cross Avenue as the mainstreet spine for all of Midtown Oakville, including its recommended realignment along the hydro corridor lands east of Trafalgar Road,
  - Provide clearer direction for the public realm;
  - Establish a policy framework that, among other things, facilitates the implementation of a connected system of parks and open spaces as part of Oakville's overall "Campus of Parks";
  - Regulate the overall amount of development using a range of Floor Space Indices (FSI) instead of building heights to facilitate building height variation, allow for a unique and distinctive skyline for Midtown

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Oakville, and provide the town with a mechanism to encourage the inclusion of desired uses and features in developments in light of provincial policy changes;

- Introduce a new policy framework to support the establishment of urban schools (educational facilities) integrated with mixed-use development; and
  - Introduce the requirement for a landowners' group and the use of landowner agreement(s) to facilitate cost-sharing among landowners, in light of recent provincial policy changes.
- The purpose of the statutory public meeting at Planning and Development Council (the third statutory public meeting for the draft Midtown Oakville OPA) is for Council to hear delegations on the draft proposed OPA, ask questions of clarification, and provide input by identifying additional planning matters to be considered.
  - Following the statutory public meeting, staff will review all comments received from Council, stakeholders, the public, and reviewing departments and agencies since 2021, and will undertake further technical analyses and revisions to the proposed policies as appropriate. Opportunities will also be provided for property- or issue-specific meetings with area landowners and other individuals or groups upon request.
  - A recommendation report and final OPA is intended to be ready for consideration (decision) by Planning and Development Council for June 26, 2023.

### **BACKGROUND:**

The purpose of this report is to introduce a new draft proposed OPA for Midtown Oakville at a statutory public meeting hosted by Planning and Development Council on May 23, 2023. This report and comments from Council and the public shall be received. The 2023 draft Midtown Oakville OPA is attached as **Appendix A**.

### **Proposal**

The proposed amendment to the Livable Oakville Plan is to:

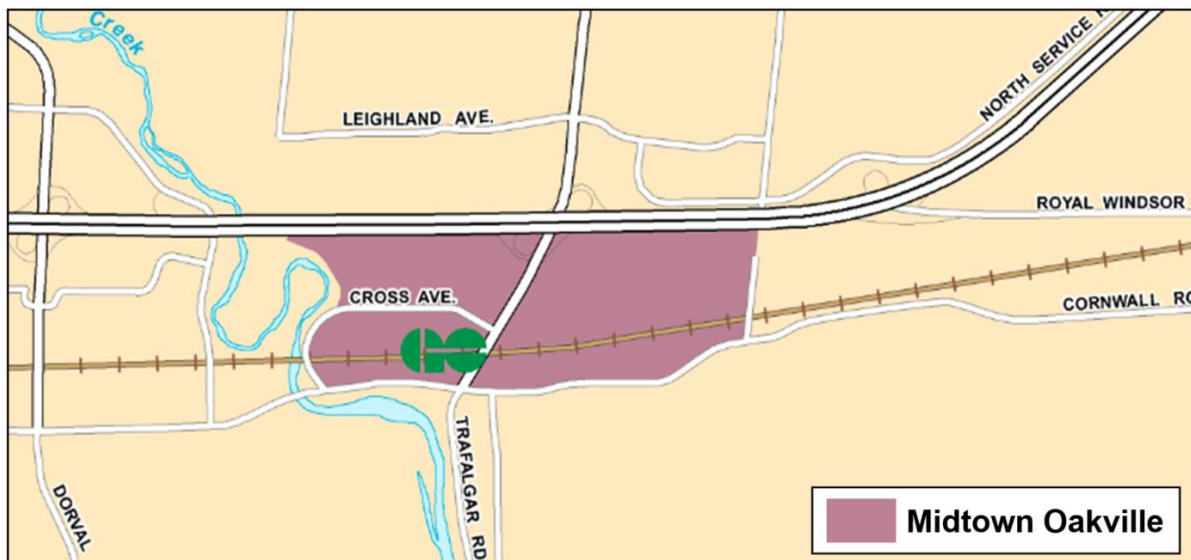
1. Replace Section 20, Midtown Oakville, in its entirety, to provide new and updated area-specific policies to support the creation of a transit-supportive and complete community with the town's highest density mix of residential, commercial, institutional and community uses. The policies:

- are being updated to conform with the latest Provincial legislation, plans and policies, and the Halton Regional Official Plan, as amended.
  - advance the Town’s Housing Pledge for 33,000 new housing units by 2032.
  - set out the area, introduction, goal, objectives and development concept for Midtown Oakville, including overall minimum resident and job density targets.
  - provide for a high quality built environment and public realm, including parks and open spaces, to develop Midtown Oakville as both an urban community and vibrant urban destination.
  - address land uses, densities, provision of community amenities, transportation, parking and stormwater management.
  - replace the existing bonusing permissions with alternative policies in response to provincial changes to section 37 of the *Planning Act*; and,
  - provide for phasing/transition for interim and long-term functionality, area design plans, the acquisition of land for future roads and parks, density transfers, and an implementation strategy and monitoring.
2. Update and revise all schedules (maps) identifying Midtown Oakville UGC boundary and area to match the UGC boundary established by Halton Region through Regional Official Plan Amendment 48, which excludes 564 Lyons Lane and the valleyland between Cross Avenue and Cornwall Road, and to show the existing land use designations applying to those lands (being “Parks and Open Space” and “Natural Area”) on Schedule G (South East Land Use) instead of Schedule L1 (Midtown Oakville Land Use).
  3. Replace Schedules L1, L2 and L3 for Midtown Oakville, which sets out revised land uses, new density ranges (instead of building heights) and a revised multi-modal transportation network to reflect and support the proposed policy changes, including the expansion of the “Urban Core” and “Urban Centre” mixed-use designations and the elimination of the “Lands Eligible for Bonusing” overlay designation.
  4. Introduce a new Schedule L4 relating to Midtown Oakville’s public realm to support the proposed policy changes.

## Subject Lands

***Midtown Oakville is the area around the passenger rail station for Oakville GO/VIA rail station, and the bus terminal for GO/Oakville Transit. It includes the lands between the QEW/Highway 403 and Cornwall Road, from Sixteen Mile Creek to Chartwell Road. Currently, this area is home to about 900 residents and 3,000 jobs (based on the 2016 Census and the 2019 Region of Halton Employment Survey).***

**Figure 1: Midtown Oakville Urban Growth Centre (Existing Boundary)**



## The Livable Oakville Official Plan (Official Plan)

Livable Oakville is the town's official plan for the lands south of Dundas Street and north of Highway 407. It provides land use designations and policies to guide development to the year 2031.

A key part of Livable Oakville is its urban structure, which provides for the long-term protection of natural heritage, public open space and cultural heritage resources, maintains the character of residential areas, and is the foundation to direct growth to identified nodes – including Midtown Oakville urban growth centre – and corridors.

On September 27, 2017, following the Urban Structure Review, Council adopted Official Plan Amendment No. 15 (OPA 15), approving the town-wide urban structure. The urban structure OPA 15 has been fully in effect since July 9, 2021.

Staff provided a summary of the Livable Oakville and the town's Official Plan Review in its previous public meeting report to Planning and Development Council on [June 7, 2022](#). Please refer to Agenda Item 6.2, pages 4-6 of the [public meeting report](#).

## **Midtown Oakville Growth Area Review**

The Vision for Midtown was established in 1999 through the *Midtown Core Land Use Planning Study* wherein the area was being planned to be an urban community and destination for residents, workers, and visitors, where people can live, work, and play in walkable, mixed-use neighbourhoods, connected to the rest of Oakville and surrounding municipalities by pedestrian, cycling, transit, and street networks. That Vision has not changed since 1999 and has only been reinforced through Council's approval of the Urban Structure. Midtown Oakville will have an urban environment characterized by tall buildings, well-designed public spaces, and streetscapes that promote pedestrian activity, and foster a vibrant mix of land uses.

The purpose of the Midtown Oakville Growth Area Review (MOGAR) was to confirm the Vision and recommend updated land use policies in response to changing provincial legislation, to guide development-related decisions, and provide for the creation of a vibrant, transit-supportive urban community and destination.

Staff provided a summary of the Midtown Oakville Growth Area Review in its previous public meeting report to Planning and Development Council on [June 7, 2022](#). Please refer to Agenda Item 6.2, pages 6-8 of the [public meeting report](#).

Due to the scale and complexity of planned transformation, Midtown Oakville has been the subject of ongoing study. The current proposed OPA builds on the town's previous planning work, is reflective of feedback and findings from the Midtown Oakville Growth Area Review, and addresses the latest in force Provincial legislation, plans and policies, and the Regional Official Plan, as amended. The current proposed 2023 Draft Midtown Oakville OPA also incorporates changes to address comments received on the previously proposed OPA, and further analyses in response to an evolving provincial policy regime.

### **PLANNING POLICY & ANALYSIS:**

Since the Livable Oakville Plan came into effect, there have been a number of updates to the Provincial land use legislation, policies and plans.

At the time of its approval, the Livable Oakville Plan was consistent with the 2005 Provincial Policy Statement, and in conformity with the 2006 Growth Plan and the Regional Official Plan (ROPA 38). The Livable Oakville Plan must now be updated to be consistent with the 2020 Provincial Policy Statement, and in conformity with the 2019 Growth Plan, as amended.

The 2022 Draft Midtown Oakville OPA addresses the latest proclaimed Provincial legislation, plans and policies, as well as the Regional Official Plan, as amended by ROPA 48 and ROPA 49.

Staff provided a summary of the Planning Policy applicable to Midtown Oakville – including the *Planning Act*, 2020 Provincial Policy Statement, 2019 Growth Plan for the Greater Golden Horseshoe, and Halton Region Official Plan – in its previous public meeting report to Planning and Development Council on [June 7, 2022](#). Please refer to Agenda Item 6.2, pages 8-22 of the [public meeting report](#).

This section will highlight key points of the previous summary, identify new planning policy or policy changes have been come into effect since that date, and is intended to be read in conjunction with the pertinent section of the previous public meeting report.

## **Bill 23**

Bill 23, *More Homes Built Faster Act, 2022*, was introduced at the Provincial Legislature for First Reading on October 25, 2022. Bill 23 was passed on November 28, 2022 and received Royal Assent the same day. Bill 23 proposed extensive changes to Acts and regulations including the *Development Charges Act*, *Planning Act*, *Municipal Act*, and others. Not all proposed changes are in force; some are still to be confirmed by the Provincial government.

Several areas of land use planning have changed or are proposed to change through Bill 23, including:

- limitations to the site plan process;
- Inclusionary Zoning (IZ) in Protected Major Transit Station Areas (PMTSA);
- treatment of affordable, attainable, and IZ units with regard to *Development Charges* and discounts to Community Benefits and Parkland Dedication; and,
- rules around maximum parkland dedication caps and eligibility of privately-owned parkland (stratified and encumbered lands) for parkland credit.

## **Planning Act**

### Bonusing

Changes have been made to the *Planning Act* to, among other things, remove the authority for bonusing by replacing section 37 of the *Planning Act* with provisions that permit a municipality to implement a Community Benefits Charge (CBC). In order to conform to the *Planning Act*, the bonusing policies in the Livable Oakville Plan (including those applying to Midtown Oakville) must be eliminated.

Bill 23 brought into force provisions that maximum CBCs payable are to be based only on the value of land proposed for new development, not the entire parcel that may have existing development, and maximum CBCs are to be discounted by 4% of

the land value divided by the existing building size, as a proportion to total building square footage.

### Protected Major Transit Station Area

Section 16(16) of the *Planning Act* provides that an upper-tier municipality (Halton Region) may include policies that identify the area surrounding and including an existing or planned higher order transit station or stop as a protected major transit station area and may delineate the boundaries.

Midtown Oakville is identified as a protected major transit station area, and the boundaries delineated, in the Regional Official Plan, as amended by ROPA 48.

Section 17(36.1.4) of the *Planning Act* provides that there is no appeal:

- To the Regional Official Plan in regard to policies that identify and delineate a protected major transit station area and identify the minimum number of residents and jobs, combined, per hectare that are to be accommodated; and
- To the Town's Official Plan, where the Regional Official Plan includes the policies above, in regard to policies that identified authorized land uses in the area, and identify the densities that are authorized on lands in that area.

Bill 23 brought into force, as of November 28, 2022, that municipalities will be required to include minimum heights and densities within approved Major Transit Station Areas (MTSAs) and Protected MTSAs (PMTSAs) within one year of MTSAs/PMTSAs being approved.

### Inclusionary Zoning

Inclusionary zoning is a tool that allows municipalities to require the inclusion of affordable housing units within buildings or projects, containing other residential units, which are to be maintained as affordable housing units over time.

Bill 23 brought into force provisions that exempt affordable housing and inclusionary zoning units from Development Charges, CBCs and parkland dedication, and limited the amount that could be applied to a new development.

### Parkland

Bill 23 brought into force a maximum parkland dedication cap of 10% for sites less than 5 hectares, and 15% for larger sites, as well as reduced maximum alternative parkland dedication rates to 1 hectare/600 units for land and 1 hectare/1000 units for cash-in-lieu.



Bill 23 also proposes the possibility of privately-owned parks (encumbered lands and strata) to be counted towards parkland credit (to be determined by the Provincial government), and the ability of landowners to identify land they intend to provide for parkland, with the municipality able to appeal if there is a disagreement.

### **Development Charges Act**

Bill 23 brought into force a number of financial implications on municipalities through changes to the *Development Charges Act* that include, among other changes, a five year phase-in of DC rate increases, beginning with a 20% reduction in the first year, with the reduction decreasing by 5% each year until year five when the full new rate applies to DC by-laws passed since January 1, 2022.

### **Provincial Policy Statement**

The Livable Oakville Plan must be updated to be consistent with the 2020 Provincial Policy Statement (the PPS), which sets out the Province’s land use vision and overall policy direction on matters of provincial interest related to land use and development. The principles of the PPS are to promote strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Section 1.1.1(e) of the PPS mandates that healthy, liveable and safe communities are sustained by:

promoting the integration of land use planning, growth management, *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.

A key component of the PPS is directing growth to settlement areas to achieve efficient land use patterns and promote a compact development form. Midtown Oakville, as an urban growth centre within a settlement area, is required to be the focus of growth and development.

The policies of the PPS can be complemented and built upon by provincial and municipal plans to provide comprehensive, integrated, long-term plans that support and integrate the principles of the PPS in a place-based manner.

### **Growth Plan**

The Growth Plan is the Province’s long-term framework to plan for growth and development in support of economic prosperity, the environment, and the development of complete communities. The Midtown Oakville policies in the Livable Oakville Plan currently conform to the 2006 Growth Plan.

In the 2019 Growth Plan (as amended), the planning horizon has been extended to 2051, with new population and employment forecasts identified for all single- and upper-tier municipalities in the Greater Golden Horseshoe, including Halton Region.

Under the 2019 Growth Plan, Midtown Oakville is a “strategic growth area”, an “urban growth centre” and a “major transit station area”, required to be planned as a “complete community”, and be planned to achieve a minimum density of 200 people and jobs combined per hectare by 2031.

Staff have provided additional detail on Growth Plan policies related to managing growth, minimum intensification and density targets, urban growth centres, major transit station areas, employment, housing, and climate change in a previous public meeting report to Planning and Development Council on [June 7, 2022](#). Please refer to Agenda Item 6.2, pages 11-14 of the [public meeting report](#).

### **Halton Region Official Plan**

#### Halton Region Official Plan (November 4, 2022 Interim Office Consolidation)

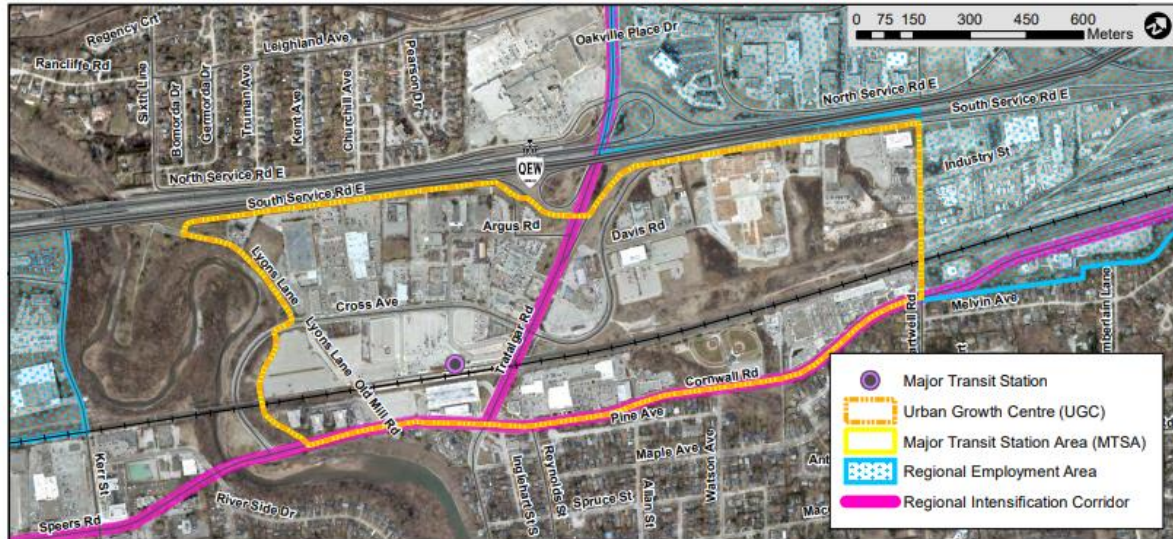
In the Regional Official Plan, as amended by ROPA 48 and ROPA 49, Midtown Oakville is delineated as an “Urban Growth Centre” and “Major Transit Station Area” on top of the underlying “Urban Area” designation on Map 1H, Regional Urban Structure. Section 79.2 of the Regional Official Plan outlines the hierarchy of *Strategic Growth Areas*, as delineated or identified on Map 1H, with “Urban Growth Centres / Major Transit Station Areas on a *Priority Transit Corridor*” at the top. This includes Midtown Oakville / Oakville GO, and Burlington / Burlington GO.

Map 3, Functional Plan of Major Transportation Facilities, identifies the Major Transit Station Area (Oakville GO/VIA station), the “Priority Transit Corridor” (Lakeshore West GO rail), and the “Higher Order Transit Corridor” (Trafalgar Road).

Map 6a shows the exact boundary of the Midtown Oakville GO Urban Growth Centre / Major Transit Station Area.

Figure 2: Halton Region Official Plan, Map 6a

Map 6a - Midtown Oakville GO UGC/MTSA



Section 48 of the Regional Official Plan requires local municipalities to prepare *Area-Specific Plans* for *Strategic Growth Areas* in accordance with the Plan. Section 77(5) sets out the requirements for *Area-Specific Plans*.

Further requirements for Local Official Plans are set out in the policies that apply specifically to *Strategic Growth Areas* (Section 79), *Urban Growth Centres* (Section 80), and *Major Transit Station Areas* (Section 81). The majority of Section 79,3 of the Regional Official Plan applies to the Town’s planning for Midtown Oakville.

It is also a policy of the Regional Official Plan to “Implement, in conjunction with the Province, Metrolinx and the Local Municipalities, a network of *active transportation* facilities in *Halton* that is integrated with public transit services and *Intensification Areas*” (Section 173(16.1)).

#### Regional Official Plan Review (Municipal Comprehensive Review)

On November 4, 2022, the Minister of Municipal Affairs and Housing approved Regional Official Plan Amendment No. 49 (ROPA 49) with modifications, as part of Halton Region’s Municipal Comprehensive Review. ROPA 49 implements the results of the Region’s Integrated Growth Management Strategy (IGMS), determining how to accommodate forecasted population and employment growth in the region to 2051. The Regional Official Plan has been updated to include policies with respect to *Urban Growth Centres*, *Major Transit Station Areas* (MTSAs) and Protected MTSAs that prescribe matters to be addressed in Local Official Plans.

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In November 2021, Regional Official Plan Amendment No. 48 (ROPA 48) identified the Midtown Oakville Major Transit Station Area, which is also an Urban Growth Centre, as a Protected Major Transit Station Area. It also refined the boundary of the Midtown Oakville urban growth centre. The gross area of the Midtown Urban Growth Centre is 103 hectares.

ROPA 48 maintained the minimum gross density target of 200 people and jobs combined per hectare by 2031 and added new mix targets of 65% people and 35% jobs. Applying the required minimum density to the gross area of Midtown Oakville, results in a minimum of 20,600 residents and jobs combined, or approximately 13,390 residents and 7,210 jobs.

## **TECHNICAL & PUBLIC COMMENTS:**

### **Key Changes to the 2023 Draft Midtown OPA**

The 2023 Draft Midtown OPA reflects further technical analysis by staff, feedback from public stakeholders, and responds to an evolving provincial planning policy regime.

This section will highlight changes that have been made to the draft Midtown OPA since the version presented at a public statutory meeting at Planning and Development Council on [June 7, 2022](#). Please refer to Agenda Item 6.2, pages 23-52 of the [public meeting report](#) for the description of the 2022 Midtown Oakville OPA.

#### Midtown Oakville's Main Street (Cross Avenue)

Refined policies have been introduced to s.20.3.4 of the Midtown OPA that continue to emphasize Cross Avenue as Midtown Oakville's main street. Cross Avenue is intended to be the active urbanized social spine of Midtown Oakville which emphasizes the movement of pedestrians, other active transportation users and transit vehicles while continuing to accommodate goods transport and automobiles.

The extension of Cross Avenue east of Trafalgar Road has been realigned to follow the northern edge of the hydro corridor lands and connect to the proposed Royal Windsor interchange. Cross Avenue is no longer proposed to connect with Davis Road, as previously proposed, and is now proposed to be continuous across all of Midtown Oakville, as shown on the revised Schedule L3, Transportation.

#### Transportation

The draft OPA continues to build off the previously proposed transportation system from June 2022. Further changes and refinements to the transportation network are

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proposed based on further study and analysis by staff, and in response to stakeholder comments. Changes to the transportation system since June 2022 reflected on Schedule L3, Transportation, include:

- realignment of Cross Avenue east of Trafalgar Road to follow the north edge of the hydro corridor lands;
- reconfiguration of future road network in order to accommodate the realignment of Cross Avenue;
- consolidation of all active transportation facility types into a single symbol on Schedule L3, Transportation;
- refinement of the right-of-way widths and road classifications for the entire street network into three classifications; and,
- refinement of the grey underlay that identifies where ‘final road alignment(s) will be subject to further study’ in order to clarify that the portions of the road network shown on Schedule L3 Transportation will be confirmed through a future Class Environmental Assessment or other appropriate study.

### Public Realm

A major feature of Midtown Oakville will be its public realm, comprised of a “campus of parks” as outlined in the town’s Parks Plan, public streets, and privately-owned publicly accessible spaces (POPS). The urban parkland system will include primarily public spaces but can also include semi-public spaces and private components that form an interconnected network, animated by people who walk from place to place.

The Midtown OPA introduces a revised new schedule, Schedule L4 Public Realm, to identify components of Midtown Oakville’s public realm, including where public parkland should be provided as promenades, public commons, urban squares and connectors, informed by the Urban Park Hierarchy in the town’s Parks Plan 2031 for *strategic growth areas*.

Changes to Schedule L4, Public Realm since June 2022, include:

- extension of the Cross Avenue promenade east of Trafalgar Road as part of its proposed realignment to emphasize Cross Avenue’s importance as the social spine and mainstreet for Midtown Oakville;
- identifying urban square locations with a symbol instead of areas and the identification of additional urban square locations;
- change in the size and location of promenades, public commons and connectors;

- addition of a network of mid-block connections to demonstrate how the overall network of POPS that will be provided through development will connect and support the overall public realm network; and,
- refined gateway locations.

In addition to changes to the public realm schedule, new public realm policies have been introduced through the draft proposed OPA that:

- refine the depth of the promenades along Cross Avenue and Davis Road and provide an ability to vary the depth to allow for building articulation and variation while maintaining a minimum depth and overall area of the promenades;
- ensure that the locations and delivery of urban parkland, including public parks and open spaces, are coordinated as development progresses;
- ensure all parks and open spaces provided within Midtown Oakville, whether public or POPS, are designed and maintained to be oriented to urban activities throughout the day and year-round;
- identify the locations and purpose of gateway elements, intended to provide a sense of arrival through well-designed built form, public art, landscaping, and streetscape treatments that together, promote a distinctive identity; and,
- identify that a streetscape and/or public realm master plan shall be developed for Midtown Oakville in alignment with the Town Streetscape Strategy.

These policies recognize the constraints in providing parkland in a compact urban community, and are responsive to the provincial policy regime, both in force and proposed changes, that may see encumbered lands and strata eligible for parkland credit in the future.

### Land Use

The primary change to Schedule L1, Land Use since June 2022 is the realignment of Cross Avenue to form a mainstreet across Midtown Oakville and the resulting adjustment to the overall road network from Schedule L3, Transportation.

No changes to the overall land use designations shown in the 2022 Midtown OPA are proposed.

A minor change to land use policies since June 2022 includes:

- refining the policy permitting stand-alone, single use buildings may be permitted where they do not have frontage on an arterial or collector road whereas previously this policy referenced frontage on a Main Street.

### Density

The primary change to Schedule L2, Density since June 2022 is the realignment of Cross Avenue to form a mainstreet across Midtown Oakville and the resulting adjustment to the overall road network from Schedule L3, Transportation.

No changes to the density ranges shown in the 2022 Midtown OPA are proposed.

### Provision of Community Amenities

The *More Homes, More Choices Act, 2019* removed the authority for bonusing by replacing section 37 of the *Planning Act* with provisions that permit a municipality to implement a Community Benefit Charge (CBC). To conform, the existing bonusing policies in the Livable Oakville Plan, including those applicable to Midtown Oakville, must be eliminated.

In light of provincial policy changes that remove bonusing authority, the proposed OPA continues to include policies to encourage the development of desired features that would not otherwise develop in the absence of these policies. The shift to regulating development potential using floor space indices instead of building heights would provide the town with a mechanism to encourage inclusion of desired features in development.

Changes to the policies which would exempt a portion or all net floor area of desired uses within mixed-use residential buildings from the calculation to determine compliance with the maximum density shown on Schedule L2, Density include:

- clarify that these FSI exemption policies will be implemented through the planning approval process;
- addition of community facilities, including daycares, urban grocery stores with a net floor area greater than 2000 square metres, and hotels as uses which may be exempt;
- revision to the policy related to larger-sized units so that up 50% of the new floor area of 2 or 3-bedroom units may be exempt when provided in a building where more than 25% of the total residential units are provided as 2 or 3-bedroom units; and,
- removal of the 2.0 FSI cap for the amount of net leasable floor area of offices provided above the groundfloor that may be exempt.

## Urban Design

### Block Design

The draft Midtown OPA continues to direct that the blocks formed by the planned transportation network shall be designed comprehensively and coordinated as development progresses.

Changes are proposed to the block design policies since June 2022 that:

- clarify the perimeter block concept;
- introduce mid-block connections (shown conceptually on Schedule L4, Public Realm) intended to increase the permeability of blocks created by the placement of buildings, aligned with existing or planned active transportation routes and be sized in alignment with human-scale architecture and design;
- introduce a policy requiring that mid-block connections be publicly-accessible all-day, year-round and that the intent is that privately-owned publicly-accessible spaces (POPS) will create the overall mid-block network;
- introduce a policy indicating that the mid-block connections network will be established through the planning approval process and should enhance connections and mobility within and through the area as well as improving and consolidating access to developments; and,
- clarify the wording of a number of previously proposed block design policies.

### Built Form

The built form policies continue to intend for the Town's tallest buildings to be located in Midtown Oakville, with the highest densities north of the railway, with lower densities south of the railway as a transition to existing residential areas.

Changes are proposed to the built form policies since June 2022 that:

- clarify that the built form policies provide additional policy direction to ensure that the cumulative effect of multiple tall and mid-rise buildings in Midtown Oakville contribute to building a strong, liveable community and incorporate distinctive architecture and built form that contributes to a unified sense of identity and character for the area;
- clarify that tall buildings will be designed to the highest architectural quality and detail and will create a pedestrian-oriented built form, provide active facades oriented to public streets, and contribute to a distinctive skyline;



- refine a policy intended to achieve building height variation within and between developments by indicating that building should vary in height from one another generally by a minimum of 20 metres;
- allow for exceptions to the building height variation policy where two or more towers of the same height is in an important design feature, to be reviewed on a site-by-site basis through the planning approval process;
- introduce a policy indicating that towers should generally be a minimum of 30 metres apart;
- remove a policy that indicates a building height peak near the Oakville GO Station because all of the area west of Trafalgar Road is within walking distance of the Oakville GO Station platform;
- introduce a policy clarifying that building setbacks from public streets are intended to be extension of the public realm;
- clarify a policy directing that podiums should generally be equivalent to the building-to-building distance across a street, up to a maximum of 25 metres in height;
- introduce a policy for tall buildings that a building stepback from a podium to the tower portion should be generally no less than 5 metres along public streets and public-accessible amenity space;
- clarify that the floorplate for the tower portion of tall buildings should generally be no more than 750 square metres;
- clarify that retail and service commercial uses are to be provided on the ground floor of mixed-use buildings that directly front onto an arterial or collector road;
- introducing a policy that requires the frontage of retail and service commercial spaces to have 70% transparency, with the ability to ask for relief through the planning approval process; and,
- removal of the maximum building height policy because it generated confusion – the amount of development on a site is proposed to be regulated by floor space index not building height.

### Educational Facilities

Midtown Oakville provides a unique opportunity to demonstrate how to provide essential *educational facilities* within a dense urban environment, in alignment with

integrated urban school models being adopted within emerging urban communities like the Christie Lands (Etobicoke), Golden Mile (Scarborough), Midtown Toronto, and Lower Yonge Precinct, the first net new elementary school integrated within a mixed-use development in Ontario.

The current draft OPA introduces policies that establish a framework by which school boards can identify the need for educational facilities and engage the development community to acquire real property or a lease for an *educational facility* within a mixed-use development.

The proposed policies require that any landowner proposing to develop or redevelop a mixed-use building within the Urban Core designation in Midtown Oakville shall be required to notify all of the public school boards as part of a complete planning application. The Town may also require, as part of a complete application, written confirmation from the school boards that the developer has provided them with an opportunity to determine a need for *educational facility* space within the proposed mixed-use development.

To meet the needs of an urban, high density community, the policies include provisions for location of mixed-use buildings with school sites in proximity to parks and open spaces (particularly Public Commons), and policies advocating school boards and the town to enter into shared use agreements for park space and community use. This is reflective of emerging practices used by other urban jurisdictions in the Greater Toronto Area.

### Parking

Midtown Oakville is being planned as a transit-supportive and complete community, building on Midtown Oakville’s strategic location along the Lakeshore West GO Rail Line, an inter-modal mobility hub providing local, regional, national and international transit.

Changes proposed for parking policies since June 2022 continue to “right-size” parking by:

- clarifying the intent that parking requirements and/or the need to supply parking associated with development will be monitored over time as access to higher-order, frequent transit and active transportation facilities increases over time as Midtown Oakville becomes a complete community;
- encouraging that existing surface parking lots should be redeveloped over time and that screening is encouraged to be incorporated into existing surface parking lots; and

- adjust the wording of other previously proposed policies to clarify their meaning.

### Implementation Policies

Implementation of Midtown Oakville will require effort between multiple levels of government and private landowners.

### Implementation Strategy

Changes are proposed to the implementation strategy policies since June 2022 that:

- clarify that the parkland and parks strategy for Midtown Oakville should include a parkland acquisition strategy;
- clarify the town's intent to work with Metrolinx to extend and improve the Oakville GO platform and relocate the existing shared bus terminal;
- add an economic development strategy for Midtown Oakville;
- emphasize that development will be monitored using key development indicators at regular intervals;
- add the direction for the town to work with Oakville Hydro and other utility providers to locate services within a public right-of-way underground, where feasible, as infrastructure improvements and development progress.

### Landowner Agreement / Cost Sharing Agreement

Policies related to cost-sharing and landowner agreements have been maintained from earlier drafts of the OPA, outlining that development shall only be permitted when a landowners' group has been established for Midtown Oakville for the purposes of administering a cost sharing agreement among landowners to ensure the costs associated with development are distributed in a fair and equitable manner among landowners.

This policy is important in light of recent provincial policy changes impacting the tools available to the Town (development changes, community benefit changes, and parkland dedication – land and cash-in-lieu) to ensure infrastructure keeps pace with development and growth, and to ensure that development and redevelopment in Midtown Oakville is done comprehensively, for the entirety of the block in which the subject lands are located.

### Other

Other changes to the Midtown OPA since June 2022 generally include:

- refinements to add clarity to previously proposed policy wording;
- an emphasis on active transportation, not just pedestrian movement; and,
- removal of the policy that identifies that additional density may be considered through a site specific official plan amendment.

### **Stakeholder Feedback**

Written feedback received on the previous draft Midtown Oakville OPAs (2021 and 2022) touch on a number of topics, including but not limited to:

- the future transportation network;
- building heights and policies that would provide for additional heights;
- parkland dedication requirements;
- areas identified for parks;
- active transportation routes and active transportation user safety;
- availability of servicing and community amenities;
- phasing and transition;
- policies regarding block design and built form;
- landowners' agreements and cost sharing.

Town staff have used the stakeholder feedback received so far to inform the current proposed draft OPA. Stakeholder feedback provided on the current proposed OPA will be used to further refine and improve the policies before returning to Council in June 2023 with a recommendation.

It is important to emphasize that the draft proposed OPA is not final albeit close to being finalized. It is intended to facilitate discussion. Staff are seeking input on the concepts proposed and acknowledge that further refinements will be required based on input from Council, stakeholders, and the public, as well as ongoing technical review and analysis.

Public comments received since the June 2022 public statutory meeting are provided in **Appendix B**.

## CONSIDERATIONS:

### (A) PUBLIC

The 2023 draft proposed OPA has been available for review on the town's website since May 3, 2023 (<https://www.oakville.ca/business-development/planning-development/official-plan/official-plan-review/growth-area-reviews/midtown-oakville-growth-area-review/>).

Notice of the Statutory Public Meeting was published in the Oakville Beaver on April 27, 2023. Residents' associations were notified along with property owners in accordance with the *Planning Act* regulations and town practices. An email notice was also sent to the town's contact lists for the Official Plan Review and the Midtown Oakville Growth Area Review.

### (B) FINANCIAL

There are no financial implications arising from this report.

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

The 2023 draft proposed OPA was circulated to internal departments for review.

### (D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- Be the most liveable town in Canada; and
- Improve the town's multi-modal transportation network to support effective movement of people and goods.

### (E) CLIMATE CHANGE/ACTION

The existing and proposed Midtown Oakville policies address the climate change emergency declared by Council by tackling two of the biggest contributors to greenhouse gas emissions – energy used for transportation and the heating of our buildings. The draft proposed OPA continues to support compact urban development that provides viable choices for moving around and opportunities to facilitate a transition to alternative energy sources and energy efficiency as outlined in the town's Community Energy Strategy.

## **CONCLUSION:**

This report presents a proposed town-initiated OPA to the Livable Oakville Plan to update the policies and mapping related to the Midtown Oakville urban growth centre (**Appendix A**).

The draft proposed OPA responds to an evolving provincial policy regime (e.g., 2017 Growth Plan, 2017 Greenbelt Plan, 2019 Growth Plan, as amended, Bill 108, Bill 197, 2020 Provincial Policy Statement, Bill 109, sections brought into force through Bill 23). The draft policies respond to the changes to the Growth Plan, as amended, and the *Planning Act* which include a revised planning horizon to 2051 (with new population and employment estimates), and the removal of bonusing authority through Section 37 of the *Planning Act*. The draft proposed OPA remains aware of proposed policy changes through Bill 97.

The draft proposed OPA is intended to support the provincial population and employment density requirements in light of provincial policy changes and provide a foundation for the planning of infrastructure and community facilities to support Midtown Oakville in the long term.

Proposed policies are intended to reinforce Midtown Oakville as a local and regional transit hub with active transportation and transit as foundational elements of the proposed transportation and street network.

Urban design policies are intended to guide the future built form and public realm in Midtown Oakville to ensure it is designed for a human-scale.

Comments from the public, town departments and external agencies may result in changes to the proposed OPA before it is recommended for adoption. Public comments received since the June 2022 public statutory meeting are provided in **Appendix B**.

A recommendation report and an updated OPA will be presented at a June 26, 2023 Planning and Development Council meeting.

Midtown Oakville implementation matters beyond the scope of the current proposed OPA will be addressed through other town and regional projects.

The policy updates for Midtown Oakville, being brought forward in order to facilitate its development, are essential to the integrity of the urban structure.

**APPENDICES:**

Appendix A: 2023 Draft Midtown Oakville OPA (May 3, 2023)

Appendix B: Comments on 2022 OPA

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