

APPENDIX E: Official Plan and Zoning Extracts

Livable Oakville

Part C: Making Oakville Livable (General Policies)

Section 5: Cultural Heritage

Conservation of cultural heritage resources forms an integral part of the Town's planning and decision making. Oakville's cultural heritage resources shall be conserved so that they may be experienced and appreciated by existing and future generations, and enhance the Town's sense of history, sense of community, identity, sustainability, economic health and quality of life.

5.1 General

5.1.1 Objectives

The general objectives for cultural heritage are:

- a) To conserve cultural heritage resources through available powers and tools and ensure that all new development and any site alteration conserve cultural heritage resources; and,
- b) to encourage the development of a Town-wide culture of conservation by promoting cultural heritage initiatives as part of a comprehensive economic, environmental, and social strategy where cultural heritage resources contribute to achieving a sustainable, healthy and prosperous community.

5.1.2 Powers and Tools

The Town will exercise the powers and apply the tools provided by legislation, particularly the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, the Building Code Act, and the Municipal Act in implementing and enforcing the cultural heritage policies of the Town.

5.3 Heritage Conservation

5.3.8 Where the Town is considering a proposal to alter, remove, or demolish a cultural heritage resource that is protected or registered under the Ontario Heritage Act, or repeal a designating by-law under that Act, it shall ensure that it has before it any required heritage impact assessment or sufficient information to review and consider:

- a) how the proposal affects the heritage attributes and the cultural heritage value and interest of the cultural heritage resource; and,
- b) options that reduce, minimize or eliminate impacts to the cultural heritage resource

Section 6: Urban Design

Good urban design is an integral part of the planning process, enabling the creation of stimulating, vibrant, and livable places; it is a key component in creating a definable sense of identity. Tangible elements of the urban environment such as the built form, open space, and public realm, and their relationship to one another, should be organized and designed in an attractive, functional and efficient manner.

6.1 General

6.1.1 Objectives

The general objectives for urban design are to provide for:

- a) diversity, comfort, safety and compatibility with the existing community;
- b) attractive, barrier-free, and safe public spaces, such as streetscapes, gateways, vistas and open spaces;
- c) innovative and diverse urban form and excellence in architectural design; and,
- d) the creation of distinctive places and locales, including Midtown Oakville, the other Growth Areas and high profile locations such as gateways to the Town.

6.1.2 Policies

- a) Development and public realm improvements shall be evaluated in accordance with the urban design direction provided in the Livable by Design Manual, as amended, to ascertain conformity with the urban design policies of this Plan. Alternative design approaches to those found in the Livable by Design Manual may be proposed, with appropriate justification and after consultation with the Town, provided that they meet the intent and purpose of the urban design policies of the Plan.

6.4 Streetscapes

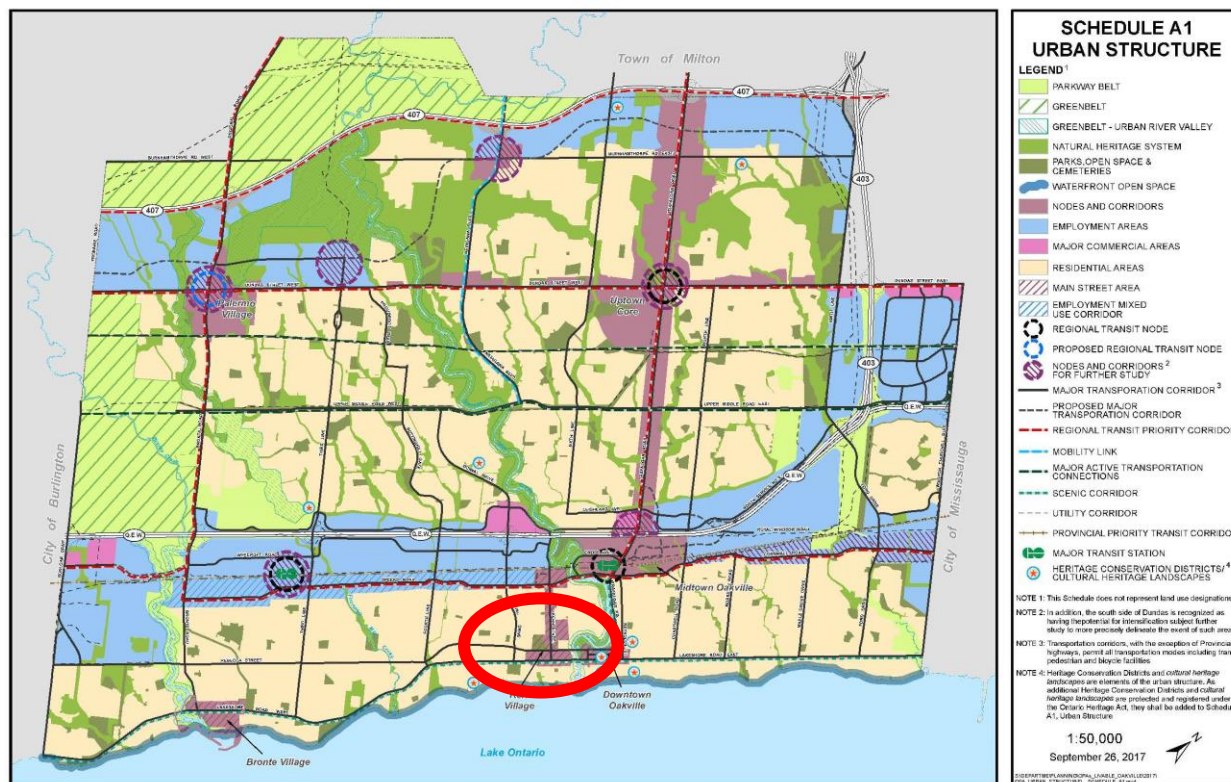
6.4.2 New development should contribute to the creation of a cohesive streetscape by:

- a) placing the principal building entrances towards the street and where applicable, towards corner intersections;
- b) framing the street and creating a sense of enclosure
- c) providing variation in façade articulation and details;
- d) connecting active uses to the public realm to enhance the liveliness and vibrancy of the street, where applicable;
- e) incorporating sustainable design elements, such as trees, plantings, furnishings, lighting, etc.;
- f) coordinating improvements in building setback areas to create transitions from the public to private realms; and,
- g) improving the visibility and prominence of and access to unique natural, heritage, and built features

6.9 Built Form

- 6.9.1 Buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping and signage.
- 6.9.2 Building design and placement should be compatible with the existing and planned surrounding context and undertaken in a creative and innovative manner.
- 6.9.3 To achieve compatibility between different land uses, development shall be designed to accommodate an appropriate transition through landscape buffering, spatial separation, and compatible built form.
- 6.9.5 Buildings should present active and visually permeable façades to all adjacent streets, urban squares, and amenity spaces through the use of windows, entry features, and human-scaled elements.
- 6.9.6 Main principal entrances to buildings should be oriented to the public sidewalk, onstreet parking and transit facilities for direct and convenient access for pedestrians.
- 6.9.7 Development should be designed with variation in building mass, façade treatment and articulation to avoid sameness.
- 6.9.8 Buildings located on corner lots shall provide a distinct architectural appearance with a high level of detailing and articulated façades that continue around the corner to address both streets.
- 6.9.9 New development shall ensure that proposed building heights and form are compatible with adjacent existing development by employing an appropriate transition of height and form from new to existing development, which may include setbacks, façade step backs or terracing in order to reduce adverse impacts on adjacent properties and/or the public realm.
- 6.9.10 Continuous streetwalls of identical building height are discouraged. Variety in rooflines should be created through subtle variations in roof form and height.
- 6.9.11 Where appropriate, the first storey of a building shall have a greater floor to ceiling height to accommodate a range of non-residential uses.
- 6.9.12 New development should be fully accessible by incorporating universal design principles to ensure barrier-free pedestrian circulation.
- 6.9.13 Rooftop mechanical equipment shall not be visible from view from the public realm.
- 6.9.14 Outdoor amenity areas on buildings should incorporate setbacks and screening elements to ensure compatibility with the local context.
- 6.9.15 Buildings should be sited to maximize solar energy, ensure adequate sunlight and skyviews, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows.

Part D: Land Use Designations and Policies



Section 12: Mixed Use

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

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

12.2 Main Street 1

The Main Street 1 designation represents small scale, mixed use development along main streets and is intended to reflect a pedestrian-oriented, historic main street character.

12.2.1 Permitted Uses

- a) A wide range of retail and service commercial uses, including restaurants, commercial schools, *offices, places of entertainment, indoor sports facilities, hotels and residential uses, may be permitted in the Main Street 1 designation. The ground floor of buildings in the Main Street 1 designation shall be primarily occupied by retail and service commercial uses. Limited office uses, and ancillary residential uses, may also be permitted on the ground floor of mixed use buildings.*
- b) The requirement for and the size and location of retail, service commercial and office uses on the ground floor of buildings shall be determined through the development process and regulated by the implementing zoning.

12.2.2 Building Heights

- a) Buildings within the Main Street 1 designation shall be a minimum of two storeys in height and a maximum of four storeys in height.

12.2.3 Parking

- a) Surface parking shall be provided only within a side and/or rear yard. Surface parking on corner lots shall only be permitted in the rear yard.

Part E: Growth Areas, Special Policy Areas and Exceptions

Section 23: Kerr Village

Kerr Village will accommodate intensification through new development and redevelopment, with a mix of residential and commercial uses. The Village will also continue to function as a location for institutional, recreational and public open space uses.

23.1 Goal

Kerr Village will be revitalized as a vibrant business district and cultural area.

23.2 Objectives

As Kerr Village develops, the Town will, through public actions and in the process of reviewing planning applications, use the following objectives to guide decisions.

- 23.2.1 Create opportunities for new, sustainable growth by promoting compact urban form with higher density development through compatible development and redevelopment opportunities.

23.2.2 Enhance the mobility of all users with the provision of transit priority measures and increase levels of service through the development process by:

- a) promoting pedestrian and cycling-oriented mixed use development, with improved connections to the Downtown as well as the GO train station and proposed employment hub in Midtown Oakville;
- b) improving circulation, connections and access for cyclists, pedestrians and public transit; and,
- c) increasing efficiencies for alternate modes of transportation by encouraging compact urban form.

23.2.3 Create an attractive public realm by:

- d) promoting high quality streetscapes and open spaces to create a comfortable, accessible and unique community; and,
- e) ensuring appropriate transitions occur between the main street areas and the lower density residential neighbourhoods.

23.3 Development Concept

23.3.3 Lower Kerr Village District

The Lower Kerr Village District shall largely be a mixed use area, allowing for a mixture of commercial, office and residential uses, including some standalong residential uses, extending from Downtown Oakville, with a defined entrance into Kerr Village.

23.4.1 Transportation

c) Parking

- i. Surface parking lots shall be limited. Where surface parking is provided, the visual impact of large surface lots shall be mitigated by a combination of setbacks and significant landscaping.
- ii. Access to parking and servicing areas should not occur from Kerr Street but from local streets, service lanes and to the side or rear of buildings.

23.4.2 Minimum Density – A minimum planned density shall be established for Kerr Village through Provincial plan conformity coordinated with Halton Region.

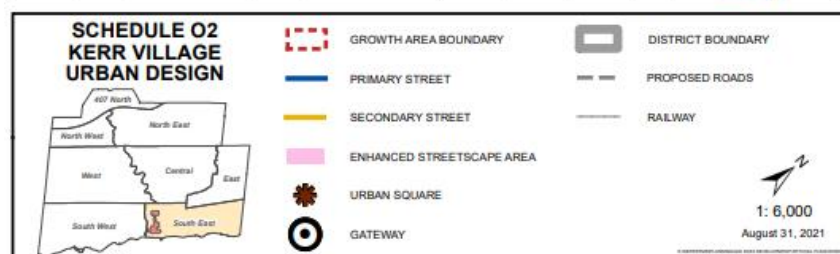
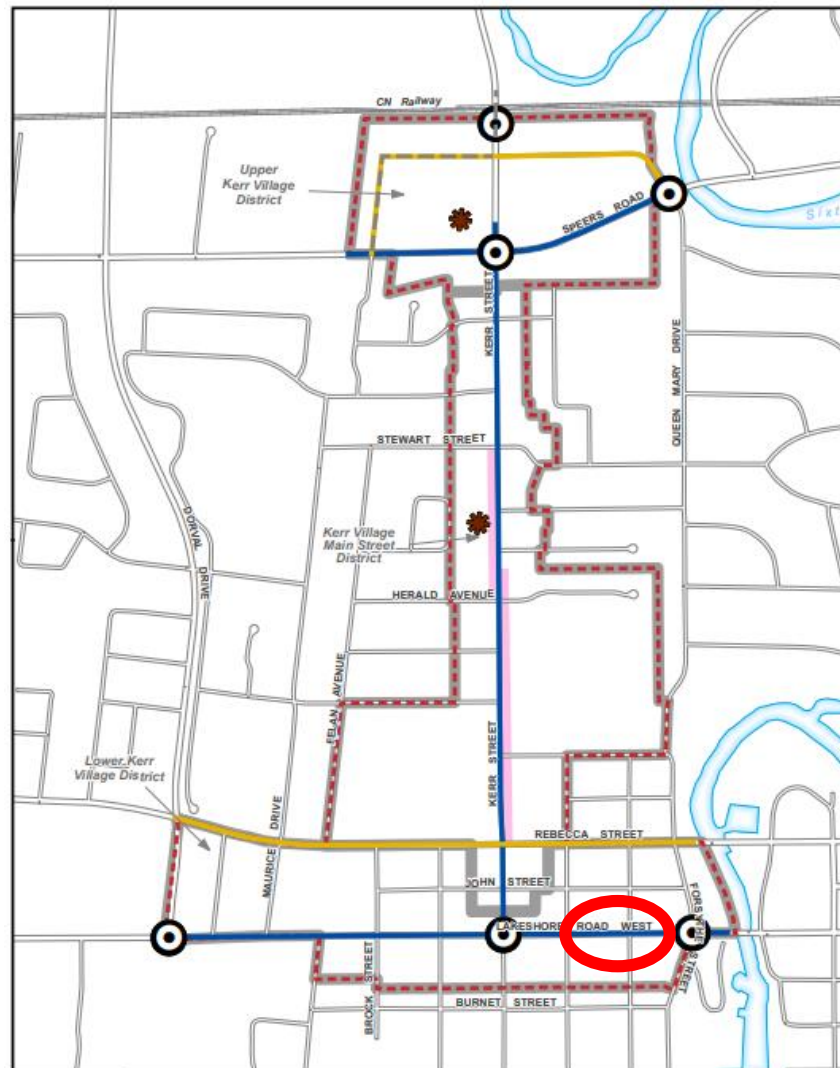
23.5 Urban Design

In addition to the Urban Design policies in section 6 of this Plan, the following policies shall apply specifically to Kerr Village. The urban design plan for Kerr Village is provided on Schedule O2.

23.5.3 Streetscapes

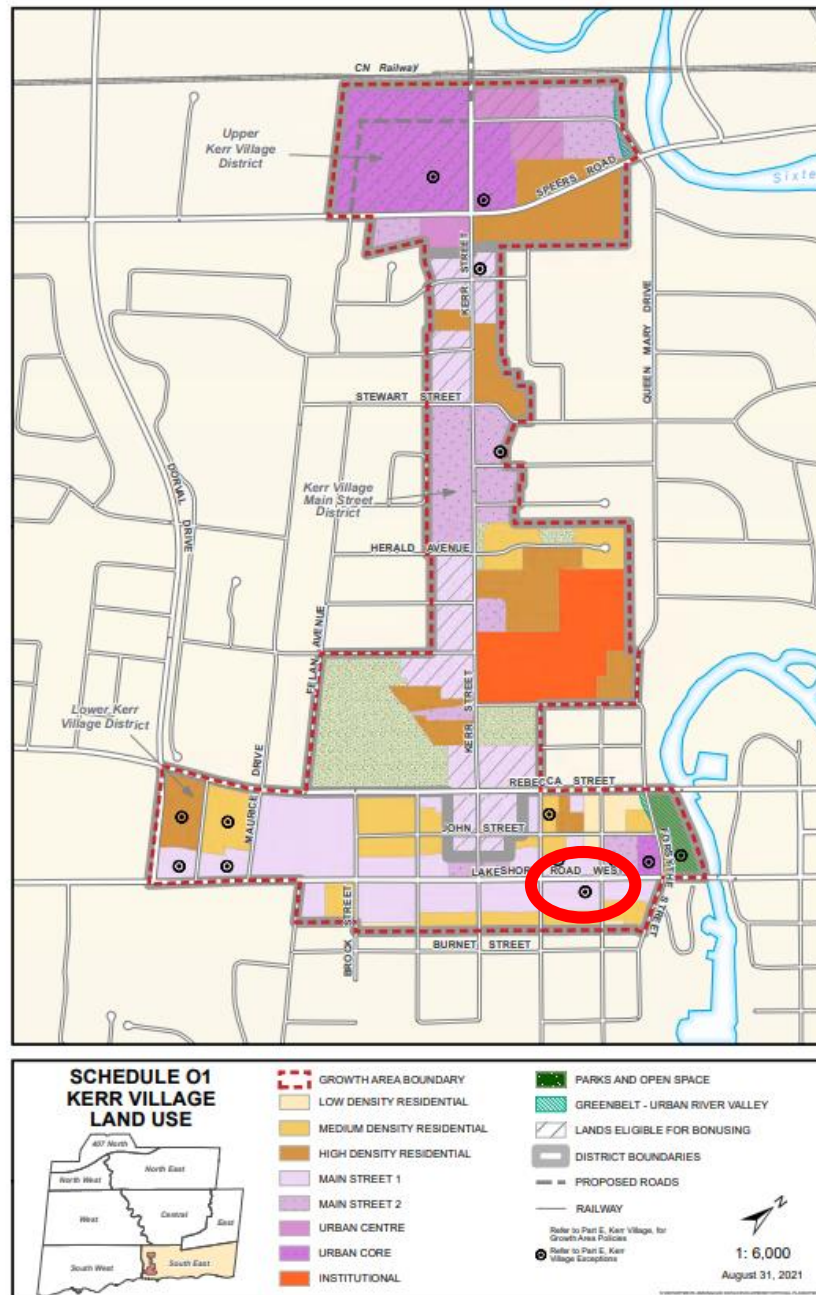
- a) Primary and secondary streets, as identified on Schedule O2, shall provide for pedestrian-oriented streetscapes through the use of wide sidewalks, landscaping and furnishings.
- b) Buildings along primary streets, as identified on Schedule O2, shall:

- i. incorporate a high degree of transparency on the ground floor;
 - ii. provide building openings and principal entrances facing the street; and,
 - iii. contain commercial, community, cultural or limited office uses adjacent to the street which foster an active main street environment.
- c) Buildings along secondary streets, as identified on Schedule O2, should:
- i. incorporate a high degree of transparency on the ground floor
 - ii. provide building openings and principal entrances facing the street; and,
 - iii. contain commercial, office, community or cultural uses adjacent to the street which support the main street district, and may also contain residential uses on the ground floor.



23.7 Kerr Village Exceptions – Schedule O1

23.7.9 On the lands designated Main Street 1 at the southwest corner of Lakeshore Road West and Chisholm Street, a maximum building height of five storeys may be permitted, conditional on the owner entering into an agreement under section 37 of the *Planning Act*.



Zoning By-law 2014-014

Part 8

Mixed Use Zones

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

8.1 List of Applicable Zones

Central Business District	CBD
Main Street 1	MU1
Main Street 2	MU2
Urban Centre	MU3
Urban Core	MU4

8.2 Permitted Uses

Uses permitted in the Mixed Use Zones are denoted by the symbol "✓" in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 8.2, below.

Table 8.2: Permitted Uses in the Mixed Use Zones (2017-025)					
	CBD	MU1	MU2	MU3	MU4
Accessory dwelling unit (2023-024)	✓	✓	✓		
Apartment dwelling	✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
Art gallery (7)	✓	✓	✓	✓	✓
Bed and breakfast establishment (5)	✓				
Business office (6)(7)	✓	✓	✓	✓	✓
Commercial parking area	✓	✓	✓	✓	✓
Commercial school (7)	✓	✓	✓	✓	✓
Community centre	✓	✓	✓	✓	✓
Conservation use	✓	✓	✓	✓	✓
Day care ✓ (5)	✓	✓	✓	✓	✓
Detached dwelling (2)	✓	✓	✓		
Dormitory (4)	✓	✓	✓	✓	✓
Dry cleaning depot (PL140317) (7)	✓	✓	✓	✓	✓
Dry cleaning/laundry establishment (PL140317) (7)	✓	✓	✓	✓	✓
Emergency service facility	✓	✓	✓	✓	✓
Emergency shelter (PL140317)	✓ (8)	✓ (8)	✓ (8)	✓ (8)	✓ (8)
Financial institution (7)	✓	✓	✓	✓	✓
Food bank (7)	✓	✓	✓	✓	✓
Food production (7)	✓	✓	✓	✓	✓
Funeral home	✓				
Home Occupation (5)	✓	✓	✓	✓	✓
Hotel (7)	✓			✓	✓
Library	✓	✓	✓	✓	✓
Live-work dwelling (2017-025) (2)	✓	✓	✓		
Long term care facility	✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
Medical office (6)(7)	✓	✓	✓	✓	✓
Motor vehicle rental facility				✓	✓

Mixed Use Zones

		CBD	MU1	MU2	MU3	MU4
<i>Museum</i>		✓	✓	✓	✓	✓
<i>Outside display and sales area</i>	(7)	✓	✓	✓	✓	✓
<i>Park, public</i>		✓	✓	✓	✓	✓
<i>Pet care establishment</i>	(7)	✓	✓	✓	✓	✓
<i>Place of entertainment</i>	(7)	✓	✓	✓	✓	✓
<i>Place of worship</i>		✓	✓	✓	✓	✓
<i>Post-secondary school</i>		✓	✓	✓	✓	✓
<i>Private home day care</i>	(5)	✓	✓	✓	✓	✓
<i>Public hall</i>	(7)	✓			✓	✓
<i>Rental establishment</i>	(7)	✓	✓	✓	✓	✓
<i>Restaurant</i>	(7)	✓	✓	✓	✓	✓
<i>Retail store</i>	(7)	✓	✓	✓	✓	✓
<i>Retirement home</i>		✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
<i>School, private</i>		✓	✓	✓	✓	✓
<i>School, public</i>		✓	✓	✓	✓	✓
<i>Semi-detached dwelling</i>	(2)	✓	✓	✓		
<i>Service commercial establishment</i>	(7)	✓	✓	✓	✓	✓
<i>Short-term accommodation (2023-024)</i>	(5)	✓	✓	✓	✓	✓
<i>Sports facility</i>	(7)	✓	✓	✓	✓	✓
<i>Stormwater management facility</i>		✓	✓	✓	✓	✓
<i>Taxi dispatch</i>	(7)	✓	✓	✓	✓	✓
<i>Townhouse dwelling</i>	(2)	✓	✓	✓		
<i>Veterinary clinic</i>	(7)	✓	✓	✓	✓	✓

Additional Regulations for Permitted Uses Table 8.2

1.
 - a) Stand-alone residential *buildings* are not permitted on *lots* having a *front lot line* or *flankage lot line* abutting Lakeshore Road. (2021-068)
 - b) Residential *dwelling units* located on the *first storey* shall have the *main front entrance* oriented towards a *public road*. (2021-068)
2. Permitted only where the use legally existed on the lot on the effective date of this By-law.
3.
 - a) Prohibited in the first 9.0 metres of depth of the *building*, measured in from the *main wall* oriented toward the *front lot line*, on the *first storey*. (2021-068)
 - b) Notwithstanding this, an *ancillary residential use* on the *first storey* is permitted to occupy a maximum of 15% of the length of the *main wall* oriented toward a *front lot line*. (2021-068)
4. Only permitted *accessory* to and on the same *lot* as a post-secondary school or private school.

Mixed Use Zones

5. A maximum of one of the *uses* subject to this footnote shall be permitted in a *dwelling* or an *accessory dwelling unit* associated with the main *dwelling*. (2023-024)
6. On a *lot* having *lot frontage* greater than 20.0 metres *uses* subject to this footnote are limited to a cumulative maximum width of 50% of the *building* in the first 9.0 metres of depth of the *building* on the *first storey* only, measured in from the *main wall* oriented toward the *front lot line*.
7. Shall have a maximum *net floor area* of 1,400.0 square metres per *premises*, applying only for the portion of the *premises* located on the *first storey*.
8. Prohibited within a single *use building*. (PL140317)

8.3 Regulations

The regulations for *lots* in a Mixed Use Zone are set out in Tables 8.3.1 and 8.3.2, below.

		CBD	MU1	MU2	MU3	MU4
<i>Minimum front yard</i>	A	0.0 m	0.0 m	0.0 m	0.0 m	1.0 m
<i>Maximum front yard</i>	A	3.0 m (1)(2)	3.0 m (1)	5.0 m (1)(3)	5.0 m (1)(3)	5.0 m (1)(3)
<i>Minimum flankage yard</i>	B	0.0 m	0.0 m	0.0 m	0.0 m	1.0 m
<i>Maximum flankage yard</i>	B	3.0 m (1)(2)	3.0 m (1)	5.0 m (1)(3)	5.0 m (1)(3)	5.0 m (1)(3)
<i>Minimum interior side yard (2015-018)</i>	C	0.0 m	0.0 m	0.0 m	0.0 m	0.0 m
<i>Minimum interior side yard abutting a lot in any Residential Zone, Institutional (I) Zone, or Community Use (CU) Zone</i>	C	3.0 m	3.0 m	3.0 m (4)	7.5 m (5)	7.5 m (5)
<i>Minimum rear yard (2015-018)</i>	D	0.0 m	0.0 m	0.0 m	0.0 m	0.0 m
<i>Minimum rear yard abutting a lot in any Residential Zone, Institutional (I) Zone, or Community Use (CU) Zone</i>	D	3.0 m	3.0 m	3.0 m (4)	7.5 m (5)	7.5 m (5)
<i>Minimum number of storeys</i>	H	2 (7)	2 (7)	4 (7)	6 (7)	8 (7)
<i>Maximum number of storeys</i>	H	4 (6)	4	6	8	12
<i>Minimum first storey height</i>		4.5 m (7)	4.5 m (7)	4.5 m (7)	4.5 m (7)	4.5 m (7)
<i>Minimum height</i>	H	7.5 m (7)	7.5 m (7)	13.5 m (7)	19.5 m (7)	25.5 m (7)
<i>Maximum height</i>	H	15.0 m (6)	15.0 m	22.0 m	29.0 m	43.0 m

Special Provisions

17	28, 36 and 42 Lakeshore Road West and 88, 90 and 94 Chisholm Street	Parent Zone: CBD
Map 19(7a)	(Lots 10, 11 and 13, Block 68, Plan 1) (Parts of Lot 15, Concession 4 S.D.S.)	(2009-144) PL140317
15.17.1 Zone Provisions		
The following regulations apply:		
a)	Minimum depth of the <i>building</i> , measured in from the <i>main wall</i> oriented toward a <i>road</i> , on the <i>first storey</i> and entirely below the <i>first storey</i> within which residential <i>uses</i> are prohibited	12.0 m
b)	Maximum number of <i>storeys</i>	4
c)	Maximum number of <i>storeys</i> upon execution of a bonussing agreement	5
d)	Maximum <i>height</i> upon execution of a bonussing agreement	18.0 m
e)	<i>Minimum rear yard</i> (south <i>lot line</i> abutting 86 Chisholm Street)	0.0 m
f)	Minimum width of <i>landscaping</i> required along any <i>lot line</i> abutting a Residential <i>Zone</i>	0.0 m
15.17.2 Bonussing Provisions		
In order to permit the increased permissions contained in this Special Provision, zoning compliance shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u> . The owner of the subject lands shall provide to the satisfaction of the <i>Town</i> the facilities, services, and matters as follows:		
a)	A detailed Heritage Conservation and Restoration Plan and subsequent restoration and long term preservation of all heritage attributes on all lands zoned Central Business District (CBD – SP 17).	
b)	LEED Gold Certification.	
c)	Securities in the form and amount to the satisfaction of the <i>Town</i> . The amounts payable shall be submitted to the <i>Town</i> prior to the issuance of a <i>building</i> permit for the additional <i>height</i> .	