

APPENDIX A

TOWN OF OAKVILLE

ZONING BY-LAW REVIEW

WAREHOUSING AND DISTRIBUTION INDUSTRIES

Prepared for the Town of Oakville by:



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Executive Summary

Warehousing and distribution centres have long been recognized as a common land use within employment areas. Over recent years, this land use has evolved at a rapid pace in response to changing commerce patterns and quicker on-demand delivery requirements for goods.

As a result of various logistics and supply chain innovations including automated warehousing systems, the demand for warehousing and distribution centres with ample vertical storage space and extra expandability has risen significantly. In contrast to traditional warehouses that hold high inventory levels, this new generation of warehousing and distribution centres, especially e-commerce-oriented ones, usually serves as an intermediate center and maintains a relatively low inventory of goods. This trend has been reflected in a number of recent planning applications for warehouse and distribution centres within the Town's employment areas.

This study provides an overview of the current trends and characteristics of warehousing and distribution industries as well as the policy structures that provide guidance to the siting of such land uses within employment areas. This study further reports on the existing Oakville zoning framework that regulates the siting of warehousing and distribution centres in comparison to a number of similar case study municipalities from across the Greater Toronto Area. One of the key objectives of this study is to recommend policy and regulatory approaches for guiding the development of warehousing and distribution centre uses within the Town of Oakville.

Alongside the need to ensure that employment areas may provide for the requirements of warehousing and distribution uses is the need to address land use compatibility issues between the employment areas that accommodate these uses and surrounding sensitive land uses. This is particularly true within the Oakville context. The findings of this study may further be used to inform the development of policy and zoning approaches to address matters of compatibility between warehousing/distribution uses and surrounding non-employment lands and/or sensitive land uses.

The consideration of case studies offers insights into how other jurisdictions within the Province have provided policy guidance to warehousing uses within current land use planning practices. The case studies referenced in this report provide examples that may assist with policy development and regulatory amendments within the Town of Oakville.

Distinctions Between Warehouses and Distribution Centres

A warehouse can be described as a location used to store finished goods, raw materials, semi-finished goods, or imported/exported goods. The products are stored at each point of any product's value chain and are made accessible to end customers. Warehouses allow the organization, whenever there is sufficient demand, to continue its manufacturing throughout the year and sell its products.

A distribution centre or fulfillment centre is a logistics hub that handles a range of retail and e-commerce fulfillment services on behalf of retailers and brands. This includes inventory management and storage, picking and packing orders, and shipping services. Most fulfillment centers are run by third party fulfillment companies who lease space to businesses that have outsourced fulfillment to save time and money. A fulfillment center will either fulfill customer orders placed through direct selling channels or wholesale orders for brick-and-mortar retailer partnerships, or a mixture of both.

The biggest difference between distribution/fulfillment centers and warehouses is that distribution/fulfillment centers are not designed for long-term storage. The goal of a distribution/fulfillment center is to store inventory in preparation to fulfill wholesale or customer orders quickly, meaning fulfillment centers generally provide in-season or popular items that have high inventory turnover.

As evidenced through a review of the applicable policy frameworks for the Province, Region of Halton and the case studies examined, no distinction is made between a warehouse and distribution centre within municipal Official Plan policies or zoning regulations. In this regard, the policy and zoning approach of the Town of Oakville is consistent with the upper level policy frameworks and that taken by other municipalities in the Greater Toronto Area.

Land Use Compatibility

Warehousing and distribution uses are considered to be employment uses and are permitted within employment areas as designated in the Region of Halton and Town of Oakville Official Plans. In accordance with the policy requirements of the Province and the Region of Halton, employment areas are to be protected from the encroachment of non-employment uses that may restrict the operation or expansion of employment uses within designated employment areas. Accordingly, matters of land use compatibility must be considered both in respect of the siting and viability of employment uses as well as in the establishment of new sensitive land uses that may be impacted by existing or planned employment lands. Land use compatibility between employment areas and surrounding non-employment lands is best served by development practices that avoid adverse impacts or where avoidance is not possible, by minimizing and mitigating impacts to within acceptable levels.

Both the Province and the Region of Halton provide policy guidance to address land use compatibility between employment uses and surrounding non-employment uses. The policies of the Provincial Policy Statement are very clear in establishing the importance of protecting and preserving employment areas for current and future uses. This is particularly true for employment areas located in proximity to major transportation corridors such as a 400-series highway. This is not only a matter of avoiding adverse impacts on surrounding sensitive land uses but also provides for the long term operational and economic viability of the individual uses and function of the employment area as a whole.

Key Findings

This report provides a number of key findings and recommendations in relation to the Official Plan policy framework, applicable zoning regulations and additional regulatory mechanisms that may be used to regulate the siting of warehousing and distribution centres but also to address matters of land use compatibility between employment uses and non-employment uses more broadly. A summary of the findings and recommendations of this report is provided below.

1) Official Plan

Key policy recommendations for the Official Plan include:

- In order to provide continued flexibility for the long term evolution of the Town's Employment Areas, it is recommended that warehousing and distribution centres continue to be recognized

as a use within Employment Areas but not be more specifically defined within the Official Plan. It is not recommended that a distinction be made between warehousing uses and distribution uses at the Official Plan level.

- The existing policy framework in Oakville is consistent with Provincial policy, the Region of Halton Official Plan and the policy approaches taken within the case study municipalities however, various elements of the Oakville framework could be strengthened.
- Land use compatibility policies addressing both employment areas and sensitive land uses could be strengthened to provide policy metrics for the avoidance of encroachment between employment lands and other sensitive land uses as well as establishing an interface between incompatible uses.
- Locational policies for employment areas could be strengthened to place a greater emphasis on the integration of transportation and land use planning to protect employment lands.

2) Zoning

Key recommendations for zoning include:

- There are some elements of Zoning By-law 2014-014 and Zoning By-law 2009-189 that would benefit from a more standard approach to regulating warehousing and distribution uses across the two Zoning By-laws. This would provide for a more consistent approach to regulating warehouse and distribution uses across the Town.
- Consistent terminology across the two By-laws and a new definition applied across both By-laws is proposed. There is no policy impediment to revising the zoning terminology and definition:

Warehousing and Distribution Centre - Means a premises used for the indoor storage and freight distribution of goods, wares, merchandise, substances, articles, or products but shall not include a commercial self-storage use, wholesale or retail outlet, transportation terminal, storage of fuel, storage or transfer of waste, or any other use or establishment as may otherwise be defined herein.

- The scale of warehousing and distribution uses could more effectively be regulated through the application of minimum and/or maximum GFA requirements based on zone or geography and which may better respond to the characteristics of the Town's varied employment areas.
- It is recommended that the Town consider removal of permissions for warehousing uses from the Service Area Employment (SA) Zone of By-law 2009-189.
- While Zoning By-law setbacks for employment uses are one means to assist in achieving distance separation, it is equally imperative that new or expanded sensitive land uses not be permitted to establish in proximity of lands that have or are planned to accommodate employment/industrial uses.
- There are additional opportunities for harmonization across the Zoning By-laws which may be realized pending additional study as identified below.

- It is recommended that the locational and setback requirements for loading facilities be harmonized across the By-laws as part of the Comprehensive Zoning By-law Review. In doing so, attention must be given to the appropriate harmonized setback, the extent of any legal non-conformity that may or may not be created, and any policy direction of the Official Plan and/or Secondary Plans as it relates to loading facilities in particular.
- It is recommended that any Parking Study undertaken to inform the Comprehensive Zoning By-law Review also specifically address parking requirements for warehouse and distribution uses. The Parking Study should also ensure that any more specific Official Plan or Secondary Plan policies relevant to parking are addressed.
- It is recommended that a more detailed mapping exercise and review of the Town's employment areas is needed to identify where employment areas and Residential Zones are adjacent to each other or in very near proximity. This mapping exercise would assist in determining where added locational and setback regulations may be required generally. This includes whether such regulatory controls should be applied based on geography, universally across all Employment Zones, to regulate redevelopment of existing uses, or only to vacant/future employment areas.
- It is recommended that as part of the Comprehensive Zoning By-law Review that additional consideration be given to landscape buffers in regards to both the mitigative properties of such buffers (primarily visual screening versus noise attenuation) but also within the larger context of the Town's environmental and sustainability objectives as expressed in the Official Plan or Secondary Plans.

3) Additional Regulatory Mechanisms

There are a number of additional mechanisms that may be used to regulate and mitigate the impacts of warehousing and distribution uses as well as to facilitate land use compatibility with other surrounding non-employment lands. These include:

- Addressing Land Use Compatibility Matters Through the Development Process – Land use compatibility, particularly as it relates to the interface between employment and non-employment uses, can be addressed through various studies required as part of the development application process. The requirement for such studies is determined on a site-by-site or application-by-application basis and may address matters such as:
 - Engineering considerations such as a noise and vibration study;
 - Urban design considerations such as a landscape plan;
 - Environmental considerations such as an air quality report;
 - Transportation considerations; or,
 - Other health and safety matters.
- Urban Design Guidelines - Urban Design Guidelines may be used in conjunction with Official Plan policy directives and zoning regulations and may be used to address matters of built form and compatibility between uses at the site level.

- Integrating Transportation and Land Use Planning - The linking of transportation and land use planning will be vital to the success of the Town's future urban structure. In February 2022, Oakville Council endorsed the "*Oakville Urban Mobility and Transportation Strategy*". The Strategy includes a focus on the efficient movement of goods and freight as a component and user of the transportation network. As planning for land use and transportation should be integrated, so too should the planning for warehousing and distribution centres be planned to work within the larger transportation network on which it relies.
- Municipal Act By-laws - In considering warehousing and distribution uses, the Municipal Act provides for a number of municipal By-laws that may be used in conjunction with zoning and site plan to further facilitate compatibility between warehousing/distribution uses and nearby sensitive land uses. Examples include: Fence By-law, Tree Protection By-law, Health Protection and Air Quality By-law, Public Nuisance By-law and Anti-Idling By-law. These By-laws may be used to regulate or mitigate various aspects of a warehousing or other employment use and to provide for compatibility and mitigation of impacts between employment uses and surrounding non-employment land uses.
- Provincial Land Use Compatibility Guideline Issued Under the Ontario Environmental Protection Act - Regardless of land use permissions provided through the Planning Act, all land uses must comply with the Environmental Protection Act unless otherwise stated. The Guideline establishes three categories of industrial land uses and associated impacts, identifies potential influence areas for each of these categories and provides recommended minimum separation distances between industrial land uses and surrounding sensitive land uses.

Warehousing and distribution centres do not neatly fit within any one of the land use categories identified in the Guideline. Rather, the frequency of truck traffic, size of facilities, hours of operation and frequency of outputs (primarily noise but other possible outputs as well) result in warehousing and distribution centres being a hybrid between a Class I and Class II industrial facility.

In accordance with the Guideline, warehousing and distribution uses may have a potential influence area that ranges between 70 metres to 300 metres depending on the characteristics of the individual facility. While the potential influence areas range, so too do the recommended separation distances. In accordance with the Guide, the recommended separation distances range from 20 metres to 70 metres depending on the characteristics of the individual facility.

In practice, the Guideline is administered jointly by the Ministry of Environment, Conservation and Parks (as per the Environmental Protection Act) and by municipalities which function as the approval authority for various land use and Planning Act approvals.

1.0 Introduction

Warehousing and distribution centres have long been recognized as a common land use within employment areas. However over recent years, this land use has evolved at a rapid pace in response to changing commerce patterns and quicker on-demand delivery requirements for goods. This trend has been reflected in a number of recent and current planning applications for warehouse and distribution uses within the Town's employment areas.

In 2018, the Town of Oakville undertook a detailed Employment and Commercial Review as part of a larger planning exercise to update the Town's Official Plan (2009). Ultimately, the Employment and Commercial Review resulted in policy modifications incorporated into the Official Plan by Official Plan Amendment 26 (OPA 26). However, the 2018 review of employment and commercial policies pre-dates the recent transformation of the warehousing and distribution industry as well as the increased demand for such uses.

In response to the transformation and increased demand for warehousing and distribution centres, the Town initiated this study to address 3 key objectives:

- (1) To provide an overview of the current trends and characteristics of warehousing and distribution industries;
- (2) To address compatibility matters between these employment land uses and surrounding land uses; and,
- (3) To recommend policy and regulatory approaches for guiding the development of warehousing and distribution centre land uses within the Town of Oakville.

The findings of this study may be used to inform the development of future Zoning By-law regulations or other regulatory approaches, and if required, additional Official Plan policy modifications to guide the appropriate and compatible development of warehousing and distribution centre land uses within the Town of Oakville.

2.0 Background and Context

In order to better plan for warehouse and distribution centres, it is essential to first understand how this industry has evolved over the recent past. This includes identifying current and future trends, locational needs and operational considerations of this industry as well as the impacts and land use compatibility matters that must be addressed.

2.1 The Evolution Of Warehouse Facilities

In the 1980s, the warehouse industry started to evolve in response to the rising consumer-based economy. This was fueled by the globalization of production networks, competition over delivery timeliness, customized demand, and e-commerce growth. To accommodate the new competitive environment, logistics service providers have strived to optimize logistics supply chains.¹

¹ <https://www.sciencedirect.com/science/article/pii/S259019822100004X>

Supply chain management has become a central component in manufacturing and commerce because of the growing importance of managing the interrelationship between different suppliers and customers. Logistics companies began to reorganize facilities to streamline and speed up the movement of goods along the supply chain, especially in the context of e-commerce.

These factors resulted in the rise of new-generation warehouse facilities. As a result of various logistics and supply chain innovations such as automated warehousing systems, the demand for facilities with ample vertical storage space and extra expandability has risen significantly. Accordingly, logistics companies seek large parcels of land to build high-capacity warehouse facilities. In contrast to traditional warehouses that hold high inventory levels, modern warehouse facilities, especially e-commerce-oriented ones, usually serve as an intermediate center and maintain a relatively low inventory of each commodity. A just-in-time delivery system provides an agile response to customer demand.

Historically, warehouses have been part of a supply chain that caters to brick-and-mortar retail stores. Warehouses used to receive goods in bulk, which then got repackaged and shipped out to stores. The stores broke it down into individual packages and put it on the shelves. Now, warehouses are becoming the last stop before products are delivered to the consumer. The warehouse has shifted in its place along the supply chain. Bulk shipments are no longer leaving as bulk but are being broken down into individual pieces that then get packaged and shipped out individually.

Across Canada, increased outsourcing of manufacturing production to emerging global markets continues to drive the need for new consolidated, land-extensive warehousing facilities to store and manage the distribution of goods produced locally as well as goods imported abroad. As a result, transportation and warehousing are continuously evolving at a rapid pace responding to growing consumer demands as well as increased expectations with respect to speed of delivery. E-commerce and technological improvements represent the biggest drivers of change in these industries, driven by the rapid growth of mobile technology.

2.2 The Growth Of E-Commerce

E-commerce is the buying and selling of goods or services via the internet, typically with the online transfer of money and data to complete the sale. It can be business to consumer, direct to consumer, business to business, and consumer to consumer. Although it's been around since the invention of the modem, e-commerce has grown rapidly over the last ten years. Leaps in mobile technology, wireless networks, order tracking, online financial transactions, and logistics have all contributed to e-commerce's rise.

The e-commerce industry is one of the main driving forces of the warehousing evolution. The industry is facing the challenge of meeting customer expectations of cheaper and faster delivery and shipping. One of the strategies to address this demand is to automate. The evolution of distribution centres includes just-in-time delivery, advanced warehouse logistics software, automation, and increased building heights to provide for greater distribution centre volume.²

E-commerce is modifying the way supply chains have generally operated by shifting from more of a centralized system to a decentralized one. A centralized system sees large amounts of goods - determined by retailer demand - move between ports, warehouses, distribution centers and retail outlets. A

² <https://www.globaltrademag.com/how-warehousing-has-evolved-over-the-years/>

decentralized system sees a diversity of goods - determined by individual consumer demand - move between ports, warehouses, fulfillment centers, and individual residences.

This shift, along with the ever-increasing demand for a greater number of products in a faster amount of time, has reverberated across the supply chain leading to changes in the amount, size, and location of warehouses and fulfillment centers and the means by which goods are delivered. The pandemic-driven lockdowns and caution around public gatherings throughout 2020 and 2021 are largely thought to have driven more people to e-commerce, further solidifying changes to the supply chain.³

In Canada, there is strong growth in the warehousing market with all major cities seeing all-time highs in leasing activity over the past 12 months. E-commerce is proving a major driver of demand with destinations such as Vancouver, London, Waterloo Region and Toronto having availability rates of less than one percent.⁴

2.3 Distinctions Between Warehouses and Distribution Centres

Warehouse development comes in many shapes and sizes, each serving a specific role depending on the nature of the operations, and constraints of the supply chain being supported.

Warehouse typologies include transload (or cross-dock) facilities where in bound shipments are sorted and loaded directly into a second truck header to an individual store or store chain. Sortable high cube warehouses are where several different items are packaged together in a single shipment. These facilities are typically larger and have more employees than non-sortable warehouses, which handle large items. High cube warehousing refers to a facility with over 100,000 square feet and ceiling heights greater than 24 feet.

A warehouse can be described as a location used to store finished goods, raw materials, semi-finished goods, or imported/exported goods. The products are stored at each point of any product's value chain and are made accessible to end customers. Warehouses allow the organization, whenever there is sufficient demand, to continue its manufacturing throughout the year and sell its products.

A distribution centre or fulfillment center is a logistics hub that handles a range of retail and e-commerce fulfillment services on behalf of retailers and brands. This includes inventory management and storage, picking and packing orders, and shipping services. Most fulfillment centers are run by third party fulfillment companies who lease space to businesses that have outsourced fulfillment to save time and money. A fulfillment center will either fulfill customer orders placed through direct selling channels or wholesale orders for brick-and-mortar retailer partnerships, or a mixture of both.

The biggest difference between distribution/fulfillment centers and warehouses is that distribution/fulfillment centers are not designed for long-term storage. The goal of a distribution/fulfillment center is to store inventory in preparation to fulfill wholesale or customer orders quickly, meaning fulfillment centers generally provide in-season or popular items that have high inventory turnover.

³ <https://rpa.org/work/reports/e-commerce-at-a-crossroads>

⁴ <https://www.turnerandtowntsend.com/en/perspectives/warehouse-cost-index-2021/warehousing-across-north-america/>

To differentiate between distribution/fulfillment centres and last-mile facilities, some US cities have defined fulfillment centres as buildings with a minimum of 100,000 square feet (+/- 9,300 square metres), minimum of 24 feet (+/- 7.5 metres) in height, and where e-commerce products are stored and distributed either to consumers or through a last-mile facility.

Last-mile facilities in urban areas may range from 10,000 square feet to 40,000 square feet (approximately +/- 930 square metres to +/-37,000 square metres). The primary function of a last mile facility is moving a shipment from one mode of transport to vehicles with rated capacities less than 10,000 pounds (approximately +/- 4,500 kilograms), for delivery directly to consumers or end users primarily within a local area. Table 1 below provides a review of fulfillment centre developments across Ontario.

Table 1: Examples of Fulfillment Centres in Ontario

Company	Municipality	Square Footage	Description
DSV Warehouse	Milton	1,100,000	Multi-client logistics facility
UPS	Caledon	850,000	Advanced scanning and sortation facility
Amazon	Scarborough	1,023,000	Fulfillment centre
Amazon	Windsor	200,000	Fulfillment centre
Amazon	Ajax	1,100,000	Fulfillment centre
Amazon	Hamilton	855,000	Fulfillment centre
Amazon	Ottawa – East	1,000,000	Fulfillment centre
Amazon	Ottawa - South	Total Building: 2,700,000 Amazon: 450,000	Fulfillment centre
Amazon	Scarborough	650,000	Last-mile facility
Amazon	Scarborough	295,000	Last-mile facility
Amazon	Vaughan	193,000	Last-mile facility
Amazon	Vaughan	209,000	Last-mile facility
QuadReal	Etobicoke	400,000	Last-mile facility
Walmart	Vaughan	550,000	Distribution Centre
Sobeys	Vaughan	250,000	Distribution Centre

2.4 The Economics of Warehousing and Distribution Centres

Warehousing assists in managing a large amount of inventory for a business. It allows for the matching of supply with the demand of a rapidly changing environment. Since all the goods are stored in a central location, it becomes easier to receive, store and distribute the products. The accumulation of the goods allows a warehouse to act as a buffer and keep a balance between the demand and supply of the goods, profiting the business.

The North America warehousing and storage market reached a value of US\$ 71.9 billion in 2018.⁵ The demand for outsourcing warehousing services has been growing from manufacturing companies expanding production and operations. This has led to an increase in logistics needs in terms of the storage of raw materials and finished goods for retailers and distributors. Shipping companies are also increasingly outsourcing the logistics to warehouse service suppliers. This allows businesses to concentrate on core competencies.

2.5 Trends

Canadian online shopping has steadily increased over the past several years. Figure 1 illustrates the growing trend of retail e-commerce in Canada from 2017 projected to 2025.⁶

Correspondingly, delivery trends have evolved and now increasingly rely on rapid shipping and delivery timeframes. Freight volumes are expected to increase significantly by 2050. As such, municipal and business leaders will need to collaborate to develop smart logistics infrastructure, manage transportation needs and address the resultant impacts.⁷

Several examples of smart logistics infrastructure and methods include the utilization of shopping malls as logistics hubs, the establishment of off-hour delivery times, allowing autonomous or low-emission urban delivery vehicles, and facilitating curbside deliveries with sensors. Smart cities can also share traffic data with logistics personnel to manage traffic volumes/flows.

While 2-day shipping was considered a luxury in North America just a few years ago, it has now become an industry standard. Boosted by aggressive investment in shipping infrastructure by the likes of Amazon and Walmart, delivery timelines for online orders have been shrinking rapidly, ranging from a couple of days to even just a few hours in some cases.⁸

Amazon and Walmart are at the forefront of developing new fulfillment centres along with UPS, Sobeys and a variety of other international logistics companies. Amazon is expected to open 250 additional

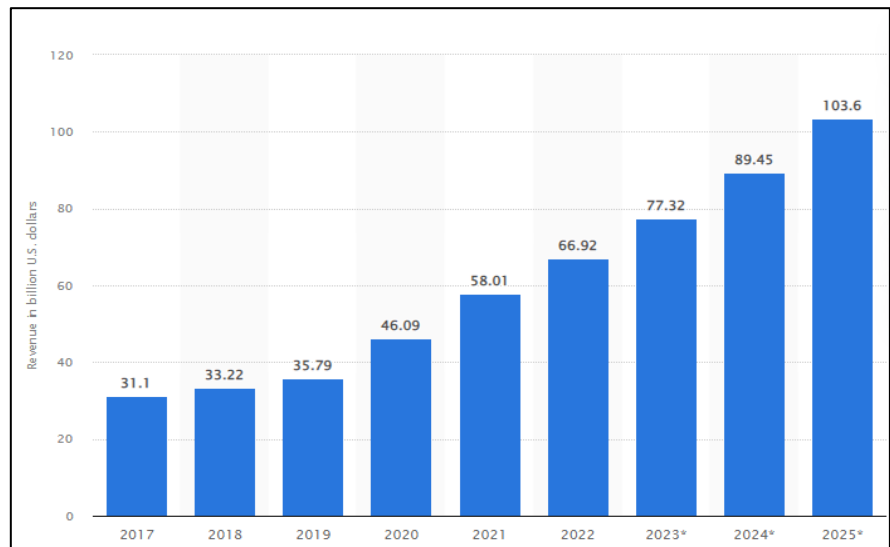


Figure 1: Retail Commerce 2017 Projected to 2025

⁵ https://www.researchandmarkets.com/reports/4894068/north-america-warehousing-and-storage-market?utm_source=dynamic&utm_medium=BW&utm_code=jmvz6z&utm_campaign=1342304+-+North+America+Warehousing+and+Storage+Market+Expected+to+be+Valued+at+US+%2486.41+Billion+in+2024&utm_exec=anwr281bwd

⁶ <https://www.statista.com/statistics/289741/canada-retail-e-commerce-sales/>

⁷ <https://www.supplychaindive.com/news/warehouse-cities-next-generation-shopping-ecommerce/440705/>

⁸ <https://www.cbinsights.com/research/micro-fulfillment-tech-shipping-retail/>

facilities of various sizes in 2022 and is allocating 40% of its spending capital to support warehouse and transportation capacity.⁹

Just-in-time delivery will continue to be the industry norm, placing increasing emphasis on more frequent and smaller deliveries by truck transport, typically during the last mile. As the e-commerce market continues to expand, this component of the supply chain is becoming increasingly important to businesses. In addition to the need to provide timely, accurate service delivery, it is also critical for industry to ensure cost efficiency associated with this component of the supply chain.

2.6 Operations and Logistics

Operational and logistical considerations for the siting of warehousing and distribution centres include all facets of the requirements needed for the facility to operate. This includes matters such as locational criteria, site design, building requirements and demand for municipal servicing.

2.6.1 Location

To ensure high efficiency, modern warehouse facilities need to conveniently access transport networks. Improved transport accessibility and lowered transport costs enable each facility to enlarge the potential market coverage and capitalize on the economy of scale. Considering all these factors, suburban areas with low land rent are more attractive for warehouse facility operators than urban centers. In Ontario, these trends are anticipated to fuel further growth for distribution/logistics centres particularly in locations which are located along, or in proximity to major trade corridors such as Highway 401 as well as other 400-series highways. Ottawa is expected to see continued demand for fulfillment centres as it is located within 400 kilometres of 20 million people compared to only 15 million people within a 400 kilometre radius of the GTA.¹⁰ Key requirements include improvements to accessibility to the labour force (public transportation) and buildings with a range of design options.

2.6.2 Truck Circulation and Employee Parking

A traditional large warehouse usually featured a double-loaded dock, with inbound truck traffic on one side and outbound on the other. With fulfillment centers, more area is needed for storage so that only one side of the warehouse is used for incoming and outgoing product. Fulfillment centers require more staff compared to a traditional warehouse thus there are increased parking requirements associated with such facilities.

2.6.3 Size & Height

The new generation of warehouses occupy larger floor plates and are higher than have historically been the case. This change reflects the typical distributor's need for massive amounts of inventory in an efficient space. The increased use of height has meant a shift in focus in industrial use builds from square footage to cubic footage.

⁹ <https://www.planetizen.com/news/2022/08/118093-amazon-plans-more-massive-warehouses>

¹⁰ <https://www.theglobeandmail.com/business/industry-news/property-report/article-ottawas-second-amazon-distribution-centre-set-to-open-next-year/>

2.6.4 Climate

Historically, warehouses operated with a limited crew, and it made little sense to heat or cool an entire warehouse. However, with fulfillment centres, there may be 1,000 or more employees working all shifts, and they expect to work in a comfortable environment. Therefore, it is not uncommon for fulfillment centers to include climate control.

2.6.5 Other Considerations

A traditional warehouse with fewer employees does not have the same impact on municipal servicing as a fulfillment centre or distribution centre which may have a larger number of employees working across a number of shifts throughout the day. Additional office space and employees has likewise increased in fulfillment centers as additional team members are needed to support the increased number of employees and further add to the increased impact on municipal services.

3.0 Policy Review

In Ontario, land use is governed by a cascading framework of policy that ranges from upper level Provincial policy requirements to zoning and site level planning requirements that are implemented at the municipal level. Collectively, all such levels of policy influence land use permissions on a given property. As of the date of this report, the following planning documents provide the policy context that would be applicable to the development of warehouses and distribution centres within the Town of Oakville:

- Provincial Policy Statement (2020)
- A Place To Grow: Growth Plan for the Greater Golden Horseshoe (2020)
- Provincial Land Use Compatibility Guidelines (1995)
- Region of Halton Official Plan (Consolidated to November 2022)
- Town of Oakville Livable Oakville Official Plan (2009 Consolidated to August 2021)
- Town of Oakville Official Plan (1984) – North Oakville East Secondary Plan (2008)
- Town of Oakville Official Plan (1984) – North Oakville West Secondary Plan (2009)
- Town of Oakville Comprehensive Zoning By-law 2014-014 (Consolidated to September 2022)
- Town of Oakville Comprehensive Zoning By-law 2009-189 (Consolidated to September 2022)

3.1 Provincial Policies

3.1.1 Provincial Policy Statement (2020)

The Provincial Policy Statement 2020 (herein referred to as the 'PPS'), provides the broad over-arching policy direction on matters of Provincial interest and is the foundational policy document for regulating land use and development across Ontario. Although 'warehousing' is not specifically defined, the PPS identifies 'warehousing' as an employment use as follows:

"Employment Area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities." (PPS, Page 43)

Section 2 of the Planning Act identifies the ‘adequate provision of employment opportunities’ as a matter of Provincial interest. Accordingly, the policies of the PPS address the need for land use compatibility and the need to protect employment lands. In this regard, the key excerpts of the PPS are as follows:

- “1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
- g) are freight-supportive.*
- 1.3.1 Planning authorities shall promote economic development and competitiveness by:*
- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- 1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.*
- 1.3.2.6 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.”*

In regards to Policy 1.1.3.2 noted above, ‘freight-supportive’ is defined as:

“Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.” (PPS, Page 44)

The above policies are of particular relevance as the Province has characterized ‘warehousing’ as an employment use. The Province does not distinguish between alternate forms of warehousing such as a more traditional warehouse or a distribution centre.

In addition to the adequate provision of employment opportunities, the Planning Act also identifies a number of other matters of Provincial interest including ‘the orderly development of safe and healthy communities’. Accordingly, the PPS addresses matters of compatibility that are applied to instances where employment uses and sensitive land uses occur in proximity of each other. In this regard, the PPS defines a sensitive land use to include residential uses, amongst other identified land uses, as follows:

“Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are

not limited to: residences, day care centres, and educational and health facilities.” (PPS, Page 51)

The following policies of the PPS address matters of compatibility between differing land uses:

- “1.1.1 Healthy, liveable and safe communities are sustained by:
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- 1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*
- 1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:
 - a) there is an identified need for the proposed use;
 - b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
 - d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.*
- 1.3.2.2 ... Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas.*
- 1.3.2.3 Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.
Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.”*

In Policy 1.2.6.1 noted above, the PPS defines a ‘major facility’ as facilities that require separation from sensitive land uses and includes as an example a manufacturing use. Although ‘warehousing’ as a stand-

alone use does not involve manufacturing, the PPS does similarly direct such a use to employment areas. A 'major facility' is defined as follows:

"Major facilities: means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities." (PPS, Page 46)

In considering the PPS policies above, 'warehousing' is considered an employment use and such employment uses are to be provided for in employment areas. Employment areas are to be protected such that other land uses in proximity of the employment area do not restrict the establishment or continuance of such land uses. However, matters of land use compatibility must be considered both in respect of the siting of new employment uses and in the siting of new sensitive land uses.

The PPS provides clarity to the matter of land use compatibility in accordance with Policies 1.2.6.1 and 1.2.6.2 above. Land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects. However, where avoidance of any adverse impacts is not possible, the PPS directs that planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment.

3.1.2 Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe 2020 (herein referred to as 'the Growth Plan') builds on the policy foundation of the PPS and provides targeted, more detailed policies that apply within the Growth Plan Area. The Town of Oakville is within the Provincial Growth Plan Area and thus subject to these more detailed policies.

One of the guiding principles of the Growth Plan is to:

- *"Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors." (Growth Plan, Page 6)*

In this regard, the Growth Plan provides the following directives for municipality as it relates to the establishment and protection of employment lands:

"2.2.5.5 Municipalities should designate and preserve lands within settlement areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities."

2.2.5.6 Upper-and single-tier municipalities, in consultation with lower-tier municipalities, will designate all employment areas in official plans and protect them for appropriate employment uses over the long-term."

2.2.5.7 Municipalities will plan for all employment areas within settlement areas by:

- a) *prohibiting residential uses and prohibiting or limiting other sensitive land uses that are not ancillary to the primary employment use;*
- b) *prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitted and prohibiting any major retail uses that would exceed that threshold; and*
- c) *providing an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility.*

2.2.5.8 The development of sensitive land uses, major retail uses or major office uses will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment."

The direction provided by the Growth Plan policies as noted above, primarily addresses three key matters:

- a) Locational matters in that employment lands be adjacent to or near goods movement facilities and corridors such as major highway interchanges;
- b) That employment uses be protected over the long term; and,
- c) That land use compatibility is achieved by maintaining an appropriate interface between employment areas and adjacent non-employment areas including the avoidance or mitigation of land uses that may have an adverse impact on employment lands.

Further, the Growth Plan policies focus on the symbiotic relationship between employment lands, infrastructure and transportation facilities. The Growth Plan policies noted below provide for a coordinated approach to integrated planning. The relevant Growth Plan policies are as follows:

"3.2.1.1 Infrastructure planning, land use planning, and infrastructure investment will be coordinated to implement this Plan.

3.2.2.1 Transportation system planning, land use planning, and transportation investment will be co-ordinated to implement this Plan.

3.2.4.1 Linking major goods movement facilities and corridors, international gateways, and employment areas to facilitate efficient goods movement will be the first priority of highway investment.

3.2.4.2 The Province and municipalities will work with agencies and transportation service providers to: c) promote and better integrate multimodal goods movement and freight-supportive land use and transportation system planning; and

3.2.4.3 Municipalities will provide for the establishment of priority routes for goods movement, where feasible, to facilitate the movement of goods into and out of employment areas and other areas of significant commercial activity and to provide alternate routes connecting to the provincial network."

The Growth Plan adopts the PPS definition for an ‘employment area’. Thus, the Growth Plan equally recognizes ‘warehousing’ as an employment use but does not distinguish between different types of warehousing and distribution centres. The Growth Plan policies for employment uses in general terms provide for the protection, locational requirements and function of employment lands. Growth Plan policies that address matters of compatibility generally focus on the continued viability of employment lands.

3.1.3 Provincially Significant Employment Zones

The Province has identified a number of ‘Provincially Significant Employment Zones’ throughout the Growth Plan area. The policies of the Growth Plan address Provincially Significant Employment Zones as follows:

“2.1 ...It is also critical that we understand the importance of provincially significant employment zones and consider opportunities to better co-ordinate our collective efforts across municipalities to support their contribution to economic growth and improve access to transit.” (Growth Plan, Page 11)

2.2.5.1 To implement this Plan, the Minister will, in collaboration with other Ministers of the Crown where appropriate, identify, establish, or update the following:
d) provincially significant employment zones.”

The Growth Plan defines Provincially Significant Employment Zones as:

“Provincially Significant Employment Zones: Areas defined by the Minister in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development. Provincially significant employment zones can consist of employment areas as well as mixed-use areas that contain a significant number of jobs.”

The Province has identified a number of Provincially Significant Employment Zones within the Town of Oakville. These Employment Zones are generally located along the major highway corridors and interchanges including along the QEW, Highway 403 and the south side of Highway 407. Such areas are prime locations for warehousing and distribution uses.

3.2 Region of Halton Official Plan (Consolidated to November 2022)

Bill 23 will remove land use planning authority from a number of upper tier municipalities within the Growth Plan area including the Region of Halton. Bill 23 provides that on the date that the upper tier municipality’s planning responsibilities cease to exist, any portion of the upper tier municipality’s Official Plan is deemed to constitute an Official Plan of the lower tier municipality until the lower tier municipality revokes or amends it. Thus, the policies of the Region of Halton Official Plan (Consolidated to November 2022) (herein referred to as ‘the Regional Plan’) remain in effect and are summarized in this report.

The Region upholds the policy framework established at the Provincial level. In doing so, the Regional Plan identifies lands within an Employment Area designation to plan for employment needs within the current planning horizon as well as lands identified within a Future Strategic Employment Area overlay

designation to provide for employment need beyond the current planning horizon. These lands are shown on Map 1C and Map 1H to the Regional Official Plan which is included as **Appendix 1** to this report.

Similar to the PPS and Growth Plan, 'warehousing' is not defined in the Regional Plan however, warehousing is identified as an employment use in accordance with the definition for an Employment Area. The Regional Plan simply carries forward the PPS definitions for Employment Area, Major Facilities and Sensitive Land Uses. Also similar to the PPS and Growth Plan, the Regional Plan does not distinguish between alternate forms of warehousing such as a more traditional warehouse or a distribution centre.

The objectives of the Employment Area designation are as follows:

"The objectives of the Employment Areas are:

- (1) To ensure the availability of sufficient land for employment to accommodate forecasted growth to support Halton's and its Local Municipalities' economic competitiveness.*
- (2) To provide, in conjunction with those employment uses within the residential and mixed use areas of the communities, opportunities for a fully-diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.*
- (3) To locate Employment Areas in the vicinity of existing major highway interchanges and rail yards, where appropriate, within the Urban Area.*
- (4) To recognize the changing nature of employment and to recognize the role of Employment Areas in accommodating a diverse range of innovative employment uses and supporting the overall Regional Urban Structure."* (Regional Plan, Section 83)

In general terms, the Employment Area policies of the Regional Plan provide for the following:

- a) plan, protect and conserve Employment Areas for current and future use; (Section 83.2(2))
- b) ensure the necessary infrastructure is provided to support development the development of Employment Areas; (Section 83.2(3))
- c) where appropriate, designate lands in the vicinity of existing or proposed transportation facilities and corridors including highway corridors and/or major highway interchanges; (Section 83.2(8))
- d) identify and protect Future Strategic Employment Areas including lands suitable for employment beyond the current planning horizon; (Section 139.6)
- e) prohibit incompatible uses including residential and other non-residential uses such as major retail uses; (Section 83.2(1)) and,
- f) provide an appropriate interface between Employment Areas and adjacent non-employment areas to maintain land use compatibility. (Section 83.2(7)(b))

Key policy excerpts from the Regional Plan are also included within **Appendix 1**.

3.3 Town of Oakville Official Plans

There are two applicable Official Plans currently in effect in the Town of Oakville:

- 1) The Town of Oakville Livable Oakville Official Plan (2009 as consolidated to August 2021) applies to all lands north of Highway 407 and south of Dundas Street. The 2009 Official Plan is referred to as the 'Livable Oakville Plan'; and,
- 2) The 1984 Official Plan as amended to 2006, which remains in effect and applies to the lands between Dundas Street and Highway 407. The 1984 Official Plan is the parent Official Plan to the North Oakville East and West Secondary Plans. The 2006 consolidation of the 1984 Official Plan is referred to as the '2006 Official Plan'.

3.3.1 Livable Oakville Official Plan (2009 Consolidated to August 2021)

Consistent with the policy approach of the Province and the Region of Halton, 'warehousing' is not defined in the Livable Oakville Plan however, warehousing is identified as an employment use in accordance with the definition for an Employment Area. The Livable Oakville Plan simply carries forward the PPS definitions for 'Employment Areas' and 'Sensitive Land Uses'. OPA 41 (approved November 25, 2022) added a definition for 'Major Facilities' to the glossary of the Livable Oakville Plan. OPA 41 simply carried forward the PPS definition into the Livable Oakville Plan.

The Town's Employment Areas are generally located along and in proximity of the three 400-series highways and associated interchanges that traverse the Town. This effectively creates a ring of employment lands that is framed by the QEW to the south, Highway 403 to the east and Highway 407 to the north in accordance with Schedule A1 – Urban Structure of the Oakville Official Plan which is included as **Appendix 2** to this report.

More specifically, warehousing is identified as a permitted use within the following employment land use designations:

- Business Employment;
- Industrial;
- Speers Road Special Policy Area; and,
- Employment District (in Secondary Plans only).

The Livable Oakville Plan characterizes the Business Employment and Industrial land use designations as follows:

"14.4 Business Employment - Business Employment areas are intended to provide for a wide range of business and industrial uses. The uses in the Business Employment areas are intended to be predominantly within enclosed buildings and provide for office uses and light and service industrial operations with minimal impacts on the surrounding areas."

"14.5 Industrial - Industrial areas are intended to provide for heavy industrial operations and are limited to well screened, highly accessible locations."

The Speers Road Special Policy Area is characterized as follows:

- “26.4.5(e)(i) Speers Road Corridor Special Policy Area Land Use Policies - e) On the lands designated Business Commercial within the Speers Road Corridor Special Policy Area the following additional policies apply:*
- i) Light industrial uses such as manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling, and arterial commercial uses may be permitted.”*

Employment policies within the Town’s two northerly Secondary Plan Areas are addressed in Section 3.3.2 below.

In addition to the permissions afforded through the applicable land use designations, the policies of the Oakville Plan address the need for integrated planning that accounts for the land use, transportation and infrastructure needs of Employment Areas as follows:

- “8.12.1 Integrating Land Use and Transportation - The Town will co-ordinate land use and transportation planning to maximize the efficient use of land.*
- 14.1.5 The Town shall place a priority on the early provision of services to employment lands to ensure that development opportunities exist to meet projected demand.”*

In general terms, land use compatibility is addressed by the following policies:

- “14.1.4 Employment Policies - Buffering and landscaping shall be required to ensure visual and physical separation between employment uses and adjacent uses.*
- 14.1.9 Sensitive land uses, if proposed within an Employment Area, shall require the completion of a land use compatibility assessment to ensure that the use is appropriate and the location and design of the use can minimize and mitigate any adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.”*

Key policy excerpts from the Livable Oakville Plan are also included within **Appendix 2**.

3.3.2 Town of Oakville Secondary Plans

There are two Secondary Plan Areas within the Town of Oakville. These Secondary Plans amend the 1984 Oakville Official Plan (consolidated to 2006) and provide a more detailed policy framework for lands north of Dundas Street and south of Highway 407. The Secondary Plans are as follows:

- North Oakville East (2008); and
- North Oakville West (2009).

Maps depicting the more detailed land use designations as established within the Secondary Plan Areas are included within **Appendix 2**. Both the North Oakville East Secondary Plan and the North Oakville West Secondary Plan establish an Employment District land use designation to provide for employment uses in

North Oakville. These employment areas are located along the south side of Highway 407 and in proximity of the Highway 407 interchanges at Neyagawa Boulevard and Bronte Road/Regional Road 25.

It is the objective of both Secondary Plans to:

“...create employment districts that provide for a range of employment opportunities with access to major freeways, arterial road and transit systems.” (North Oakville East Section 7.2.3.3(a) and North Oakville West Section 8.2.3.2(a))

Further, there are a number of similarities between the employment policy frameworks of the two Secondary Plans. The purpose and range of uses anticipated for these areas are generally consistent as follows:

“Employment Districts refer to land designed to accommodate development of predominantly employment generating uses including a wide range of industrial and office development. Limited retail and service commercial uses designed to serve the businesses and employees will also be permitted within the Employment Districts.” (North Oakville East Section 7.3.4, North Oakville West Section 8.3.2)

The Employment District will permit a full range of employment uses. In addition, limited retail and service commercial uses serving the employment area shall be clustered at the intersections with Arterial, Avenue and Connector roads. These sites and uses will be zoned in a separate zone in the implementing Zoning By-law.” (North Oakville East Section 7.5.17, North Oakville West Section 8.5.12)

The two Secondary Plans deviate slightly in the stated focus of the respective Employment Districts as noted below:

North Oakville East Secondary Plan: *“The primary focus of the Employment District designation on Figure NOE2 is to protect for, and establish a range of development opportunities for employment generating industrial, office and service employment uses. Where applicable, the range and scale of uses are to be designed to be sensitive to the adjacency and compatibility with residential neighbourhoods, or to reflect a visible location on and exposure to highway corridors and major roads.”* (Section 7.6.8.1)

North Oakville West Secondary Plan: *“The primary focus of the Employment District designation on Figure NOW2 is to protect for, and establish a range of development opportunities for employment generating industrial, office and service employment uses. It will also include a Health Oriented Mixed Use Node on the north side of Dundas St. at Third Line. Where applicable, the range and scale of uses are to be designed to be sensitive to the adjacency and compatibility with development in the Health Oriented Mixed Use Node, or to reflect a visible location on and exposure to highway corridors and major roads.”* (Section 8.6.5.1)

Regardless, warehousing is permitted within these areas as follows:

“Permitted uses may include: (a) light industrial operations, including light manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution and wholesaling;”
(North Oakville East Section 7.6.8.2, North Oakville West Section 8.6.5.2)

This permission is refined in each of the Secondary Plans:

North Oakville East Secondary Plan: *“In addition, the following uses will be permitted in areas which do not abut residential, Urban Core, Institutional or Transitional Area designations, major arterial roads or Highway 407:*

- i) general industrial operations within enclosed buildings including manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution, and wholesaling;”* (Section 7.6.8.2)

North Oakville West Secondary Plan: *“The following uses will be permitted in areas which do not abut the Health Oriented Mixed Use Node, major arterial roads or Highway 407:*

- i) general industrial operations within enclosed buildings including manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution, and wholesaling;”* (Section 8.6.5.2)

The North Oakville East Secondary Plan addresses matters of land use compatibility with residential and other sensitive land uses:

“...The Urban Design and Open Space Guidelines and Zoning By-law will also apply standards designed to enhance the compatibility of permitted employment uses with residential and other sensitive development located within nearby Transitional, Residential or Institutional designations including prohibition of outdoor storage adjacent to such uses....” (Section 7.5.17)

Key policy excerpts from the North Oakville East Secondary Plan and North Oakville West Secondary Plan are also included within **Appendix 2**.

3.4 Town of Oakville Zoning By-laws

As there are two Official Plans in effect within the Town of Oakville, there are also two primary Comprehensive Zoning By-laws in effect within the Town’s boundaries as follows:

- Zoning By-law 2014-014 which applies to lands south of Dundas Street and north of Highway 407; and,
- Zoning By-law 2009-189 which applies to lands north of Dundas Street and south of Highway 407.

Each of the Zoning By-laws regulate warehousing uses however, the standards between the two Zoning By-laws vary significantly. Table 2 provides comparison of the two Zoning By-laws based on the following criteria as it relates to warehousing uses:

- Terminology for warehousing use – not consistent;
- Definitions – not consistent;
- Zones where warehousing uses are permitted – approach to permissions not consistent;
- Parking requirements – not consistent;
- Loading space setback requirements from Residential Zones – loading space terminology and standards not consistent;
- Minimum setbacks from Residential Zones - similar;
- Minimum Landscaping Requirements – same (10%)
- Minimum width of landscaping requirements in any Employment Zone – not consistent.

Table 2: Comparison of Warehouse Related Zoning Requirements for ZBL 2014-014 and 2009-189

Zoning Requirement	ZBL 2014-014	ZBL 2009-189
Terminology	Warehousing	Industrial Warehousing
Definition	<p>Means a <i>premises</i> for the indoor storage and freight distribution of goods, wares, merchandise, substances, articles, or products.</p> <p>No related definitions</p>	<p>Means a <i>building</i> used primarily for the storage and distribution of goods and materials, but shall not include a wholesale or <i>retail</i> outlet; a <i>transportation terminal</i>; the storage of fuel; or a <i>commercial self-storage use</i>.</p> <p>Related Definitions:</p> <p>Light Industrial Operation: Means light manufacturing, fabricating, processing, assembly, repair, servicing, packaging, <i>industrial warehousing</i> of products or materials and <i>wholesaling</i> excluding <i>wholesale</i> accessible to the general public.</p> <p>General Industrial Operation: Means:</p> <p>i. heavy manufacturing, refining, repair, fabricating, processing operations, servicing, packaging and <i>industrial warehousing</i>; and</p>

Zoning Requirement	ZBL 2014-014	ZBL 2009-189
		ii. bulk storage of fuels and aggregates.
Zones Permitted	<ul style="list-style-type: none"> Office Employment (E1) Zone (existing uses only) Business Employment (E2) Zone Industrial (E3) Zone 	<ul style="list-style-type: none"> 'Industrial Warehousing' is not a permitted use in any Employment Zone. 'Light Industrial' is identified as a permitted use in the Light Employment (LE) Zone, General Employment (GE) Zone and Service Area Employment (SA) Zone. 'General Industrial' is identified as a permitted use in the General Employment (GE) Zone.
Parking Requirements	<p>Parking Rate for 'Warehousing' –</p> <ul style="list-style-type: none"> a) 1.0 per 100.0 m² <i>net floor area</i> for the first 7,500.0 m² <i>net floor area</i>; plus, b) 1.0 per 200.0 m² <i>net floor area</i> for any additional <i>net floor area</i> <p>(Section 5.2.1)</p>	<ul style="list-style-type: none"> Parking Rate for 'Industrial Warehouse' – <ul style="list-style-type: none"> a. with a <i>leasable floor area</i> of less than 5,000 m² - 1 <i>parking space</i> per 100 square metres of <i>leasable floor area</i> minimum. b. with a <i>leasable floor area</i> of 5,000 sq. m. or greater - 1 <i>parking space</i> per 200 m² of <i>leasable floor area</i> minimum (Table 5.1B(18)) Parking of Heavy Vehicles – The parking of heavy vehicles is not permitted between any building and the front lot line or any yard abutting a Residential Zone. (Sections 7.9.5.2, 7.10.6.2, 7.11.5.3)

Zoning Requirement	ZBL 2014-014	ZBL 2009-189
Loading Space Setbacks from Residential Zone	<ul style="list-style-type: none"> ○ A loading space shall be setback 7.5 metres from any Residential Zone, except if it is located entirely within a structure. (Section 5.6(c)) ○ A loading space is not permitted: <ul style="list-style-type: none"> i) In any minimum yard; ii) Between the main wall closest to the flankage lot line and the flankage lot line in the flankage yard; iii) In any front yard. (Section 5.6(d)) 	<ul style="list-style-type: none"> ○ No minimum required setback from a Residential Zone or residential uses. ○ ... However, where <i>loading docks</i> are located in any yard abutting a <i>residential zone</i> or a <i>street</i>, they must be screened from view by an opaque screen with a minimum height of 1.5 metres. (Section 5.6.3) ○ Note inconsistency in terminology between 'loading space' and 'loading dock'.
Minimum Setback Requirements From Residential Zones	<ul style="list-style-type: none"> ○ Minimum interior side yard abutting a lot in any Residential Zone, Institutional Zone, or Community Use Zone – 15 metres (applies to both E2 and E3 Zones) ○ Minimum rear yard abutting a lot in any Residential Zone, Institutional Zone, or Community Use Zone – 15 metres (applies to both E2 and E3 Zones) (Table 10.3) 	<ul style="list-style-type: none"> ○ Notwithstanding the minimum required setbacks of the applicable Employment Zone, for a yard abutting a Residential Zone, the minimum setback shall be: LE Zone – 10 metres GE Zone – 15 metres SA Zone – n/a unless the lot with the employment use is separated from the developable area in the Residential Zone by a street. (Sections 7.9.2 and 7.10.2)
Minimum Landscaping	10% (Table 10.3)	10% (Sections 7.9.4, 7.10.5, 7.11.4)
Minimum Required Width of Landscaping in Any Employment Zone	<ul style="list-style-type: none"> ○ From any Residential Zone, Community Use (CU) Zone, any residential use in an Institutional (I) Zone or any residential 	No additional requirements beyond the setback from a Residential Zone as noted

Zoning Requirement	ZBL 2014-014	ZBL 2009-189
Abutting a Residential Zone or Residential Uses	<p>use in a Mixed Use (MU) Zone – 7.5 metres</p> <ul style="list-style-type: none"> ○ From an Institutional (I) Zone excluding any residential use – 3.0 metres ○ From any surface parking area within an Employment Zone to any interior side lot line – 3.0 metres ○ From any surface parking area to any lot line with a residential use – 4.5 metres 	above. The setback is not required to be landscaped.

Oakville has a number of employment areas, many of which differ in terms of the types of warehousing uses, vintage of the uses, size and configuration of parcel fabric, access points, and access to higher level transportation corridors. Further, the North Oakville Secondary Plan Employment Areas are governed by different policy and zoning frameworks as compared to employment lands located elsewhere in the Town.

Notwithstanding, there are some elements of the existing zoning regime as regulated by Zoning By-law 2014-014 and Zoning By-law 2009-189, that would benefit from a more standard approach across the two Zoning By-laws. A harmonization of the existing zoning provisions would provide for a more consistent approach to regulating warehouse and distribution uses across the Town. In this respect, the policies of the Livable Oakville Official Plan and North Oakville Secondary Plans pose no policy impediment to having consistent terminology and definitions as well as to apply a more consistent convention in the permitted use tables (tied to consistent use terminology – warehousing versus light industrial uses).

There are additional opportunities for harmonization across the Zoning By-laws which may be realized pending additional study. It is recommended that a more detailed study of the following zoning elements be undertaken as part of the Comprehensive Zoning By-law Review in order to identify further opportunities to develop standard zoning requirements that may be applied to warehouse uses:

- Parking standards;
- Loading space setbacks from Residential Zones;
- Minimum setback requirements from Residential Zones; and,
- Minimum width of landscaping in proximity of a Residential Zone or residential uses.

4.0 Case Studies

Consideration of a number of case studies offer insights into how other jurisdictions within the Province have framed and regulated warehousing uses into current land use planning practices. Municipalities chosen as comparative case studies were chosen based on a number of criteria. It should be noted that not all case study municipalities satisfy all criteria. The case studies were chosen based on the following criteria:

- Providing examples of both lower tier and single tier municipalities;
- Municipalities within a similar range in regards to the size/population of Oakville;
- Geographic location being within the western portion of the GTA and being within the Growth Plan Area;
- Municipalities with access to one or multiple 400-series highways; and,
- Municipalities with reasonably updated planning documents or up-to-date consolidations of Official Plans and/or Zoning By-laws.

The case studies relied upon for this study are as follows:

Single Tier Cities:	City of Hamilton City of Brantford
Region of Halton:	City of Burlington Town of Milton
Region of Peel:	City of Mississauga City of Brampton
Region of York:	City of Vaughan
Region of Durham:	Town of Ajax

The Official Plan and applicable Zoning By-law was reviewed for each of the case study municipalities. The comparison case studies focused on the following elements:

4.1 Comparing Official Plan Policy Frameworks

As is consistent with both Provincial policy and the Town of Oakville Official Plan, warehousing is identified as an employment use within all of the case studies examined. None of the case studies provided any specific policy direction for warehousing uses in particular, however, such uses are subject to the broader employment policies. Most of the case study municipalities included a definition for ‘Employment Areas’ within the Official Plan. Generally, the employment areas definition included within the case study Official Plans simply carried forward the definition contained within the PPS. Table 3 summarizes the characterization of warehousing within Employment Areas across the case study municipalities.

Table 3: Defining Warehousing as an Employment Use

Official Plan – Definitions Related to Warehousing	
Municipality	Definition
Town of Oakville (Consolidated August 2021)	‘Employment Areas’ means areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing , offices, and associated retail and ancillary facilities.

Official Plan – Definitions Related to Warehousing	
City of Hamilton (Consolidated November 2022)	Yes – ‘Employment Area’ - Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing , offices, and associated retail and ancillary facilities.
City of Brantford (Consolidated September 2021)	No - For the purpose of interpreting this Plan, the definitions in the <i>Planning Act</i> , the <i>Ontario Heritage Act</i> , the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and other applicable Provincial legislation, plans and guidelines shall apply. In all other instances, terms shall be defined in accordance with their common usage and, if necessary, reference to the Canadian Oxford Dictionary.
City of Burlington (Consolidated February 2021)	<p>Yes – ‘Employment Area’ – Areas for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices and associated retail and ancillary facilities. The employment area refers to the Region of Halton Employment Area as identified in Schedule B: Urban Area – Land Use Plan.</p> <p>‘Employment’ – The use of lands for business and economic activities, including, but not limited to, manufacturing, warehousing, offices and <i>ancillary employment uses</i>, but does not include retail and <i>service commercial</i> uses unless they are an <i>ancillary employment use</i>.</p> <p>‘Industrial’ – Assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, <i>utilities</i>, transportation, storage, service trades and construction uses.</p>
Town of Milton (Unofficial Consolidation May 2018)	Yes – ‘Employment Area’ means areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing , offices and associated retail and ancillary facilities.

Official Plan – Definitions Related to Warehousing	
City of Mississauga (Consolidated August 2022)	No relevant definitions
City of Brampton (Consolidated September 2020)	Yes – ‘Employment Area’ means lands within the Industrial and Office designations on Schedule “A” of this Plan as well as lands within the Business Corridor and Central Area designations that are designated in Secondary Plans for clusters of business and economic activities including, but not limited to, manufacturing warehousing , offices and associated retail and ancillary uses.
City of Vaughan (Consolidated July 2022)	No relevant definitions
Town of Ajax (Consolidated October 2022)	No relevant definitions

Land use designations within Employment Areas generally provide for a range of more specific employment designations that effectively cluster similar or complementary uses in considering the nature and potential impacts of such uses. Generally, this range of employment designations includes four categories being:

- (1) An Office/Business Park or similar designation;
- (2) A Prestige Employment designation that provides for employment uses contained within buildings, that have no associated outdoor storage, minimal impact and high quality urban design;
- (3) A General Employment or Industrial designation that provides for industrial uses that require outdoor operations or outdoor storage, and which may generate contaminant discharges of cause adverse effects (such as noise, vibration or odour); and
- (4) Service Employment designation that permits some commercial uses that are supportive of the broader employment area and which generally have very specific constraints such as maximum gross floor areas or a prohibition on drive-throughs in order to preserve the overall integrity of the employment area.

The case study municipalities provided maximum flexibility in terms of those designations where warehousing and distribution centres may be located. In general terms, warehousing uses are permitted in Prestige Employment and General Employment land use designations. Such uses are not typically permitted in Service Employment designations. Table 4 identifies the Employment designations where warehousing uses are permitted by the case study municipalities.

Table 4: Employment Designations Permitting Warehousing Uses

Official Plan – Employment Designations Permitting Warehousing Uses	
Municipality	Official Plan Designations
Town of Oakville (Consolidated August 2021)	<ul style="list-style-type: none"> ○ Business Employment; ○ Industrial; ○ Speers Road Special Policy Area; and, ○ Employment District (in Secondary Plans only).
City of Hamilton (Consolidated November 2022)	<ul style="list-style-type: none"> ○ Business Park ○ Industrial ○ Airport Employment Growth District (AEGD) Secondary Plan <ul style="list-style-type: none"> - Airport Prestige Business - Airport Light Industrial - Airside Industrial
City of Brantford (Consolidated September 2021)	<ul style="list-style-type: none"> ○ Prestige Employment ○ General Employment
City of Burlington (Consolidated February 2021)	<ul style="list-style-type: none"> ○ Uptown Business Employment (Mixed Use Intensification Areas) ○ Employment Commercial Centre ○ General Employment ○ Business Corridor
Town of Milton (Unofficial Consolidation May 2018)	<ul style="list-style-type: none"> ○ Warehousing and/or distribution centres not addressed in Official Plan or relevant Secondary Plans. Closest is as follows: <ul style="list-style-type: none"> - Business Park Designation – permits light industrial uses - Industrial Designation – permits full range of light and general industrial uses
City of Mississauga (Consolidated August 2022)	<ul style="list-style-type: none"> ○ Business Employment ○ Industrial
City of Brampton (Consolidated September 2020)	<ul style="list-style-type: none"> ○ Parent OP – Industrial ○ Hwy 427 Industrial Secondary Plan <ul style="list-style-type: none"> - Business Park - Prestige Industrial ○ Airport Intermodal Secondary Plan <ul style="list-style-type: none"> - Prestige Employment

Official Plan – Employment Designations Permitting Warehousing Uses	
	<ul style="list-style-type: none"> - General Employment - Mixed Employment Commercial ○ 410/Steeles Secondary Plan <ul style="list-style-type: none"> - General Employment - Mixed Employment Commercial ○ Bram West (a)(b)(c)(d) Secondary Plan <ul style="list-style-type: none"> - Prestige Industrial
City of Vaughan (Consolidated July 2022)	<ul style="list-style-type: none"> ○ Prestige Employment ○ General Employment
Town of Ajax (Consolidated October 2022)	<ul style="list-style-type: none"> ○ Prestige Employment ○ General Employment

In all instances, the case study Official Plans provided policy support identifying the importance of locating employment areas in proximity of transportation corridors, and specifically the Provincial network of 400 series highways, in order to facilitate the movement goods. Official Plan policies from the City of Hamilton, City of Brampton and City of Vaughan provide particularly good examples of such policies:

“5.2.7.1 The following provisions apply to all [Employment] land use designations, as specified:

- g) Freight-intensive land uses shall be located in areas well served by major highways, airports, rail facilities and marine facilities.*
- h) New development, including expansion to existing development, shall be planned with regard to existing and planned transportation and servicing infrastructure.*
- i) All development shall be designed and developed to be easily accessible by various types of transportation modes, such as roads, transit, active transportation and goods movement vehicles.” (City of Hamilton Official Plan)*

“3.2.7 Employment Areas - The City’s major employment districts are strategically located in relation to the major transportation infrastructure and facilities including the Lester B. Pearson International Airport, CP & CN intermodal terminals, rail, transit, major roads and Provincial freeways i.e., Highways 410, 407, and 427. These elements set the stage for a range of employment and business opportunities to meet existing and forecasted demand. ...Schedule 1 shows conceptually the general location of employment areas in Brampton. These include primarily the Industrial and Office designations as shown on Schedule “A” as well as lands within the Business Corridor and Central Area designations that are designated in secondary plans for clusters of business and economic activities including, but not limited to, manufacturing warehousing, offices and associated retail and ancillary uses.” (City of Brampton)

“4.4.2.7 The City shall promote the development of Industrial uses in locations accessible to existing and proposed transportation terminal facilities, public transit and major components of the regional, provincial and national transportation system, including airport, road and rail facilities.” (City of Brampton)

“5.1.2 ...Employment Areas accommodate uses that are not appropriate in Intensification Areas or Community Areas, and are best located near Provincial highways and rail infrastructure to support efficient goods movement. To remain viable, Employment Areas should be maintained as large, un-fragmented areas that allow flexibility for growth and change, offer protection from more sensitive land uses and provide for a range of ancillary uses that primarily support the businesses and employees of the employment area.” (City of Vaughan)

The City of Vaughan policy further references the need for employment areas to not only have accessibility to key transportation corridors but also provides that in order to remain viable over the long term, employment areas that provide for a variety of uses including warehousing, must be maintained as large, un-fragmented areas. This provides for the clustering of compatible employment uses. The clustering of compatible employment uses affords such uses both the flexibility to evolve and grow but also protects the broader employment area from the encroachment and potential impacts of less compatible uses that serve to constrain employment operations.

One of the key considerations for any municipality is how to maintain the integrity of employment lands while at the same time providing for land use compatibility with surrounding land uses. This is particularly true where various land uses have diametrically differing needs such as is the case with employment lands and sensitive land uses. In this sense, sensitive land uses include uses such as residences, daycare centres, educational and other institutional uses.

As a foundational policy in an Official Plan, there is a need to manage potential land use conflicts by protecting employment areas from encroachment of sensitive land uses and to protect sensitive land uses from any potential adverse impacts that may be generated by employment uses. As provided for by Section 1.2.6 of the PPS (reference Section 3.1.1 of this report), land use compatibility is best served by development practices that avoid adverse impacts or where this is not possible, to minimize and mitigate any potential impacts. Such an approach is key to providing for the protection of employment areas and the uses located in such areas. A number of the case studies provide good examples of policies designed to achieve this objective:

“5.4.2(d) Business operations within the General Employment Designation are to be protected from intrusions of sensitive land uses that may restrict the operations of existing or planned industrial land users.” (City of Brantford)

“10.3.4 Within Employment Areas, Mississauga will support the continued operation of existing industrial uses and discourage employment uses and sensitive land uses in the vicinity of existing industrial land uses that would:

- a. require industrial uses to significantly modify their operations;*
- b. cause industrial uses to be in non-compliance with pertinent standards;*
- and*

- c. *inhibit the development of designated industrial lands for the purposes permitted by this Plan.” (City of Mississauga)*

“2.2.4 ...In order to continue Vaughan’s success at attracting the kind of economic activity that requires a location in Employment Areas, the City’s Employment Areas must be protected from encroaching non-employment uses that would serve to destabilize their planned function, including residential and major retail uses.” (City of Vaughan)

The Official Plans for the City of Hamilton and the City of Burlington offer more detailed policy examples. The policy from the City of Burlington is provided below:

- “4.6.2 a) *Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from vibration, noise, dust, odour or other contaminants and minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities, in accordance with provincial guidelines, standards and procedures.*
- b) *Where avoidance is not possible in accordance with policy 4.6.2(a), of this Plan, the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment shall be protected by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:*
- (i) there is an identified need for the proposed use;*
 - (ii) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
 - (iii) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
 - (iv) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.*
- c) *Proponents may be required to submit studies and undertake necessary actions to mitigate adverse effects to the satisfaction of the City and the Region of Halton. Provincial guidelines and Regional Land Use Compatibility and Air Quality Guidelines shall be referred to for direction in land use planning decisions.*
- d) *Where noise abatement is required along roads, design features such as the orientation of buildings, vegetated areas and other innovative methods shall be preferred over the use of acoustical walls. The Region of Halton’s Noise Abatement Guidelines shall be referred to.”*
(City of Burlington)

Land use compatibility and the mitigation of impacts can be achieved through a number of means. This includes:

- Separation of uses (residential/employment – urban structure)
- No encroachment from sensitive land uses
- Screening/buffers/fencing - development screened from nearby residential uses;
- Integrate natural features into landscaping and buffering to minimize impacts on adjoining areas;
- Incorporate utility corridors as continuous buffers;

- Site design
- Increase setbacks from lot lines;
- Limited access points to employment lots;
- Orient parking and loading spaces away from adjacent residential uses (other portions of lot – side or rear yards)

The Official Plans for the case study municipalities each address land use compatibility and mitigation of impacts to some degree – particularly in reference to the interface between employment uses and any surrounding sensitive land uses. The methods range from separation of uses through community structure, to screening and buffering of uses, to site design at a parcel level. Some examples of such studies include:

Separation of Uses:

“5.1.2.3 To support the long-term flexibility, vitality and competitiveness of Employment Areas by:

- b) requiring that sensitive land-uses outside of Employment Areas, as defined by the Ministry of Environment Guidelines for Land-Use Compatibility, are designed and located so as not to create adverse impacts on businesses within Employment Areas and that such compatibility, including any required mitigation, be addressed in an Employment Area Compatibility Assessment report;” (City of Vaughan)*

“3.2.3.5(g) GO Transit Station Mixed Use Area - Ensure that new residential uses are compatible with existing employment uses, including the establishment of appropriate separation distances and/or noise attenuation from employment uses to address noise, vibration and odours as part of site plan approval.” (Town of Ajax)

Screening/Buffering:

“5.5.8 All development in the Airport Employment Growth District shall be adequately separated, screened and buffered from existing residential and institutional uses in or abutting the Airport Employment Growth District.” (City of Hamilton)

“3.3.4(g) Where a proposed Prestige Employment use abuts or is in proximity to an existing or planned residential use, land use impacts will be mitigated through the use of fencing, landscaping, berming or a combination of these features to ensure that there is adequate screening between the uses. The regulations of the Province, as amended from time to time, shall apply.”

Site Design:

- “7.3.2(3) Employment Growth Areas - ...additional considerations such as, but not limited to, the following:*
 - (ii) maximizing the placement of buildings along the frontage of lots facing public streets;*
 - (iii) locating off-street parking away from adjacent sensitive land uses;*

- (iv) *limiting the number and location of vehicular access points to minimize disruption to traffic flows and the impact on pedestrian travel along sidewalks or cyclists' travel along bikeways;*
- (v) *locating loading areas to avoid conflict between pedestrian and vehicular traffic away from adjacent residential areas and adjoining streets;*
- (vi) *incorporating fencing and/or screening of outdoor storage areas;*
- (viii) *screening and landscaping off-street parking areas, loading areas and site service areas;" (City of Burlington)*

"8.8.1(3.4)(c) ...Mitigation measures could include but are not limited to a range of site layout and building design strategies, including such as building setbacks, orientation, landscaping and materiality, as well as acoustic barriers intended to attenuate noise, such as fencing, landscaping or vegetation. If required, environmental warning clauses can be issued and included in Offers of Purchase and Sale, lease/rental agreements or condominium declarations. Specific mitigation measures that may be required will be finalized through the site plan stage." (City of Burlington)

Many of the Official Plans also identified various mechanisms such as Provincial standards under the Environmental Protection Act as well as the requirement for studies through the development approval process as a means to achieving compatibility. As identified in the 'Implementation' section of an Official Plan, there are a host of studies that a municipality may request as part of a complete development application. In addition to this list, many of the municipalities required specific studies to be completed in regards to development within or in proximity of employment areas. Some of these studies included a Land Use Compatibility Assessment, Noise and Vibration Study, Air Quality Impact Assessment, or development standards as reflected in Council-adopted Urban Design Guidelines.

The City of Hamilton and the City of Brantford provide examples of Official Plan policies that address the mitigation of impacts and the requirement to uphold Provincial standards:

- "5.2.7.1(d) Industrial uses, including expansions, shall comply with all provincial standards respecting noise, vibration, air contaminants, water, wastewater, storm water and other environmental issues." (City of Hamilton)*
- "5.4.2 (c) All permitted development within the General Employment Designation identified on Schedule 3: Land Use Plan shall be conducted in a manner that adequately mitigates pollution from noise, vibration, odours, smoke, dust or any other forms of pollution, and shall be in compliance with all applicable municipal and Provincial policies, standards and guidelines. (City of Brantford)*
- "8.4.5.8(o) The City of Hamilton, in accordance with the recommendations in the Province of Ontario Ministry of Environment Guideline D-6, may require an agreement and/or financial assurance from the developer regarding mitigation measures required in the findings of the special studies. " (City of Hamilton)*

4.2 Comparing Regulatory Zoning Frameworks

While at an Official Plan level, warehousing or distribution centres are simply identified as being an employment use and are not actually defined, the Comprehensive Zoning By-law(s) for each of the case study municipalities do identify 'warehousing' or a 'warehouse/distribution centre' as a permitted use. The Zoning By-laws do not however, make any distinction between a warehouse and a distribution centre and essentially address these as a singular use. Based on the examples provided through the case studies, the key characteristics for the definition of 'Warehousing/Distribution Centre':

- Indoor storage
- Freight distribution of goods
- Temporary storage
- No public access
- Excludes a retail warehouse or store, transportation terminal, commercial and/or self storage, waste management facility, salvage yard, towing establishment, storage of fuel.

Table 5 summarizes the definitions for warehousing or warehouse/distribution centre across the case study municipalities.

Table 5: Zoning By-law Definitions for Warehouse Uses

Zoning – Definitions for Warehousing	
Municipality	Definition
Town of Oakville ZBL 2014-014 (Consolidated September 2022)	Warehousing: Means a <i>premises</i> for the indoor storage and freight distribution of goods, wares, merchandise, substances, articles, or products.
Town of Oakville ZBL 2009-189 (Consolidated September 2022)	Industrial Warehousing: Means a <i>building</i> used primarily for the storage and distribution of goods and materials, but shall not include a wholesale or <i>retail</i> outlet; a <i>transportation terminal</i> ; the storage of fuel; or a <i>commercial self-storage use</i> .
City of Hamilton Urban ZBL 05-200 (Consolidated November 2021)	Warehouse: Shall mean the use of building or structure, or part thereof, for the bulk storage or distribution of goods to industrial, commercial or institutional business users or other wholesalers, but shall not include the retailing of goods to the general public. A Warehouse may include a Mini Storage Facility but shall not include a Waste Management Facility, Salvage Yard or Towing Establishment.

Zoning – Definitions for Warehousing	
City of Brantford ZBL 160-90 (Main) (Consolidation Date Unknown)	Warehouse or Warehouse Use: shall mean an industry whose primary activity consists of the storage and distribution or wholesaling of goods or materials.
Brantford ZBL #2 County of Brant ZBL 61-16 (Consolidated December 2021)	Means a <i>building or structure used</i> for the storage and distribution of goods, merchandise, substances, or materials which will be sold elsewhere or, subsequently, transported to another location for sale or consumption. The retail or wholesale sale of products may only be permitted as an <i>accessory use</i> .
City of Burlington ZBL 2020 (Consolidated August 2022)	Warehouse and Logistics: Premises used for keeping or storing goods or commodities, to which the general public does not have access, and which may also be used for the distribution of the goods or commodities.
Town of Milton ZBL 016-2014 (Consolidated January 2021)	Warehouse/Distribution Centre: Means a premises used for the storage and/or distribution of goods, wares, merchandise, substances, articles or things, within a <i>building</i> and may include a <i>commercial storage facility</i> or facilities for an <i>accessory</i> wholesale or retail outlet, but does not include a transportation terminal.
City of Mississauga ZBL 0225-2007 (Consolidated September 2022)	Warehouse/Distribution centre: means a building, structure or part thereof, used for the storage and/or distribution of goods and may include the temporary on-site storage of commercial motor vehicles for freight handling of goods directly related to the permitted use(s).
City of Brampton ZBL 270-2004 (Consolidation Date Unknown)	Warehouse: shall mean a building or part thereof, of which the principal use is the storage of goods and materials; excluding waste.
City of Vaughan ZBL 01-2021 (Consolidated October 2022)	Warehousing and Distribution centre: Means a building or part of a building used for the indoor storage of goods, wares, merchandise, materials or articles as a principal use, but does not include a retail store.

Zoning – Definitions for Warehousing	
Town of Ajax ZBL 95-2003 (Consolidated March 2014)	Warehouse/ Distribution Centre: Shall mean a <i>building</i> or part of a <i>building</i> used for the storage and distribution of goods, wares, merchandise, substances, articles or things.

Similar to the approach taken in Official Plans, Comprehensive Zoning By-laws provide for a range of employment zones that effectively cluster and regulate similar or complementary employment uses. Since it is the role of a Zoning By-law to implement Official Plan policy, the zone structure of the Zoning By-law generally corresponds to the land use designations identified in the Official Plan. Accordingly, warehousing or a warehouse/distribution centre are permitted across a number of employment zones in the case study municipalities.

The case study municipalities also provide maximum flexibility in terms of those zones where warehousing and distribution centres may be permitted. In general terms, warehousing uses are permitted in Prestige Employment Zones and General Employment Zones. Such uses are not typically permitted in Service Employment Zones although there are a few exceptions to this. Table 6 identifies the employment zones where warehousing uses are permitted by the case study municipalities.

Table 6: Zones Permitting Warehouse Uses

Zoning – Employment Zones Permitting Warehousing Uses	
Municipality	Zones
Town of Oakville ZBL 2014-014 (Consolidated September 2022)	<ul style="list-style-type: none"> ○ Office Employment (E1) Zone (existing uses only) ○ Business Employment (E2) Zone Industrial (E3) Zone
Town of Oakville ZBL 2009-189 (Consolidated September 2022)	<ul style="list-style-type: none"> ○ Light Employment (LE) Zone ○ General Employment (GE) Zone ○ Service Area Employment (SA) Zone
City of Hamilton Urban ZBL 05-200 (Consolidated November 2021)	<ul style="list-style-type: none"> ○ Research and Development (M1) Zone ○ General Business Park (M2) Zone ○ Prestige Business Park (M3) Zone ○ Business Park Support (M4) Zone ○ General Industrial (M5) Zone ○ Light Industrial (M6) Zone ○ Airside Industrial (M7) Zone ○ Airport Light Industrial (M10) Zone ○ Airport Prestige Business (M11) Zone ○ Shipping and Navigation (Port Lands)(M13) Zone ○ Shipping and Navigation (East Port) (M14) Zone

Zoning – Employment Zones Permitting Warehousing Uses	
City of Brantford ZBL 160-90 (Consolidation Date Unknown)	<ul style="list-style-type: none"> ○ Industrial Commercial (M1) Zone ○ General Industrial (M2) Zone ○ Business Park Industrial (M3) Zone
Brantford ZBL #2 County of Brant ZBL 61-16 (Consolidated December 2021)	<ul style="list-style-type: none"> ○ Light Industrial (M2) Zone ○ Heavy Industrial (M3) Zone
City of Burlington ZBL 2020 (Consolidated August 2022)	<ul style="list-style-type: none"> ○ Business Corridor One (BC1) Zone ○ Business Corridor Two (BC2) Zone ○ General Employment One (GE1) Zone ○ General Employment Two (GE2) Zone
Town of Milton ZBL 016-2014 (Consolidated January 2021)	<ul style="list-style-type: none"> ○ Employment (EMP-2) Zone ○ Business Park (M1) Zone ○ General Industrial (M2) Zone
City of Mississauga ZBL 0225-2007 (Consolidated September 2022)	<ul style="list-style-type: none"> ○ Employment Nodes (E1) Zone ○ Employment (E2) Zone ○ Industrial (E3) Zone
City of Brampton ZBL 270-2004 (Consolidation Date Unknown)	<ul style="list-style-type: none"> ○ Industrial One (M1) ○ Industrial One A (M1A) ○ Industrial Two (M2) ○ Industrial Three (M3) ○ Industrial Three A (M3A) ○ Industrial Four (M4) ○ Industrial Four A (M4A)
City of Vaughan ZBL 01-2021 (Consolidated October 2022)	<ul style="list-style-type: none"> ○ Prestige Employment (EM1) Zone ○ General Employment (EM2) Zone
Town of Ajax ZBL 95-2003 (Consolidated March 2014)	<ul style="list-style-type: none"> ○ Prestige Employment (PE) Zone ○ General Employment (GE) Zone ○ Heavy Employment (HE) Zone

In addition to community structure, being where warehousing and distribution centres are permitted, there are a number of other zoning regulations that can be used to address land use compatibility matters associated with warehousing uses and how such uses are established on a lot. These include parking and loading requirements, special setbacks from residential and other sensitive uses as well as landscaping requirements. Each of these zoning regulations is addressed below.

Parking and Loading Facilities: The Planning Act provides that the municipality may require parking and loading facilities to be provided and maintained in association with uses permitted. A review of the parking standards applied to warehouse uses across the case study municipalities indicates that the rate of parking and the means through which parking requirements are calculated varies significantly. Table 7 summarizes the parking requirements for each of the case study municipalities.

Table 7: Parking Requirements

Zoning – Parking Requirements	
Municipality	Parking Requirement
Town of Oakville ZBL 2014-014 (Consolidated September 2022)	Parking Rate for 'Warehousing'– a) 1.0 per 100.0 m ² <i>net floor area</i> for the first 7,500.0 m ² <i>net floor area</i> ; plus, b) 1.0 per 200.0 m ² <i>net floor area</i> for any additional <i>net floor area</i> (Section 5.2.1)
Town of Oakville ZBL 2009-189 (Consolidated September 2022)	Parking Rate for 'Industrial Warehouse' – a) with a <i>leasable floor area</i> of less than 5,000 m ² - 1 <i>parking space</i> per 100 square metres of <i>leasable floor area</i> minimum. b) with a <i>leasable floor area</i> of 5,000 sq. m. or greater - 1 <i>parking space</i> per 200 m ² of <i>leasable floor area</i> minimum (Table 5.1B(18)) Parking of Heavy Vehicles – The parking of heavy vehicles is not permitted between any building and the front lot line or any yard abutting a Residential Zone. (Sections 7.9.5.2, 7.10.6.2, 7.11.5.3)
City of Hamilton Urban ZBL 05-200 (Consolidated November 2021)	5.6(c) Parking Standards Warehouse – For each 30.0 m ² of gross floor area, which accommodates the Office component of the use.
City of Brantford ZBL 160-90 (Consolidation Date Unknown)	2 spaces + 1 space/1000 m ² GFA
Brantford ZBL #2 County of Brant ZBL 61-16 (Consolidated December 2021)	1 space / 100m ² GFA

Zoning – Parking Requirements	
City of Burlington ZBL 2020 (Consolidated August 2022)	<p>Warehouse and Logistics: 1.5 spaces per 100 m² of gross floor area</p> <p>Parking of trucks and vehicles is not permitted within 15 m of a residential zone when the truck or vehicle exceeds any one of the following:</p> <ul style="list-style-type: none"> • a registered gross vehicle weight of 3000 kg; • an overall length of 6 m; • an overall height of 2.6 m.
Town of Milton ZBL 016-2014 (Consolidated January 2021)	<p>For the first 1000 m², 1 <i>parking space</i> per 30m² of <i>gross floor area</i> shall be provided.</p> <p>Any additional <i>gross floor area</i> shall be calculated in addition to the above provision and provided in accordance with the following rates:</p> <ul style="list-style-type: none"> • For <i>gross floor areas</i> between 1001m² to 5000m² shall provide 1 <i>parking space</i> per 100m² of <i>gross floor area</i>. • <i>Gross floor areas</i> greater than 5000m² shall provide 1 <i>parking space</i> per 200m² of <i>gross floor area</i>. <p>Notwithstanding any provisions of the By-law to the contrary, accessory retail uses associated with the industrial or warehouse/ distribution use shall be included within the above noted calculations provided that the retail area does not exceed the lesser of 5% or 232.2 m² of the total gross floor area.</p>
City of Mississauga ZBL 0225-2007 (Consolidated September 2022)	<p>1.1 spaces per 100 m² GFA up to 6975 m² GFA -and- 0.6 spaces per 100 m² GFA over 6975 m² GFA</p>
City of Brampton ZBL 270-2004 (Consolidation Date Unknown)	<p>a. If the associated office, retail, and educational gross floor areas are 15% or less of the total gross floor area:</p> <ul style="list-style-type: none"> ○ Up to 7,000 square metres: 1 parking space per 90 square metres gross floor area or portion thereof; ○ 7,000 to 20,000 square metres: 78 parking spaces plus 1 parking space per 145 square metres gross floor area or portion thereof that is over 7,000 square metres;

Zoning – Parking Requirements	
	<ul style="list-style-type: none"> ○ over 20,000 square metres: 168 parking spaces plus 1 parking space per 170 square metres gross floor area or portion thereof that is over 20,000 square metres b. If the associated office, retail, and educational gross floor areas are more than 15% of the total gross floor area <p>In addition to the above, the applicable gross floor areas exceeding 15% shall be subject to the applicable office, retail, or educational parking requirements.</p>
City of Vaughan ZBL 01-2021 (Consolidated October 2022)	0.5 spaces per 100m ² GFA
Town of Ajax ZBL 95-2003 (Consolidated March 2014)	1 space per 500.0 m ²

Warehousing and distribution centres by the very nature of the use, require loading facilities that generally far exceed the minimum loading space requirements of a Zoning By-law. Thus, the matter of interest is not so much in canvassing the minimum loading requirements but where loading facilities are located on a lot and other zoning provisions to regulate compatibility matters with nearby residential and sensitive land uses. In general terms, loading facilities are not permitted in the front yard of the lot. In some cases, loading facilities are restricted to only the interior side yard or rear yard of the lot. The City of Burlington, Town of Milton and Town of Ajax further require additional setbacks for loading facilities from lots in adjacent Residential Zones as follows: (1) City of Burlington – 20 metres; (2) Town of Milton – 18 metres; and (3) Town of Ajax – 10 metres. The City of Hamilton requires that where adjacent to a Residential Zone, loading facilities be screened by a visual barrier in accordance with the following:

“Section 4.19 - Where this By-law requires a visual barrier to be provided and maintained, such barrier shall act as a screen between uses and be constructed to a minimum height of 1.8 metres, and to a maximum height of 2.5 metres where a visual barrier consists of a fence or wall and shall not be located within 3.0 metres of a street line. A visual barrier shall consist of the following:

- a) A wall, fence;*
- b) A continuous planting of suitable trees or shrubs, together with a reserved width of planting area appropriate for healthy plant growth;*
- c) Earth berms; or,*
- d) Any combination of the above.” (City of Hamilton Urban ZBL 05-200)*

Table 8 summarizes the loading requirements for each of the case study municipalities.

Table 8: Loading Requirements

Zoning – Loading Requirements	
Municipality	Loading Requirement
Town of Oakville ZBL 2014-014 (Consolidated September 2022)	<ul style="list-style-type: none"> ○ A loading space shall be setback 7.5 metres from any Residential Zone, except if it is located entirely within a structure. (Section 5.6(c)) ○ A loading space is not permitted: <ul style="list-style-type: none"> iv) In any minimum yard; v) Between the main wall closest to the flankage lot line and the flankage lot line in the flankage yard; vi) In any front yard. (Section 5.6(d))
Town of Oakville ZBL 2009-189 (Consolidated September 2022)	<ul style="list-style-type: none"> ○ No minimum required setback from a Residential Zone or residential uses. ○ ... However, where <i>loading docks</i> are located in any <i>yard</i> abutting a <i>residential zone</i> or a <i>street</i>, they must be screened from view by an opaque screen with a minimum height of 1.5 metres. (Section 5.6.3) ○ Note inconsistency in terminology between ‘loading space’ and ‘loading dock’.
City of Hamilton Urban ZBL 05-200 (Consolidated November 2021)	<p>The location of loading doors and associated loading facilities shall be subject to the following:</p> <ul style="list-style-type: none"> a) Shall not be permitted within a Front Yard; b) Shall not be permitted in any yard abutting a street, except where screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law; and, c) Shall not be permitted in a required yard abutting a Residential Zone or an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.
City of Brantford ZBL 160-90 (Consolidation Date Unknown)	No loading space shall be located in any front yard unless the front yard is a minimum of 20.0 metres (Section
Brantford ZBL #2 County of Brant ZBL 61-16 (Consolidated December 2021)	<p>Location of required <i>loading spaces</i>:</p> <ul style="list-style-type: none"> (i) The <i>loading space</i> shall be provided in front of the loading and unloading areas, bays or doors or docks etc.

Zoning – Loading Requirements	
	<p>(ii) <i>The loading space</i> shall not be permitted in required <i>front yard setback</i> and required <i>exterior side yard setback</i>.</p> <p>(iii) No part of any <i>loading space</i> shall be closer than 3 metres to any <i>lot line</i>.</p>
City of Burlington ZBL 2020 (Consolidated August 2022)	<p>(a) Loading/unloading docks are not permitted in building elevations facing a street.</p> <p>(b) Loading/unloading activities are not permitted in a yard abutting a street.</p> <p>GE1 and GE2 Zone (a) and (b) plus:</p> <p>(c) Minimum setback from a residential zone: 20 m</p> <p>(d) Notwithstanding (c) above, where loading and unloading activities are fully enclosed by a permanent structure, that structure may be set back 9 m from a residential zone.</p> <p>(e) Loading/unloading docks and activities shall be screened from view from a residential zone.</p>
Town of Milton ZBL 016-2014 (Consolidated January 2021)	<p>Loading spaces only permitted in the Interior Side Yard and Rear Yard (applicable zones: EMP-2 and M1). In M2 Zone, loading spaces permitted in all yards.</p> <p>Loading spaces and areas shall be located no closer than 18.0 m from any abutting residential zone, excluding the CBD-A, CBD-B, C3 and I-A Zones</p>
City of Mississauga ZBL 0225-2007 (Consolidated September 2022)	Required as calculated in accordance with ZBL.
City of Brampton ZBL 270-2004 (Consolidation Date Unknown)	Required as calculated in accordance with ZBL.
City of Vaughan ZBL 01-2021 (Consolidated October 2022)	Required as calculated in accordance with ZBL.
Town of Ajax ZBL 95-2003 (Consolidated March 2014)	Loading spaces are permitted in the rear yard or interior side yard only. Where a lot is located adjacent to Highway 401 no

Zoning – Loading Requirements	
	<p>loading spaces are permitted in the area between the building face and Highway 401.</p> <p>In any Commercial or Employment Zone, or where any development site in a Downtown Central Area Zone or Village Core Mixed Use Zone features a loading area, no loading space shall be located closer than 10 metres to any interior side lot line or rear lot line that abuts a Residential Zone or single-use/mixed-use residential development site in a Downtown Central Area Zone or Village Core Mixed Use Zone.</p>

In conjunction with the location and hierarchy of zone structure, separation distances are one of the most effective mechanisms for managing conflicting land uses and creating an interface between them. In this regard, all of the Zoning By-laws for the case study municipalities require special setbacks in addition to the standard zone setbacks between Employment Zones and Residential Zones and/or residential uses. This range of additional setbacks varies from 6 metres to 30 metres based on the type of Employment Zone and the yard adjacent to the Residential Zone/use. Table 9 summarizes the additional setbacks for Residential Zones for each of the case study municipalities.

Table 9: Additional Setbacks From Residential Zones

Zoning – Additional Setbacks From Residential Zones	
Municipality	Setbacks
Town of Oakville ZBL 2014-014 (Consolidated September 2022)	<ul style="list-style-type: none"> Minimum interior side yard abutting a lot in any Residential Zone, Institutional Zone, or Community Use Zone – 15 metres (applies to both E2 and E3 Zones) Minimum rear yard abutting a lot in any Residential Zone, Institutional Zone, or Community Use Zone – 15 metres (applies to both E2 and E3 Zones) (Table 10.3)
Town of Oakville ZBL 2009-189 (Consolidated September 2022)	<ul style="list-style-type: none"> Notwithstanding the minimum required setbacks of the applicable Employment Zone, for a yard abutting a Residential Zone, the minimum setback shall be: <ul style="list-style-type: none"> LE Zone – 10 metres GE Zone – 15 metres SA Zone – n/a

Zoning – Additional Setbacks From Residential Zones	
	unless the lot with the employment use is separated from the developable area in the Residential Zone by a street. (Sections 7.9.2 and 7.10.2)
City of Hamilton Urban ZBL 05-200 (Consolidated November 2021)	<p>Minimum yard abutting a Residential Zone or Institutional Zone – 6.0 metres from any portion of a property lot line abutting a property lot line within a Residential or Institutional Zone (applies to M3, M4 and M6 Zones)</p> <p>Minimum Side Yard and Minimum Rear Yard – 6 metres from any portion of a property lot line abutting a property lot line within a Residential or Institutional Zone (M11 Zone)</p>
City of Brantford ZBL 160-90 (Consolidation Date Unknown)	Minimum Side Yard and Minimum Rear Yard Abutting a Residential Zone – 9 metres
Brantford ZBL #2 County of Brant ZBL 61-16 (Consolidated December 2021)	n/a
City of Burlington ZBL 2020 (Consolidated August 2022)	<p>Yard Abutting a Residential Zone – 15 metres (BC1 Zone)</p> <p>Yard Abutting a Residential Zone – 30 metres (GE1 and GE2 Zones)</p>
Town of Milton ZBL 016-2014 (Consolidated January 2021)	<p>EMP-2 Zone: where any Employment Zone abuts a Residential Zone the minimum setback required shall be 9.0m. (Applies to interior side yard and rear yard)</p> <p>M1 and M2 Zone: where any Employment Zone abuts a Residential Zone the minimum setback required shall be 18.0m. (Applies to interior side yard and rear yard)</p>
City of Mississauga ZBL 0225-2007 (Consolidated September 2022)	<p>Front Yard where the opposite side of the street on which the lot fronts is a Residential Zone – 30 metres (applies to E2 and E3 Zones)</p> <p>Exterior Side Yard - where the opposite side of the street on which the lot fronts is a Residential Zone – 15 metres (applies to E2 and E3 Zones)</p> <p>Interior Side Yard and/or Rear Yard abutting a Residential Zone: E1 – 4.5 metres E2 – 15 metres</p>

Zoning – Additional Setbacks From Residential Zones	
	<p>E3 – 15 metres</p> <p>Section 2.1.2.1.1 of the ZBL identifies Minimum Separation Distances from Residential Zones for specific uses. A warehouse is NOT included in this list.</p>
City of Brampton ZBL 270-2004 (Consolidation Date Unknown)	<p>Interior Side Yard where the lot abuts a property zoned Residential or Institutional – 9 metres (applies to all Employment Zones)</p> <p>Rear Yard where the lot abuts a property zoned Residential or Institutional – 12 metres (applies to M1 and M4 Zones)</p> <p>Rear Yard where the lot abuts a property zoned Residential or Institutional – 15 metres (applies to M2 and M3 Zones)</p>
City of Vaughan ZBL 01-2021 (Consolidated October 2022)	<p>Minimum setback of any building, structure or outside storage to any Residential Zone or Open Space Zone:</p> <p>EM1 Zone: 20 metres</p> <p>EM2 Zone: 30 metres</p>
Town of Ajax ZBL 95-2003 (Consolidated March 2014)	<p>Where an Employment Zone is located adjacent to a Residential Zone or a Downtown Central Area Zone that permits residential uses, the minimum setback from the <i>interior side lot line</i> and <i>rear lot line</i> shall be 9.0 metres.</p>

Landscaping requirements are used by municipalities as a means of creating a buffer between uses. Generally this is in the form of a vegetative planting strip although may also include requirements for fencing. All of the Zoning By-laws for the case study municipalities establish minimum landscaping requirements for various of the Employment Zones. In most cases, this is expressed as a percentage of the lot area, although in some cases this requirement is expressed as an absolute minimum linear width in combination with locational criteria (for example, a 3 metre wide planting strip is required along a lot line adjacent to a Residential Zone). Across the case study municipalities, the minimum requirement for landscaping ranges from 5% to 15% of the lot area depending on the type of Employment Zone. The minimum required width of a landscape area/planting strip where an Employment Zone abuts a Residential Zone ranges from 3 metres to 15 metres, again depending on the type of Employment Zone. The City of Hamilton further requires provision of a visual buffer in accordance with specified criteria and the City of Burlington requires that:

“On lands abutting a residential zone fencing shall be installed along the common boundary with the residential zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense year-round screen.” (Sections 4.13, 5.10, and 6.12, City of Burlington ZBL 2020)

Table 10 summarizes the minimum landscaping requirements for Employment Zones in each of the case study municipalities.

Table 10: Landscaping Requirements

Zoning – Landscaping Requirements	
Municipality	Landscaping Requirement
Town of Oakville ZBL 2014-014 (Consolidated September 2022)	<ul style="list-style-type: none"> ○ 10% ○ Minimum Required Width of Landscaping in Any Employment Zone Abutting a Residential Zone or Residential Uses: <ul style="list-style-type: none"> - From any Residential Zone, Community Use (CU) Zone, any residential use in an Institutional (I) Zone or any residential use in a Mixed Use (MU) Zone – 7.5 metres - From an Institutional (I) Zone excluding any residential use – 3.0 metres - From any surface parking area within an Employment Zone to any interior side lot line – 3.0 metres - From any surface parking area to any lot line with a residential use – 4.5 metres
Town of Oakville ZBL 2009-189 (Consolidated September 2022)	<ul style="list-style-type: none"> ○ 10% ○ No additional requirements beyond the setback from a Residential Zone as noted above. The setback is not required to be landscaped.
City of Hamilton Urban ZBL 05-200 (Consolidated November 2021)	<p>M7 Zone – 10%, M11 Zone – 15%</p> <p>3 metre to 6 metre wide planting/landscape strip required depending on location on the lot (applicable zones: M2, M3, M4, M5, M6, M7, M10, M11, M13 and M14)</p> <ul style="list-style-type: none"> - Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 3.0 metre wide planting strip shall be provided and maintained. (applicable zones: M3, M4, M6 and M11) <p>A Visual Barrier shall be provided along that portion of a property line abutting a property lot line within a Residential</p>

Zoning – Landscaping Requirements	
	<p>Zone or an Institutional Zone in accordance with Section 4.19. (applicable zones: M3, M4 and M6)</p> <p>Section 4.19 - Where this By-law requires a visual barrier to be provided and maintained, such barrier shall act as a screen between uses and be constructed to a minimum height of 1.8 metres, and to a maximum height of 2.5 metres where a visual barrier consists of a fence or wall and shall not be located within 3.0 metres of a street line. A visual barrier shall consist of the following:</p> <ul style="list-style-type: none"> a) A wall, fence; b) A continuous planting of suitable trees or shrubs, together with a reserved width of planting area appropriate for healthy plant growth; c) Earth berms; or, d) Any combination of the above. <p>5.2a) Where a parking lot is situated on a lot which abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5), or Downtown (D6) Zone, the following shall be provided and maintained along that portion of the lot line that abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5) Zone, or Downtown (D6) Zone:</p> <ul style="list-style-type: none"> i) A minimum 1.5 metre wide landscape strip which shall contain a visual barrier in accordance with Section 4.19 of this By-law.
City of Brantford ZBL 160-90 (Consolidation Date Unknown)	<p>M1 and M2 – 10%; M3 – 15%</p> <p>A 15 metre buffer is required where a lot in an Industrial Zone abuts a lot in a Residential Zone, Open Space Zone or a residential use in an Institutional Zone.</p>
Brantford ZBL #2 County of Brant ZBL 61-16 (Consolidated December 2021)	<p>All Employment Zones – 10%</p> <p>Where a <i>lot</i> in a Commercial Zone or Employment Zone abuts any <i>lot line</i> of any Residential Zone or Institutional Zone or abuts a <i>street</i> the opposite side of which is any Residential Zone or Institutional Zone, then a minimum of a 3 metres strip of land on that <i>lot</i> shall be <i>used</i> only for the purpose of a <i>planting strip</i> at least 1.8 metres in <i>height</i>.</p>
City of Burlington ZBL 2020 (Consolidated August 2022)	Landscape buffer abutting a Residential Zone – 9 metres

Zoning – Landscaping Requirements	
	On lands abutting a residential zone fencing shall be installed along the common boundary with the residential zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense year-round screen.
Town of Milton ZBL 016-2014 (Consolidated January 2021)	<p>EMP-2 Zone: 15% Landscape Buffer Abutting a Residential Zone – 6 m Landscape Buffer Abutting a Provincial Highway – 6 m</p> <p>M1 Zone: 10% Landscape Buffer Abutting a Residential Zone – 6 m Landscape Buffer Abutting a Provincial Highway – 4.5 m</p> <p>M2 Zone: 5% Landscape Buffer Abutting a Residential Zone – 6 m Landscape Buffer Abutting a Provincial Highway – 4.5 m</p>
City of Mississauga ZBL 0225-2007 (Consolidated September 2022)	<p>Minimum depth of landscape buffer measured from a lot line that abuts a Residential Zone – 7.0 metres (E1, E2 and E3 Zones)</p> <p>Minimum depth of landscape buffer measured from a lot line that is a street line: 4.5 metres (E1, E2 and E3 Zones)</p>
City of Brampton ZBL 270-2004 (Consolidation Date Unknown)	<p>(i) Except at approved driveway locations, a minimum 3 metre wide strip shall be provided along any lot line abutting a street or an Institutional Zone.</p> <p>(ii) A minimum 6 metre wide strip shall be provided along any lot line abutting a Residential Zone. (applies to all Employment Zones)</p>
City of Vaughan ZBL 01-2021 (Consolidated October 2022)	<p>Landscaped Open Space: 5% (EM1 and EM2 Zones)</p> <p>Required landscape strip on any interior side lot line or rear lot line abutting a Residential Zone or Open Space Zone: 4.5 metres (EM1 and EM2 Zones)</p> <p>Required landscape strip abutting a street line: 3.0 metres (EM1 and EM2 Zones)</p>
Town of Ajax ZBL 95-2003 (Consolidated March 2014)	Notwithstanding any other provision of this By-law, where a Village Core Mixed Use Two Zone, a Village Core Mixed Use

Zoning – Landscaping Requirements	
	<p>Four Zone, a Commercial Zone, or an Employment Zone abuts a Residential or Open Space Zone, a <i>landscaped buffer</i> of a minimum width of 3 metres, in the case of a Village Core Mixed Use Two Zone or Village Core Mixed Use Four Zone, or a minimum width of 4.5 metres, in the case of a Commercial or Employment Zone, shall be required within the Village Core Mixed Use Two Zone, the Village Core Mixed Use Four Zone, the Commercial Zone, or the Employment Zone and located adjacent to the Residential or Open Space Zone.</p> <p>Landscape buffers ranging from 3 to 15 metres required adjacent to streets depending on the classification of street.</p>

In combination, the regulatory elements of a Zoning By-law, specifically zone hierarchies and permitted uses, zone standards, parking, loading, setbacks/separation distances and landscaping requirements effectively form the zoning framework that regulates the establishment of warehouse uses and addresses matters of compatibility. Such zoning regulations can be applied either as:

- General provisions which can be applied to all lands, specified zones or specified uses within the municipality;
- Zone standards applied to a specific zone category;
- Overlay Zones that are layered over top of the parent zone category and which either add or provide relief from a specified zoning requirement over a specific geographic area irrespective of the underlying zone category; or,
- Holding Zones that may be applied to suspend the underlying zoning permissions until such time as conditions for removing the “H” are met and it has been removed by by-law. This mechanism may be used to ensure or confirm the necessary measures to mitigate the impact of development. The Holding Zone may be applied to any zone category.

Site plan is most direct means of refining zoning requirements at a site level and afford the municipality the ability to enter into agreements with the landowner and to collect securities to ensure that the conditions of the site plan approval are executed. However, there are other mechanisms that can be used in conjunction with zoning to manage impacts and address matters of compatibility.

4.3 Additional Regulatory Mechanisms

In addition to Zoning and Site Plan Control, there are a number of other mechanisms available to a municipality to both regulate employment uses and to facilitate compatibility between employment uses and other less compatible uses. A brief overview of such uses is provided below.

(1) Conforming to the Policy Structures of the PPS

The policies of Section 1.3.2 (Employment Areas) of the PPS are very clear in establishing the importance of protecting and preserving employment areas for current and future uses. This is particularly true for employment areas located in proximity to major transportation corridors such as a 400-series highway.

The policies of the PPS very clearly address compatibility issues between employment areas and surrounding sensitive land uses. The PPS requires that in developing employment areas, such areas provide for separation or mitigation of impacts on surrounding sensitive land uses including providing a land use transition to adjacent non-employment areas. In conjunction with this, municipalities must ensure that the development of surrounding areas with sensitive land uses are not permitted to encroach or constrain the function of the employment area and associated uses. This is not only a matter of avoiding adverse impacts on surrounding sensitive land uses but also provides for the long term operational and economic viability of the uses and function of the employment area.

(2) Addressing Land Use Compatibility Matters Through the Development Process -

The implementation section of an Official Plan identified a range of studies that may be required to address land use compatibility matters as part of a complete development application. Such studies may be required for a development application for an employment use such as a warehousing/distribution use or for a residential development application in proximity of an employment area. The applicability of the various studies is determined on a site-by-site or application-by-application basis and may address matters such as:

- Engineering considerations such as a noise and vibration study;
- Urban design considerations such as a landscape plan;
- Environmental considerations such as an air quality report;
- Transportation considerations; or,
- Other health and safety matters.

These studies range across a broad spectrum of matters and may be required in association with a development application to identify and address the potential impact of a proposed development for any type of employment or non-employment land use.

(3) Urban Design Guidelines

Most mid and larger size municipalities have developed Urban Design Guidelines that may be used to address compatibility issues between land uses. Urban Design Guidelines are not a statutory mechanism under the Planning Act and generally require policy support in the Official Plan. Urban Design Guidelines may be used in conjunction with Official Plan policy directives and zoning regulations and may be used to address matters of built form and compatibility between uses at the site level.

(4) Integrating Transportation and Land Use Planning

In February 2022, Oakville Council endorsed the *“Oakville Urban Mobility and Transportation Strategy”* (herein referred to as ‘the Strategy’). The Strategy is intended to function as a lens through which staff and Council will evaluate options and make decisions on the prioritization, design, operation and maintenance of the Town’s transportation infrastructure. Key to this is the integration of transportation and land use planning. The linking of transportation and land use planning will be vital to the success of the Town’s future urban structure.

The Strategy seeks to provide a unified direction for the Town's transportation systems. This includes a focus on the efficient movement of goods and freight as a component and user of the transportation network. In this regard, the key findings of the Strategy are as follows:

- Freight movement is an inevitable part of urban life. People consume and collect physical goods of all kinds, and all those goods must move from producers to people. As a result, transportation planning in Oakville must consider the needs of goods movement as well the needs of people movement. (Page 53)
- The municipal and regional road networks are used for both goods movement and people movement. Congestion from personal travel causes delivery delays and increased costs to consumers, while increased goods movement causes increased commute times due to more trucks on the road. Therefore, while shifting goods movement trips to other modes is not really feasible in the grand scheme of things, how and when goods are moved does have an indirect impact on how people choose to get around. (Page 53)
- Congestion impacts goods movement and results in higher prices for consumers. This provides further rationale for shifting non-essential trips away from the road network towards other modes. Freight and goods movement are largely done via the arterial/region road networks and highway, both of which are generally out of the Town of Oakville's direct control. Strong collaboration with other levels of government is required. (Page 53)
- Goods movement demand is primarily driven by market forces outside the control of municipalities, but there are several potential measures municipalities can implement to help manage that demand. These include:
 - Promoting colocation of logistics firms;
 - Defining truck routes and intermodal connections;
 - Reserving some on-street parking for commercial vehicles;
 - Providing local businesses information about construction closures/detours;
 - Restricting or coordinating deliveries to downtown cores during peak traffic time;
 - Mandating or encouraging off-peak commercial deliveries in congested areas; and,
 - Supporting / encouraging the use of last-mile delivery with electric cargo bikes or drones(Page 53)

Warehousing and distribution centres are components of the larger freight and goods movement systems. As planning for land use and transportation should be integrated, so too should the planning for warehousing and distribution centres be planned to work within the larger transportation network on which it relies.

(5) Municipal Act By-laws

The Municipal Act affords municipalities the authority to regulate a broad spectrum of matters in the community. In considering warehousing and distribution uses, the Municipal Act provides for a number of municipal By-laws that may be used in conjunction with zoning and site plan to further facilitate compatibility between warehousing/distribution uses and nearby sensitive land uses. Some of the tools available to the municipality through the Municipal Act include:

- Fence By-law – a Fence By-law regulates the location, height, materials and construction of fences and privacy screens that may be used to buffer or screen incompatible land uses;
- Tree Protection By-law – the Town of Oakville has a number of Tree Protection & Removal By-laws that address trees on municipal lands, private lands, and damage to trees during construction. The Tree Protection and Removal By-laws seek to minimize tree removal and preserve tree canopy in the Town. Such By-laws, along with the Region of Halton Tree By-law may also be used to further regulate landscape and vegetative buffers required by the Zoning By-law;
- Health Protection and Air Quality By-law – the purpose of an Air Quality By-law is to prevent or reduce adverse effects to public health due to the emission of fine particulate matter;
- Public Nuisance By-law (may apply to noise, dust, vibration, odour, lighting) – a Public Nuisance By-law prohibits and regulates noise, vibration, odour, dust, and/or illumination that may pose a public nuisance. Matters addressed by a Public Nuisance By-law may also be addressed by a more specific Air Quality By-law, Anti-Idling By-law or Noise By-law. More on the legislated modifications to Noise By-laws is provided below; or,
- Anti-Idling By-law – an Anti-Idling By-law is used to regulate the idling of parked or stopped vehicles.

All of the above By-laws may be used to regulate or mitigate various aspects of a warehousing or other employment use and to provide for compatibility and mitigation of impacts between uses.

Municipal Act Amendment Regulating Noise By-laws – The Province, through the *Municipal Act*, gives municipalities the authority to regulate noise, and specifies what can be regulated. In 2021, the Province amended the Municipal Act to prohibit municipalities from regulating noise that is a result of deliveries to retail businesses, restaurants, bars, cafes, hotels, motels and goods distribution centres. This was initially a statutory response to address the impacts of the COVID epidemic however, this modification remains in the current Municipal Act. A review of the Town’s Noise By-law is currently underway. As part of this review, the Noise By-law will be amended to reflect the modified provisions of the Municipal Act. The updated Noise By-law is expected to be presented to Council in Q4 of this year.

(6) Provincial Land Use Compatibility Guideline Issued Under the Ontario Environmental Protection Act

There are a number of Provincial statutes and guidelines that establish standards for health, safety and protection of the natural environment and which may be used to provide for compatibility between uses. Amongst others, two of the more notable such Provincial tools include:

- The Environmental Protection Act which is the key legislation for environmental protection in Ontario and applies to all elements of the natural environment including land, air and water; and

- Ontario Land Use Compatibility Guidelines issued under the legislative authority of the Environmental Protection Act.

Land use compatibility between employment/industrial uses and sensitive land uses is further addressed through the Provincial Land Use Compatibility D-series Guideline (herein referred to as 'the Guideline'). The primary legislative basis for the Guideline is Section 14(1) of the *Environmental Protection Act*, RSO, 1990. This Section states:

"Despite any other provision of this Act or the regulations, no person shall discharge a contaminant or cause or permit the discharge of a contaminant into the natural environment that causes or is likely to cause an adverse effect". (Guideline D-1, Section 1.1)

In this regard, a contaminant is defined as:

"Means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that may cause an adverse effect."

Regardless of land use permissions provided through the Planning Act, all land uses must comply with the Environmental Protection Act unless otherwise stated. Warehousing and distribution uses are not exempt from the requirements of the Environmental Protection Act. In practice, the Guideline is administered jointly by the Ministry of Environment, Conservation and Parks (as per the Environmental Protection Act) and by municipalities which function as the approval authority for various land use and Planning Act approvals.

The objective of the Guideline is to prevent or minimize the encroachment of sensitive land uses upon industrial land uses and vice versa, as these two types of land uses are normally incompatible, due to possible adverse effects on sensitive land uses created by industrial operations. (Guideline D-6, Section 1.1)

The primary mechanism to address land use compatibility are separation distances between incompatible uses and mitigation measures where this is not possible. To this end, the Guideline establishes three categories of industrial land uses and associated impacts, identifies potential influence areas for each of these categories and provides recommended minimum separation distances between industrial land uses and surrounding sensitive land uses.

- (1) Industrial Land Use Categories – Warehousing and distribution centres do not neatly fit within any one of the land use categories identified in the Guideline. Rather, the frequency of truck traffic, size of facilities, hours of operation and frequency of outputs (primarily noise but other possible outputs as well) result in warehousing and distribution centres being a hybrid between a Class I and Class II industrial facility. These are described as follows:

"Class I Industrial Facility - A place of business for a small scale, self contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are

daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage. See [Appendix A of this guideline](#) for classification criteria and examples to categorize a specific industry.” (Guideline D-6, Section 2.0)

“Class II Industrial Facility - A place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e. it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours. See [Appendix A of this guideline](#) for classification criteria and examples to categorize a specific industry.” (Guideline D-6, Section 2.0)

- (2) Potential Influence Areas – The Guideline identifies the following potential influence areas (i.e. areas within which adverse effects may be experienced) for Class I and Class II industrial land uses:

Class I—70 metres; and,
Class II—300 metres .

Thus, in accordance with the Guideline, warehousing and distribution uses may have a potential influence area that ranges between 70 metres to 300 metres depending on the characteristics of the individual facility. (Guideline D-6, Section 4.1.1)

- (3) Recommended Minimum Separation Distances – Separation distances are the most effective mitigation mechanism to address land use compatibility between industrial uses and nearby sensitive land uses. Therefore, adequate separation distances, based on a facility’s influence area, is the preferred method of mitigating adverse effects. The Guideline identifies recommended separation distances between industrial uses and sensitive land uses for each of the industrial land use categories. These recommended separation distances are as follows:

Class I—20 metres minimum separation distance
Class II—70 metres minimum separation distance

Thus, while the potential influence areas range, so too do the recommended separation distances. In accordance with the Guide, the recommended separation distances range from 20 metres to 70 metres depending on the characteristics of the individual facility. (Guideline D-6, Section 4.3)

Zoning by-law setbacks for facilities are one means to assist in achieving distance separation. However, it is equally imperative that new or expanded sensitive land uses not be permitted to establish in proximity of lands that have or are planned to accommodate employment/industrial uses.

In addition to separation distance, adverse effects may be minimized by incorporating buffering techniques such as berms, walls, fences, vegetation, and/or location and orientation of buildings and activity areas. However, it should be noted that narrow strips

of plantings, trees or shrubs, and privacy fences have little or no actual effect with regard to the reduction of noise or air pollution. These buffers may provide limited benefit, however, if they screen the source from view, and reduce the perceived impact.

The Province expects planning authorities to identify, separate and/or otherwise protect employment uses/industrial facilities and sensitive land uses through the various legislated means available. (Guideline D-1-1, Section 1.2) In this regard, the Guideline provides that:

“The local municipality or other approving authority is responsible for approving mitigative measures, including design details and specifications, and for ensuring that required mitigation measures are implemented by the proponent.” (Guideline D-1-1, Section 1.2.6)

“This guideline [D-6 Guideline] is intended to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another. The guideline is a direct application of Ministry Guideline D-1, “Land Use Compatibility.” (Guideline D-6, Synopsis)

It is the role of the municipality then to consider the requirements and guidance of the Provincial D-Series Land Use Compatibility Guideline in addressing land use compatibility for industrial uses through the planning process.

5.0 Summary and Recommendations

One of the key objectives of this study is to recommend policy and regulatory approaches for guiding the development of warehousing and distribution centre uses within the Town of Oakville. More specifically, the intent is for the findings of this study to inform the development of future Zoning By-law regulations including how to best address matters of compatibility between warehousing/distribution uses and surrounding non-employment lands and/or sensitive land uses.

The consideration of case studies offers insights into how other jurisdictions within the Province have provided policy guidance to warehousing uses within current land use planning practices. The case studies referenced in this report provide examples that may assist with policy development and regulatory amendments within the Town of Oakville.

5.1 Official Plan Policy Framework

The existing policy approach in the Town of Oakville is consistent with the policy frameworks established by the Province and the Region of Halton. It is also consistent with the case studies reviewed. The key elements of this policy framework are as follows:

1) Defining Warehouse Uses

Warehousing is not defined within upper level policy frameworks but rather is identified as an employment use and included with the definition of an employment use. Provincial and Regional Official Plan policies equally do not distinguish between various types and sizes of warehousing facilities including any distinction between more traditional warehousing and/or distribution

centres. In this regard, the definition of an employment use as contained in the PPS and Growth Plan is carried down to the Regional Official Plan and Livable Oakville Official Plan.

Similarly, none of the case study municipalities define a warehouse use nor distinguish between warehouses and distribution centres within the existing Official Plan frameworks. Warehousing is recognized as being an employment use and permitted within that context. The case study municipalities generally permit warehousing uses within Prestige Employment and General Employment or similar land use designations of the Official Plan however, such uses are not typically permitted in Service Employment designations that are characterized by a broader mix of uses and smaller lot fabric

The existing policy approach taken in Oakville is consistent with both that of the Province and the Region of Halton as well as the case studies included in this report. The continuance of the existing policy approach is recommended. It is not recommended that warehousing or distribution uses be defined at the Official Plan level.

2) Locational Requirements

Locational requirements for employment uses are addressed at both at the Provincial level through the policies of the PPS and the Growth Plan as well as within the Region of Halton Official Plan. This includes policies that seek to protect existing and future employment lands, with an emphasis on protecting employment lands in proximity of primary transportation routes such as Provincial 400 series highways. This is also a policy objective of the case studies reviewed.

The existing policy approach taken in Oakville does address this matter although existing policies could be strengthened to place a greater emphasis on the integration of transportation and land use planning to protect the viability of employment lands. This is of particular relevance given that the Province has identified the majority of employment lands within Oakville as being Provincially significant.

3) Land Use Compatibility

Both the Province and the Region of Halton provide policy guidance to address land use compatibility between employment uses and surrounding non-employment uses. This includes policies that seek to protect employment lands from the encroachment of incompatible land uses as well as providing for an interface between such uses. Land use compatibility is best served through the avoidance of adverse impacts generated by some employment uses and where avoidance is not possible, by minimizing and mitigating impacts to within acceptable levels.

The Official Plans for the case study municipalities each address land use compatibility and mitigation of impacts to varying degrees – particularly in reference to the interface between employment uses and any surrounding sensitive land uses. Policy examples from the case studies range from separation of uses through locational considerations and urban structure, to screening and buffering of uses, to site design at a parcel level.

The existing policy framework in Oakville does address land use compatibility to some degree. However, it is recommended that the current policy approach could be strengthened to provide greater direction on land use compatibility. This includes additional Official Plan policies to

provide policy metrics for the avoidance of encroachment between employment lands and other sensitive land uses as well as establishing an interface between incompatible uses. The case studies provide a number of examples of compatibility policies that may provide guidance to the strengthening of such policies in the Oakville Official Plan.

Key policy recommendations for the Official Plan include:

- The existing policy framework in Oakville is consistent with Provincial policy, the Region of Halton Official Plan and the policy approaches taken within the case study municipalities however, various elements of the Oakville framework could be strengthened;
- Locational policies for employment areas could be strengthened to place a greater emphasis on the integration of transportation and land use planning to protect employment lands;
- Land use compatibility policies addressing both employment areas and sensitive land uses could be strengthened to provide policy metrics for the avoidance of encroachment between employment lands and other sensitive land uses as well as establishing an interface between incompatible uses; and,
- In order to provide continued flexibility for the long term evolution of the Town's Employment Areas, it is recommended that warehousing and distribution centres continue to be recognized as a use within Employment Areas but not be more specifically defined within the Official Plan. It is not recommended that a distinction be made between warehousing uses and distribution uses at the Official Plan level.

5.2 Zoning Framework

In combination, the regulatory elements of a Zoning By-law, specifically zone hierarchies and permitted uses, zone standards, parking, loading, setbacks/separation distances and landscaping requirements effectively form the zoning framework that regulates the establishment of warehouse uses and addresses matters of compatibility.

Although there are two distinct Comprehensive Zoning By-laws that regulate land use in Oakville, there are some elements of Zoning By-law 2014-014 and Zoning By-law 2009-189 that would benefit from a more standard approach to regulating warehousing and distribution uses across the two Zoning By-laws. This would provide for a more consistent approach to regulating warehouse and distribution uses across the Town. There are additional opportunities for harmonization across the Zoning By-laws which may be realized pending additional study.

1) Terminology and Definitions

The terminology and definitions relied upon in the existing zoning is as follows:

Warehousing: Means a premises for the indoor storage and freight distribution of goods, wares, merchandise, substances, articles, or products. (ZBL 2014-014); and,

Industrial Warehousing: Means a building used primarily for the storage and distribution of goods and materials, but shall not include a wholesale or retail outlet; a

transportation terminal; the storage of fuel; or a commercial self-storage use. (ZBL 2009-189).

Neither of these definitions specifically differentiates between warehouses and/or distribution centres. This is consistent with the approach taken by the case study municipalities. However some of the case study municipalities identify such uses as 'Warehouse/Distribution Centre' (Milton and Ajax) or 'Warehousing and Distribution Centre' (Vaughan).

There is no policy impediment to harmonizing the existing terminology and the associated definition across the two existing Zoning By-laws and further regulating such uses in accordance with gross floor area (GFA requirements). The approach to terminology as taken by Milton, Vaughan and/or Ajax could equally be applied to the Town of Oakville along with a new hybrid definition based on the two existing zoning definitions:

Warehousing and Distribution Centre - Means a premises used for the indoor storage and freight distribution of goods, wares, merchandise, substances, articles, or products but shall not include a commercial self-storage use, wholesale or retail outlet, transportation terminal, storage of fuel, storage or transfer of waste, or any other use or establishment as may otherwise be defined herein.

2) Zone Permissions and Permitted Uses

Across the case study Zoning By-laws, warehousing and distribution uses are primarily permitted within the implementing Prestige Employment and General Employment Zones. The zoning approach in Oakville is relatively consistent with this approach. However as stated above, it is recommended that the Town consider removal of permissions for warehousing uses from the Service Area Employment (SA) Zone of By-law 2009-189.

The scale of warehousing and distribution uses could more effectively be regulated through the application of minimum and/or maximum GFA requirements based on zone or geography and which may better respond to the characteristics of the Town's varied employment areas. This may be achieved through two possible means:

- i) A footnote may be added to a 'Warehouse and Distribution Use' in the Employment Zone permitted use table which may apply either a minimum and/or maximum GFA that would be applied to a particular zone category. Minimum and/or maximum GFA could equally be addressed in the Employment Zone regulation table; or,
- ii) A map of the Town's Employment Zones on which parcel specific GFA requirements (minimum and/or maximum) could be added to the Zoning By-law as a use specific Schedule and referenced within the Employment Zone General Provisions or within the specific Employment Zone provisions.

These are approaches that are commonly used in other municipalities to regulate specific zoning elements such as floor space index or height (City of Toronto or City of London). Regulating minimum and maximum GFAs is commonly used in commercial zones to regulate the scale and location of retail stores.

The means through which this is regulated to some degree depends on the land use compatibility needs and how prescriptive a zoning approach is deemed to be most appropriate within the Oakville context. A less prescriptive approach would be to place a Holding Zone on employment lands where the removal of the Hold would be based on a Land Use Compatibility Study to determine setback distances and mitigation measures which in turn would inform matters such as scale through the development approvals process. There is no policy impediment to regulating warehouse and distribution uses in accordance with either of the options above.

3) Parking Requirements

Distribution uses have greater parking requirements than traditional warehouse uses. Parking requirements can equally be regulated using standard terminology (Warehouse and Distribution Use) in association with identified ranges of GFA. However, as evidenced in the case studies, the amount and method through which parking is required for this type of land use varies significantly, as is the case between the two Zoning By-laws in Oakville.

It is recommended that any Parking Study undertaken to inform the Comprehensive Zoning By-law Review also specifically address parking requirements for warehouse and distribution uses. The Parking Study should also ensure that any more specific Official Plan or Secondary Plan policies relevant to parking are addressed.

4) Loading Requirements

By the very nature of the use, warehousing and distribution uses will exceed the minimum loading requirements of the Zoning By-law. Thus, the greater focus is with the locational criteria and other zoning provisions to regulate compatibility matters with nearby sensitive uses. There is not a great deal of consistency across the Town's existing By-laws in this regard.

Almost all of the case study municipalities regulate the location and/or setback requirements for loading facilities. The City of Burlington, Town of Milton and Town of Ajax further require additional setbacks for loading facilities in Employment Zones where employment uses are adjacent Residential Zones.

It is recommended that the locational and setback requirements for loading facilities be harmonized across the By-laws as part of the Comprehensive Zoning By-law Review. In doing so, attention must be given to the appropriate harmonized setback, the extent of any legal non-conformity that may or may not be created, and any policy direction of the Official Plan and/or Secondary Plans as it relates to loading facilities in particular.

5) Separation Distances and Additional Setbacks

In conjunction with the location and hierarchy of zone structure, separation distances are one of the most effective mechanisms for managing conflicting land uses and creating an interface between them.

In this regard, all of the Zoning By-laws for the case study municipalities require special setbacks in addition to the standard zone setbacks between Employment Zones and Residential Zones and/or residential uses. This range of additional setbacks varies from 6 metres to 30 metres based

on the type of Employment Zone and the yard adjacent to the Residential Zone/use. The Town of Oakville is within the middle of this range at 15 metres (10 metres in the Light Employment (LE) Zone of By-law 2009-189).

It is recommended that a more detailed mapping exercise and review of the Town's employment areas is needed to identify where employment areas and Residential Zones are adjacent to each other or in very near proximity. This mapping exercise would assist in determining where added locational and setback regulations may be required generally. This includes whether such regulatory controls should be applied based on geography, universally across all Employment Zones, to regulate redevelopment of existing uses, or only to vacant/future employment areas. To this end, the recommended minimum separation distances between industrial land uses and surrounding sensitive land uses as provided for in the Provincial Land Use Compatibility Guideline may provide some additional guidance. Such a review should also ensure that any more specific Official Plan or Secondary Plan policies relevant to land use compatibility are addressed.

While Zoning By-law setbacks for employment uses are one means to assist in achieving distance separation, it is equally imperative that new or expanded sensitive land uses not be permitted to establish in proximity of lands that have or are planned to accommodate employment/industrial uses.

6) Landscape Buffers and Screening

Landscaping requirements are used by municipalities as a means of creating a buffer between uses. Generally this is in the form of a vegetative planting strip although may also include requirements for fencing. All of the Zoning By-laws for the case study municipalities establish minimum landscaping requirements for various of the Employment Zones. Across the case study municipalities, the minimum requirement for landscaping ranges from 5% to 15% of the lot area depending on the type of Employment Zone. The minimum required width of a landscape area/planting strip where an Employment Zone abuts a Residential Zone ranges from 3 metres to 15 metres, again depending on the type of Employment Zone.

Adverse effects generated by employment uses, including warehousing and distribution uses may be minimized by incorporating buffering techniques such as berms, walls, fences, vegetation, and/or location and orientation of buildings and activity areas. However, it should be noted that narrow strips of plantings, trees or shrubs, and privacy fences have little or no actual effect with regard to the reduction of noise or air pollution. These buffers may provide some benefit, however, if the buffers screen the source from view. There are other environmental and sustainability benefits associated with the retention or establishment of vegetation within the urban area that should be considered.

It is recommended that as part of the Comprehensive Zoning By-law Review that additional consideration be given to landscape buffers in regards to both mitigative properties of such buffers (primarily visual screening versus noise attenuation) but also within the larger context of the Town's environmental and sustainability objectives as expressed in the Official Plan or Secondary Plans.

Key recommendations for zoning include:

- There are some elements of Zoning By-law 2014-014 and Zoning By-law 2009-189 that would benefit from a more standard approach to regulating warehousing and distribution uses across the two Zoning By-laws. This would provide for a more consistent approach to regulating warehouse and distribution uses across the Town.
- Consistent terminology across the two By-laws and a new definition applied across both By-laws is proposed. There is no policy impediment to revising the zoning terminology and definition.

Warehousing and Distribution Centre - Means a premises used for the indoor storage and freight distribution of goods, wares, merchandise, substances, articles, or products but shall not include a commercial self-storage use, wholesale or retail outlet, transportation terminal, storage of fuel, storage or transfer of waste, or any other use or establishment as may otherwise be defined herein.

- It is recommended that the Town consider removal of permissions for warehousing uses from the Service Area Employment (SA) Zone of By-law 2009-189.
- The scale of warehousing and distribution uses could more effectively be regulated through the application of minimum and/or maximum GFA requirements based on zone or geography and which may better respond to the characteristics of the Town's varied employment areas.
- While Zoning By-law setbacks for employment uses are one means to assist in achieving distance separation, it is equally imperative that new or expanded sensitive land uses not be permitted to establish in proximity of lands that have or are planned to accommodate employment/industrial uses.
- There are additional opportunities for harmonization across the Zoning By-laws which may be realized pending additional study as identified below.
- It is recommended that any Parking Study undertaken to inform the Comprehensive Zoning By-law Review also specifically address parking requirements for warehouse and distribution uses. The Parking Study should also ensure that any more specific Official Plan or Secondary Plan policies relevant to parking are addressed.
- It is recommended that the locational and setback requirements for loading facilities be harmonized across the By-laws as part of the Comprehensive Zoning By-law Review. In doing so, attention must be given to the appropriate harmonized setback, the extent of any legal non-conformity that may or may not be created, and any policy direction of the Official Plan and/or Secondary Plans as it relates to loading facilities in particular.
- It is recommended that a more detailed mapping exercise and review of the Town's employment areas is needed to identify where employment areas and Residential Zones are adjacent to each other or in very near proximity. This mapping exercise would assist in determining where added locational and setback regulations may be required generally. This includes whether such regulatory controls should be applied based on geography, universally across all Employment Zones, to regulate redevelopment of existing uses, or only to vacant/future employment areas.

- It is recommended that as part of the Comprehensive Zoning By-law Review that additional consideration be given to landscape buffers in regards to both the mitigative properties of such buffers (primarily visual screening versus noise attenuation) but also within the larger context of the Town's environmental and sustainability objectives as expressed in the Official Plan or Secondary Plans.

5.3 Additional Regulatory Mechanisms

Section 4.3 of the report identifies a number of additional mechanisms that may be used to regulate and mitigate the impacts of warehousing and distribution uses as well as to facilitate land use compatibility with other surrounding non-employment lands. These include:

- Conforming with the Land Use Compatibility Policies of the PPS - The policies of Section 1.3.2 (Employment Areas) of the PPS are very clear in establishing the importance of protecting and preserving employment areas for current and future uses. This is particularly true for employment areas located in proximity to major transportation corridors such as a 400-series highway. This is not only a matter of avoiding adverse impacts on surrounding sensitive land uses but also provides for the long term operational and economic viability of the uses and function of the employment area.
- Addressing Land Use Compatibility Matters Through the Development Process – Land use compatibility, particularly as it relates to the interface between employment and non-employment uses, can be addressed through various studies required as part of the development application process. The requirement for such studies is determined on a site-by-site or application-by-application basis and may address matters such as:
 - Engineering considerations such as a noise and vibration study;
 - Urban design considerations such as a landscape plan;
 - Environmental considerations such as an air quality report;
 - Transportation considerations; or,
 - Other health and safety matters.
- Urban Design Guidelines - Urban Design Guidelines may be used in conjunction with Official Plan policy directives and zoning regulations and may be used to address matters of built form and compatibility between uses at the site level.
- Integrating Transportation and Land Use Planning - The linking of transportation and land use planning will be vital to the success of the Town's future urban structure. In February 2022, Oakville Council endorsed the *"Oakville Urban Mobility and Transportation Strategy"*. The Strategy includes a focus on the efficient movement of goods and freight as a component and user of the transportation network. As planning for land use and transportation should be integrated, so too should the planning for warehousing and distribution centres be planned to work within the larger transportation network on which it relies.
- Municipal Act By-laws - In considering warehousing and distribution uses, the Municipal Act provides for a number of municipal By-laws that may be used in conjunction with zoning and site plan to further facilitate compatibility between warehousing/distribution uses and nearby

sensitive land uses. Examples include: Fence By-law, Tree Protection By-law, Health Protection and Air Quality By-law, Public Nuisance By-law and Anti-Idling By-law. These By-laws may be used to regulate or mitigate various aspects of a warehousing or other employment use and to provide for compatibility and mitigation of impacts between employment uses and surrounding non-employment land uses.

- Provincial Land Use Compatibility Guideline Issued Under the Ontario Environmental Protection Act - Regardless of land use permissions provided through the Planning Act, all land uses must comply with the Environmental Protection Act unless otherwise stated. The Guideline establishes three categories of industrial land uses and associated impacts, identifies potential influence areas for each of these categories and provides recommended minimum separation distances between industrial land uses and surrounding sensitive land uses.

Warehousing and distribution centres do not neatly fit within any one of the land use categories identified in the Guideline. Rather, the frequency of truck traffic, size of facilities, hours of operation and frequency of outputs (primarily noise but other possible outputs as well) result in warehousing and distribution centres being a hybrid between a Class I and Class II industrial facility.

In accordance with the Guideline, warehousing and distribution uses may have a potential influence area that ranges between 70 metres to 300 metres depending on the characteristics of the individual facility. While the potential influence areas range, so too do the recommended separation distances. In accordance with the Guide, the recommended separation distances range from 20 metres to 70 metres depending on the characteristics of the individual facility.

In practice, the Guideline is administered jointly by the Ministry of Environment, Conservation and Parks (as per the Environmental Protection Act) and by municipalities which function as the approval authority for various land use and Planning Act approvals.

APPENDICES

Appendix 1

Region of Halton Official Plan **(November 2022 Consolidation)**

Definitions:

211. ABUTTING means a property with a specific feature or attribute that physically touches or shares a common boundary with the subject property.
- 212.4 ADVERSE EFFECT means, as defined in the Environmental Protection Act, one or more of
- (1) impairment of the quality of the natural environment for any use that can be made of it,
 - (2) injury or damage to property or plant or animal life,
 - (3) harm or material discomfort to any person
 - (4) an adverse effect on the health of any person,
 - (5) impairment of the safety of any person,
 - (6) rendering any property or plant or animal life unfit for human use,
 - (7) loss of enjoyment of normal use of property, and
 - (8) interference with normal conduct of business.
- 215.1.3 ANCILLARY USE means the use of any land, building or structure that is subordinate to and supportive of uses in the surrounding *Employment Area* and primarily provides its service to the uses, businesses and employees in the surrounding *Employment Area*.
- 229.1 EMPLOYMENT AREA means areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices and associated retails and ancillary facilities.
- 256.3 MAJOR FACILITIES means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.
- 276.2 SENSITIVE LAND USES means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges, fumes, sound waves or radiation generated by a nearby major facility. *Sensitive land uses* may be part of the natural or built environment and include examples such as: residences, day care centres, hospitals, and schools.

Policies:

Regional Employment Areas – see Maps 6 (a) to (h)

Part II

32. Finally, *Halton* recognizes the importance of a sustainable and prosperous economy and the need for its businesses and employers to compete in a world economy. Towards this end, *Halton* will

actively maintain, develop and expand its economic and assessment base through economic development strategies, timely provision of *infrastructure*, cost-effective delivery of services, strong fiscal management, proactive planning *policies*, and support for *development* opportunities that respond to the vision and *policies* of this Plan.

Part III –

72.1 Urban Area Objectives:

- (6) To identify a Regional Urban Structure that directs growth to *Strategic Growth Areas* and protects Regional *Employment Areas*;
- (10) To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs;
- (10.1) To direct where employment uses should be located and to protect areas designated for such uses.

Regional Urban Structure:

- 78.1 The *objectives* of the Regional Urban Structure are: (4) To identify Regional *Employment Areas* and protect them for long-term employment use, while providing flexibility to address changes in the role and function of these areas in relation to prevailing trends in the economy of the Region.

Strategic Growth Areas:

- 79.3(12) Ensure the long-term operational and economic viability of existing or planned *major facilities*, and achieve land use compatibility between *major facilities* and *sensitive land uses* within or adjacent to *Strategic Growth Areas* in accordance with Section 143.12 of this Plan.
- 79.3 (13) Require Local Municipalities to plan for employment uses within *Strategic Growth Areas* by:
- (a) establishing development criteria to ensure that, outside of *Employment Areas*, the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site;
 - (b) implementing policies and development criteria that support planning to achieve over the long-term, where applicable, a target proportion of residents and jobs in accordance with Section 55.3 and Table 2b of this Plan;
 - (c) utilizing tools such as Community Improvement Plans, Community Planning Permit Systems, Local Zoning By-laws, and other appropriate implementation tools to support, the development of employment uses; and
 - (d) monitoring on a regular basis and in conjunction with the *Region*, residential and employment development within *Strategic Growth Areas* to assess progress toward achieving the targets identified in Table 2b and/or an *Area-Specific Plan*, and, if there are significant deficits or deviations from these targets, developing a strategy to redress them as part of a review of the Local Official Plan or applicable *Area-Specific Plan*.

Urban Growth Centres

- 80 The *objectives* of the *Urban Growth Centres*, as delineated on Map 1H, are: (3) To serve as high density major employment centres that will attract provincially, nationally or internationally significant employment uses;

Employment Areas

83. The objectives of the Employment Areas are:
- (1) To ensure the availability of sufficient land for employment to accommodate forecasted growth to support *Halton's* and its Local Municipalities' economic competitiveness.
 - (2) To provide, in conjunction with those employment uses within the residential and mixed use areas of the communities, opportunities for a fully-diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.
 - (3) To locate *Employment Areas* in the vicinity of existing *major highway* interchanges and rail yards, where appropriate, within the Urban Area.
 - (4) To recognize the changing nature of employment and to recognize the role of Employment Areas in accommodating a diverse range of innovative employment uses and supporting the overall Regional Urban Structure.
- 83.1 The *Employment Areas*, are shown as an overlay on top of the Urban Area on Map 1H, and are subject to the *objectives* and *policies* for the Urban Area. Their boundaries are to be interpreted in accordance with Section 52 of this Plan. Additional *Employment Areas* may be introduced within the Urban Area by amendment to this Plan.
- 83.2 It is the policy of the Region to:
- (1) Plan for *Employment Areas* by:
 - a) prohibiting residential uses;
 - b) prohibiting *major retail* uses;
 - c) permitting a range of employment uses including but not limited to industrial, manufacturing, warehousing, and office uses;
 - d) permitting a range of *ancillary uses* that are associated with an employment use or supportive of the overall *Employment Area*, as identified in Local Official Plans in accordance with Section 83.2(6)b) of this Plan;
 - e) limiting *sensitive land uses*, including institutional uses, by only permitting such uses where they:
 - [i] are an *ancillary use* that is associated with an employment use or that is supportive of the overall *Employment Area*;
 - [ii] are located at the periphery of the *Employment Area* and/or identified within an appropriate Local Official Plan designation;
 - [iii] address land use compatibility considerations in accordance with Section 143(12) of this Plan;
 - [iv] support achieving the employment forecast in Table 1 and the density target for *Employment Areas* in Table 2 of this Plan; and,

- [v] do not contain a residential component or function where individuals reside on a temporary or permanent basis, such as long-term care facilities, retirement homes, or boarding schools;
 - f) recognizing *existing uses*.
- (1.1) Notwithstanding Section 83.2(1)b) of this Plan, to recognize *major retail uses* as permitted by specific policies of a Local Official Plan on December 16, 2009.
- (2) Plan for, protect and preserve the *Employment Areas* for current and future use. Development in proximity to major facilities are required to meet the Provincial Policy Statement, 2020 requirements for land use compatibility.
- (3) Ensure the necessary *infrastructure* is provided to support the *development* of the *Employment Areas* in accordance with *policies* of this Plan.
- (4) Prohibit the conversion of lands within the *Employment Areas* to non-employment uses including *major retail* uses unless through a *municipal comprehensive review* where it has been demonstrated that:
- a) there is a need for the conversion;
 - b) the conversion will not compromise the *Region's* or Local Municipality's ability to meet the employment forecast in Table 1 and Table 2a;
 - c) the conversion will not adversely affect the overall viability of the *Employment Area*, and achievement of the *intensification* and density targets of Table 2 and other *policies* of this Plan;
 - d) there are existing or planned *infrastructure* and *public service facilities* to accommodate the proposed conversion;
 - e) the lands are not required for employment purposes over the long term;
 - f) cross-jurisdictional issues have been considered; and
 - g) all Regional *policies* and requirements, financial or otherwise, have been met.
- (5) Require development within the *Employment Areas* to support achieving the density target identified in Table 2 of this Plan.
- (6) Require Local Municipalities to plan for *Employment Areas* by:
- a) delineating and protecting the *Employment Areas* as identified on Map 1H of this Plan;
 - b) developing policies and land use designations for lands within the *Employment Areas* that:
 - [i] support accommodating forecast employment growth as identified in Table 1 and achieving the *Employment Area* density targets identified in Table 2 of this Plan;
 - [ii] identify a range of employment uses, *ancillary uses*, and *sensitive land uses*, as appropriate for the planned function of the specific land use designations and their role within the Regional Urban Structure and *Local Urban Structures*;
 - [iii] require land use compatibility studies for *sensitive land uses* in accordance with Section 143(12) of this Plan; and
 - [iv] ensure an appropriate interface is provided between the *Employment Areas* and adjacent non-employment areas and between specific employment designations in the Local Official Plan to maintain land use compatibility.

- c) promoting *intensification* and increased densities in both new and existing *Employment Areas* by facilitating compact, transit-supportive built form, development of *active transportation* networks, and minimizing surface parking.
- (7) Where *Employment Areas* are located within a *Major Transit Station Area* as delineated on Map 1H, recognize the dual role and function of these *Major Transit Station Areas* as mixed use *Strategic Growth Areas* as well as the location of existing employment uses, and, require the Local Municipalities, when planning for these areas through an *Area-Specific Plan* in accordance with Section 81.2(4) of this Plan, to:
- a) recognize the importance of the protection of existing employment uses and the potential for appropriate employment growth and *intensification* within the *Employment Area* and within adjacent non-employment areas;
 - b) provide an appropriate interface between the *Employment Area* and adjacent non-employment areas to maintain land use compatibility; and
 - c) only permit *sensitive land uses* within adjacent non-employment areas if land use compatibility can be addressed in a manner that protects existing employment uses in accordance with Sections 79.3(12) and 143(12) of this Plan.
- (8) Subject to Section 77(7), designate lands where appropriate in the vicinity of existing or planned *major highway* interchanges, ports, rail yards and airports for employment purposes that rely on this *infrastructure*, once these lands are included in the Urban Area.

Future Strategic Employment Areas:

139.6 The purpose of the Future Strategic Employment Areas, shown as an overlay on Map 1C, is to identify and protect from incompatible uses certain lands that are strategically located with respect to major transportation facilities and existing *Employment Areas* and are best suited for employment beyond the planning horizon of this Plan. The underlying land use designations are shown on Map 1 and are subject to the *policies* of this Plan. Future Strategic Employment Areas are not land use designations and confer no permitted uses.

139.7 It is the *policy* of the *Region* to:

- (1) Prohibit the re-designation of lands within the Future Strategic Employment Areas to uses that are incompatible with employment uses in the long term, especially non-farm uses such as institutional and recreational uses.
- (2) Require Local Official Plans and Zoning By-laws to include mapping and policies for the Future Strategic Employment Areas in accordance with *policies* of this Plan.
- (3) Investigate, as part of the Joint *Infrastructure* Staging Plan, the feasibility and costs to service the Future Strategic Employment Areas but the provision for servicing these lands, including the over-sizing of certain *infrastructure* components, are subject to other *policies* of this Plan.
- (4) Consider the inclusion of any land within the Future Strategic Employment Areas into the Urban Area in accordance with Section 77(7).

143.12 It is the policy of the Region to:

- (12) Achieve land use compatibility between *sensitive land uses* and *major facilities* by:
 - a) requiring that such uses are planned and developed to avoid, or if avoidance is not possible, to minimize and mitigate any potential *adverse effects* from odour, noise, vibration, air pollutants, and other contaminants, to minimize risk to public health and

- safety, and to ensure the long-term operational and economic viability of *major facilities*, in accordance with Provincial guidelines, standards, and procedures;
- b) where avoidance is not possible, protecting the long-term viability of existing or planned industrial, manufacturing, or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent *sensitive land uses* are only permitted if the following are demonstrated through appropriate studies in accordance with Provincial guidelines, standards and procedures:
- [i] there is an identified need for the proposed use;
 - [ii] alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - [iii] *adverse effects* to the proposed *sensitive land use* are minimized and mitigated; and
 - [iv] potential impacts to industrial, manufacturing or other uses are minimized and mitigated; and
- c) requiring an air quality study based on guidelines under Section 143(2.1) for *development* proposals with *sensitive land uses* located within 30m of a Major Arterial or Provincial Highway, or 150m of a Provincial Freeway, as defined by Map 3 of this Plan.

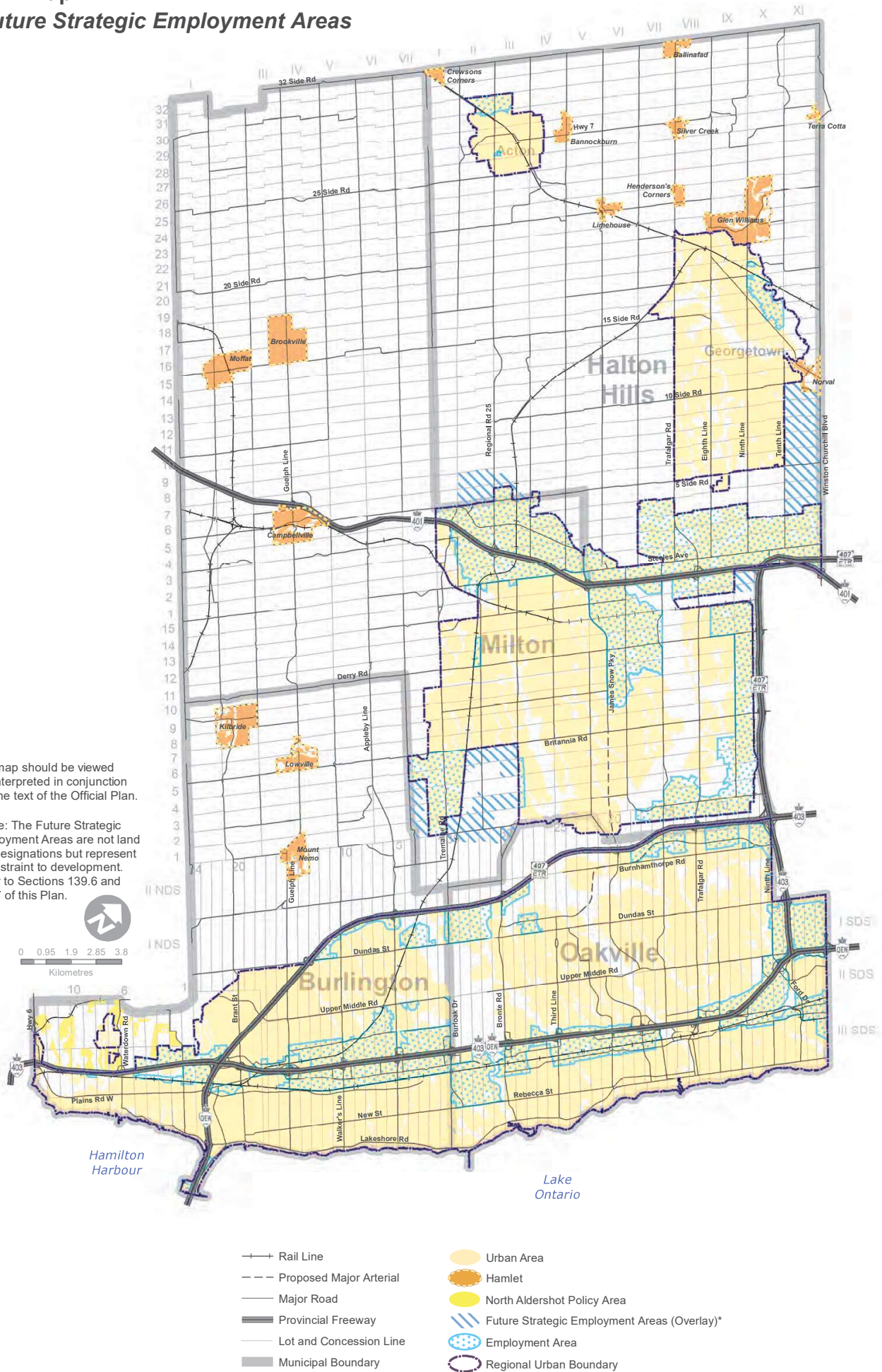
Economic Development

- 170(4.2) Protect employment lands for economic development during the current planning period to 2051 in accordance with Sections 83, and 83.1, of this Plan.

Map 1C Future Strategic Employment Areas

This map should be viewed and interpreted in conjunction with the text of the Official Plan.

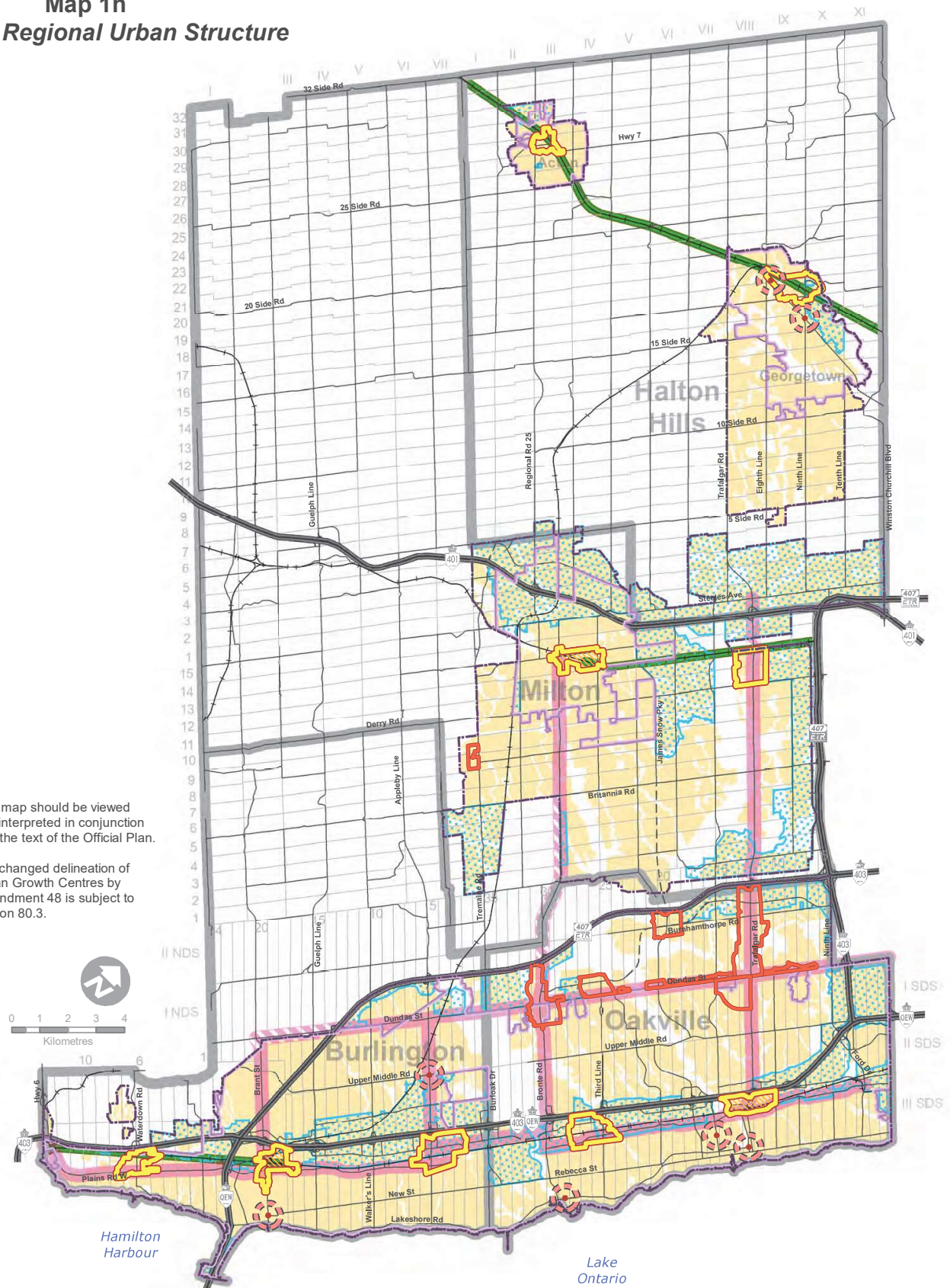
* Note: The Future Strategic Employment Areas are not land use designations but represent a constraint to development. Refer to Sections 139.6 and 139.7 of this Plan.



Map 1h Regional Urban Structure

This map should be viewed and interpreted in conjunction with the text of the Official Plan.

The changed delineation of Urban Growth Centres by Amendment 48 is subject to section 80.3.



- +— Rail Line
- - - Proposed Major Arterial
- Major Road
- Provincial Freeway
- Lot and Concession Line
- Municipal Boundary

- Urban Area
- Built Boundary
- Employment Area
- Regional Urban Boundary
- Commuter Rail Corridor

Strategic Growth Areas

- Urban Growth Centre
- Major Transit Station Area (MTSA)
- Primary Regional Nodes
- Secondary Regional Nodes
- Regional Intensification Corridor in Regional Urban Boundary
- Regional Intensification Corridor outside of Regional Urban Boundary

Appendix 2:

Livable Oakville Plan (Consolidated August 2021)

Definitions:

Employment Areas means areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Major Facilities means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Sensitive land use means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Policies

3.7 Employment Areas - *Employment Areas* provide for a mix of employment uses including industrial, manufacturing, warehousing, offices, and associated retail and ancillary facilities. The *Employment Areas* are generally located along the Provincial Highways including the QEW, the 403 and the 407. The Employment Mixed Use Corridor along Speers Road and Cornwall Road is identified for its mix of non-traditional employment *development*. An Employment Mixed Use Corridor is an *Employment Area* in which a broader range of employment uses may be permitted in order to support the function of the *Employment Area* as a *strategic growth area*.

It is anticipated that *development* in the *Employment Areas* shall continue to reflect an evolving Town-wide macro-economy premised on decreased industrial and manufacturing growth and increased demand in the office sector. *Employment Areas* shall be planned to accommodate a more compact, *transit-supportive* and pedestrian oriented environment, with a range of employment-supportive amenities.

4.0 Managing Growth and Change - *Employment Areas* support a diverse economic base, including a range and choice of sites for employment uses to support a wide range of economic activities and ancillary uses. *Employment Areas* are to be protected and preserved to meet current and future employment needs.

8.12.1 Integrating Land Use and Transportation - The Town will co-ordinate land use and transportation planning to maximize the efficient use of land.

14.1.4 Employment Policies - Buffering and landscaping shall be required to ensure visual and physical separation between employment uses and adjacent uses.

- 14.1.5 The Town shall place a priority on the early provision of services to employment lands to ensure that *development* opportunities exist to meet projected demand.
- 14.1.9 *Sensitive land uses*, if proposed within an *Employment Area*, shall require the completion of a land use compatibility assessment to ensure that the use is appropriate and the location and design of the use can minimize and mitigate any adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.
- 14.4 Business Employment - Business Employment areas are intended to provide for a wide range of business and industrial uses. The uses in the Business Employment areas are intended to be predominantly within enclosed buildings and provide for office uses and light and service industrial operations with minimal impacts on the surrounding areas.
- 14.4.1(a) Permitted Uses
- a) Uses permitted within the Business Employment designation may include offices and light industrial uses such as manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling. Hotels, public halls, indoor sports facilities, and training facilities and commercial schools may also be permitted.
- 14.4.3 Business Employment uses shall occur primarily within enclosed buildings.
- 14.5 Industrial - Industrial areas are intended to provide for heavy industrial operations and are limited to well screened, highly accessible locations.
- 14.5.1(a) Permitted Uses
- a) Uses permitted within the Industrial designation may include light industrial, heavy industrial operations such as manufacturing, assembling, processing, fabricating, refining, repairing, warehousing, and wholesaling. Outdoor storage may be permitted. Training facilities and commercial schools, where they are related to and supportive of an Industrial use may be permitted. A waste processing station, waste transfer station and transportation terminal may also be permitted.
- 26.4.5(e)(i) Speers Road Corridor Special Policy Area Land Use Policies - e) On the lands designated Business Commercial within the Speers Road Corridor *Special Policy Area* the following additional policies apply:
- i) Light industrial uses such as manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling, and *arterial commercial* uses may be permitted.

North Oakville East Secondary Plan (OPA 272)
(2008)

Definitions – definitions of the parent 1984 Official Plan (consolidated to 2006) apply. However, neither the parent Official Plan nor the North Oakville East Secondary Plan include definitions for employment areas, major facilities', or sensitive land uses. In this regard, the definitions contained in the PPS prevail.

Policies

7.2.3.3 Employment Objectives-

- a) To create employment districts which provide for a range of employment opportunities with access to major freeways, arterial road and transit systems.
- d) To reflect the strategic land use objectives as set out within the Halton Urban Structure Plan (April, 1994) especially regarding high quality, prestigious employment type uses along the Provincial Freeways.

7.2.3.4 Employment Urban Design –

- k) To create high quality employment areas which are easily accessed by trucks and other vehicular traffic, as well as transit, bicycles and pedestrians.

7.3.4 Employment Districts - Employment Districts refer to land designed to accommodate development of predominantly employment generating uses including a wide range of industrial and office development. Limited retail and service commercial uses designed to serve the businesses and employees will also be permitted within the Employment Districts.

7.5.17 Employment District - The Employment District will permit a full range of employment uses. In addition, limited retail and service commercial uses serving the employment area shall be clustered at the intersections with Arterial, Avenue and Connector roads. These sites and uses will be zoned in a separate zone in the implementing Zoning By-law.

The Urban Design and Open Space Guidelines and Zoning By-law will also apply standards designed to enhance the compatibility of permitted employment uses with residential and other sensitive development located within nearby Transitional, Residential or Institutional designations including prohibition of outdoor storage adjacent to such uses.

The Urban Design and Open Space Guidelines will also apply standards to create enhanced design at entrances to the Town including at highway interchanges, major connector roads and along highway frontages including the restrictions on outdoor storage adjacent to highway and interchange frontages.

7.6.8.1 Employment District Purpose - The primary focus of the Employment District designation on Figure NOE2 is to protect for, and establish a range of development opportunities for employment generating industrial, office and service employment uses. Where applicable, the range and scale of uses are to be designed to be sensitive to the adjacency and compatibility with residential neighbourhoods, or to reflect a visible location on and exposure to highway corridors and major roads.

7.6.8.2 Permitted uses may include:

- a) light industrial operations, including light manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution and wholesaling;
- h) as part of a distribution use, the ancillary retail sale of the products distributed from an ancillary showroom;

7.6.8.2 In addition, the following uses will be permitted in areas which do not abut residential, Urban Core, Institutional or Transitional Area designations, major arterial roads or Highway 407:

- i) general industrial operations within enclosed buildings including manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution, and wholesaling;

North Oakville West Secondary Plan (OPA 289)
(2009)

Definitions – definitions of the parent 1984 Official Plan (consolidated to 2006) apply. However, neither the parent Official Plan nor the North Oakville West Secondary Plan include definitions for employment areas, major facilities', or sensitive land uses. In this regard, the definitions contained in the PPS prevail.

Policies:

8.2.3.2 Employment Objectives –

- a) To create employment districts which provide for a range of employment opportunities with access to major freeways, arterial road and transit systems.
- b) To reflect the strategic land use objectives as set out within the Halton Urban Structure Plan (April, 1994) especially regarding high quality, prestigious employment type uses along the Provincial Freeways.
- c) To create employment districts which complement and integrate the existing built form elements that are intended to remain within the community, and incorporate the best community planning and urban design practices available while integrating the area's natural heritage component of the natural heritage and open space system.

8.2.3.3 Urban Design

- i) To create high quality employment areas which are easily accessed by trucks and other vehicular traffic, as well as transit, bicycles and pedestrians.

8.3.2 Employment Districts refer to land designed to accommodate development of predominantly employment generating uses including a wide range of industrial and office development. Limited retail and service commercial uses designed to serve the businesses and employees will also be permitted within the Employment Districts.

8.5.12 Employment District - The Employment District will permit a full range of employment uses. In addition, limited retail and service commercial uses serving the employment area shall be clustered at the intersections with Arterials and Avenues. These sites and uses will be zoned in a separate zone in the implementing Zoning By-law.

The Urban Design and Open Space Guidelines will also apply standards to create enhanced design at entrances to the Town including at highway interchanges, major roads and along highway frontages including the restrictions on outdoor storage adjacent to highway and interchange frontages.

8.6.5.1 Employment Purpose - The primary focus of the Employment District designation on Figure NOW2 is to protect for, and establish a range of development opportunities for employment generating industrial, office and service employment uses. It will also include a Health Oriented Mixed Use Node on the north side of Dundas St. at Third Line. Where applicable, the range and scale of uses are to be designed to be sensitive to the adjacency and compatibility with development in the Health Oriented Mixed Use Node, or to reflect a visible location on and exposure to highway corridors and major roads.

8.6.5.2 (a) light industrial operations, including light manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution and wholesaling;

8.6.5.2 The following uses will be permitted in areas which do not abut the Health Oriented Mixed Use Node, major arterial roads or Highway 407:

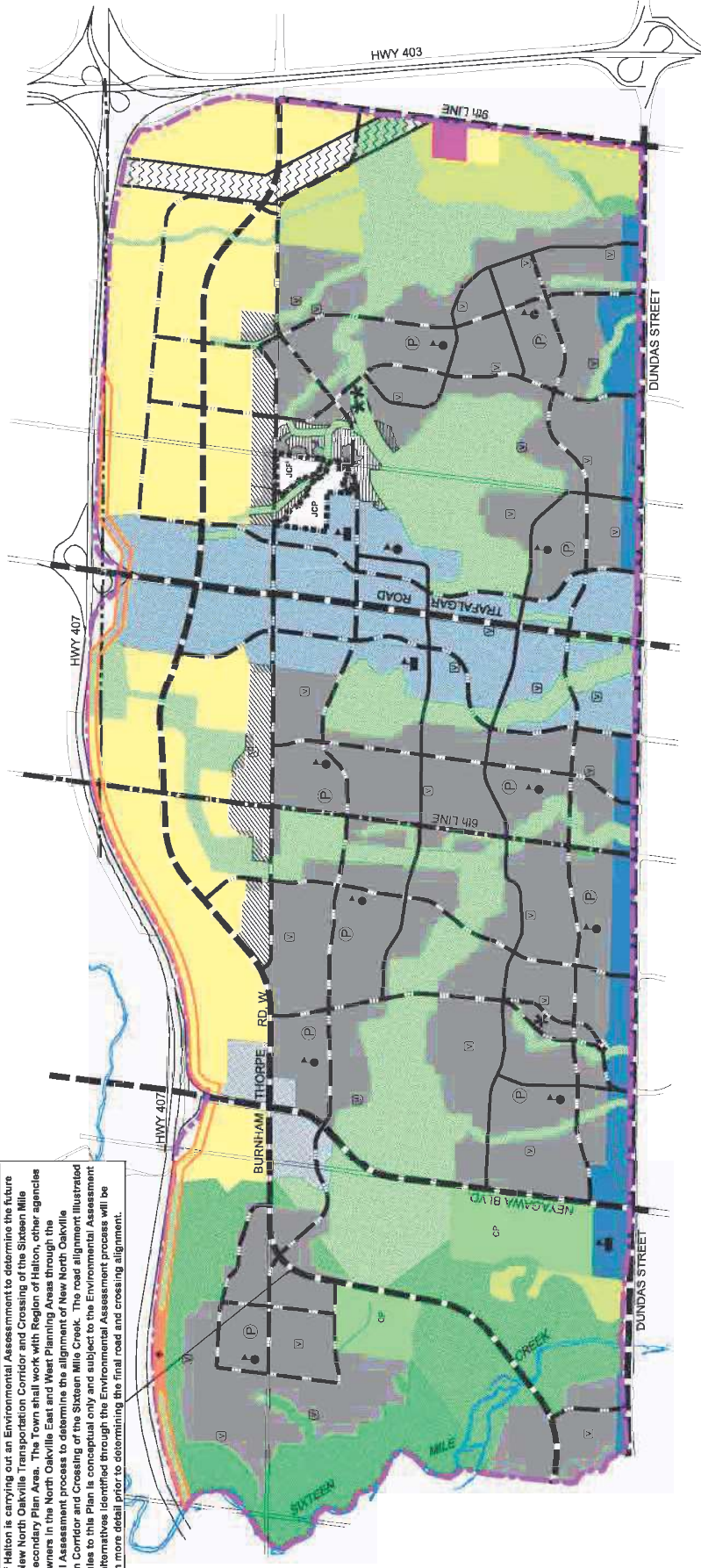
- i) general industrial operations within enclosed buildings including manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution, and wholesaling;

8.6.5.4 It is not intended that the full range of employment uses will be permitted in all locations designated "Employment District". The precise range of uses and density of development shall be stipulated in the zoning by-law.

8.6.5.5(ii) Existing Employment Uses – Notwithstanding any other policies of this Plan: ii) An existing second employment use consisting of an office with associated manufacturing and warehousing will be permitted on a 10.3 hectare parcel of land approximately 800 metres west of Old Bronte Road and approximately 700 metres north of Dundas Street with a driveway access only to Dundas Street.

8.7.2.6 Trucking - The movement of goods by truck is an essential element of the transportation system. The Town shall work with local businesses to ensure the provision of truck routes which meet their needs, while having regard for the need to protect residential neighbourhoods from the impact of truck traffic.

New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek
 The Region of Halton is carrying out an Environmental Assessment to determine the future alignment of New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek in the Secondary Plan Area. The Town shall work with Region of Halton, other agencies and the landowners in the North Oakville East and West Planning Areas through the Environmental Assessment process to determine the alignment of New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek. The road alignment illustrated on the schedules to this Plan is conceptual only and subject to the Environmental Assessment process. All alternatives identified through the Environmental Assessment process will be investigated in more detail prior to determining the final road and crossing alignment.



NOTE: This Plan must be read in conjunction with NOE 1, NOE 3 & NOE 4

LEGEND

- SECONDARY PLAN AREA BOUNDARY
- OAKVILLE / MILTON MUNICIPAL BOUNDARY
- PROVINCIAL FREEWAY
- MAJOR ARTERIAL/TRANSIT CORRIDOR
- MINOR ARTERIAL/TRANSIT CORRIDOR
- AVENUE/TRANSIT CORRIDOR
- CONNECTOR/TRANSIT CORRIDOR
- UTILITY CORRIDOR
- TRANSITWAY
- UNDERLYING LAND USE NOT DETERMINED subject to Section 7.4.7.1(b)(i)

- DUNDAS URBAN CORE AREA
- NEYAGAWA URBAN CORE AREA
- TRAFALGAR URBAN CORE AREA
- TRANSITIONAL AREA
- EMPLOYMENT DISTRICT
- NATURAL HERITAGE SYSTEM AREA
- COMMUNITY PARK AREA
- JOSHUA CREEK COMMUNITY PARK AREA
- JOSHUA CREEK FLOODPLAIN AREA subject to Sections 7.4.13.1 & 7.6.17

- NEIGHBOURHOOD AREA
- CEMETERY AREA
- INSTITUTIONAL AREA
- SECONDARY SCHOOL SITE
- ELEMENTARY SCHOOL SITE
- NEIGHBOURHOOD PARK
- VILLAGE SQUARE

** SUBJECT TO SECTIONS 7.4.7.3c viii & 7.4.14.3 d)
 * POLICY REFERENCE SEE POLICY SECTION 7.4.7.2

Town of Oakville

North Oakville East of Sixteen Mile Creek Secondary Plan

FIGURE NOE 2
Land Use Plan

February 2008





NOTE: This Plan must be read in conjunction with NOW 1, NOW 3 & NOW 4

LEGEND

- | | |
|------------------------------------|--------------------------------|
| —●—●— SECONDARY PLAN AREA BOUNDARY | — TRANSITWAY |
| — PROVINCIAL FREEWAY | □ SPECIAL STUDY AREA |
| — MAJOR ARTERIAL/TRANSIT CORRIDOR | ■ EMPLOYMENT DISTRICT |
| — MINOR ARTERIAL/TRANSIT CORRIDOR | ■ NATURAL HERITAGE SYSTEM AREA |
| — AVENUE/TRANSIT CORRIDOR | ■ COMMUNITY PARK AREA |
| * HEALTH ORIENTED MIXED USE NODE | |

Town of Oakville

North Oakville West of Sixteen
Mile Creek Secondary Plan

FIGURE NOW 2
Land Use Plan

April 2009

