

**Appendix “D”:  
Official Plan Amendment**



**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2024-020**

Official Plan Amendment 63

A by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number 63 (42 Lakeshore Road West; File No. OPA 1715.25).

**WHEREAS** the Livable Oakville Official Plan, which applies to the lands south of Dundas Street and the lands north of Highway 407, was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011; and,

**WHEREAS** subsection 21(1) of the Planning Act, R.S.O. 1990, c.P.13, as amended, states that a council of a municipality that is within a planning area may initiate an amendment to any official plan that applies to the municipality, and section 17 applies to any such amendment; and,

**WHEREAS** subsection 22(1) of the Planning Act, R.S.O. 1990, c.P.13, as amended, provides that a person or public body may request a council to amend its official plan; and

**WHEREAS** the owner of the lands known as 42 Lakeshore Road West has requested to amend the Livable Oakville Plan to apply site-specific exception policies to permit a maximum building height of eleven storeys; and,

**WHEREAS** it is deemed necessary to pass a Town-initiated Official Plan Amendment to the Livable Oakville Plan to amend existing site-specific exception policies to a permit a maximum building height of nine storeys on the lands known as 42 Lakeshore Road West.

**COUNCIL ENACTS AS FOLLOWS:**

1. Official Plan Amendment Number 63 to the Livable Oakville Plan, included as “**Part 2**” is hereby adopted.
2. Pursuant to subsection 17(27) of the Planning Act, R.S.O. 1990, c.P.13, as amended, this Official Plan Amendment comes into effect upon the day after the last day for filing a notice of appeal if no appeal is filed pursuant to subsections 17(24) and (25). Where one or more appeals have been filed under subsection

17(24) and (25) of the *Planning Act*, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of.

3. In the event that the Regional Municipality of Halton, being the Approval Authority, does not exempt this Official Plan Amendment from its approval, the Clerk is hereby authorized and directed to make an application to the Approval Authority for approval of this Official Plan Amendment.

PASSED this 22<sup>nd</sup> day of January 2024

---

MAYOR

---

CLERK

**Official Plan Amendment Number 63  
to the Town of Oakville's Livable Oakville Plan**

**Constitutional Statement**

The details of the Amendment, as contained in Part 2 of this text, constitute Official Plan Amendment Number 63 (OPA 63) to the Livable Oakville Plan.

**Part 1 – Preamble**

**A. Purpose**

The purpose of this amendment is to modify Livable Oakville, Section 23.7.9, Kerr Village Exceptions – Schedule O1 and Schedule O1, Kerr Village Land Use to introduce a site-specific exception to permit a maximum building height of nine storeys for the lands known as 42 Lakeshore Road West.

**B. Location**

The subject lands are municipally known as 42 Lakeshore Road West and legally described as Lots 10, 12 & 13, Block 68, Plan 1 As Part 1 on 20R22219.

The Kerr Village Growth Area is located along Kerr Street from the railway tracks in the north to south of Lakeshore Road West in the south. The southerly portion of the Kerr Village Growth Area extends along Lakeshore Road West, from Dorval Drive in the west to Sixteen Mile Creek in the east. Kerr Street and Lakeshore Road West are the main streets of the Kerr Village Growth Area.

The Kerr Village Growth Area is comprised of three land use districts. The subject lands are located within the Lower Kerr Village District.

**C. Background**

The Livable Oakville Plan establishes the desired land use patterns for lands within the Town of Oakville, south of Dundas Street and north of Highway 407, to the year 2031.

Growth and intensification within the Town of Oakville is to occur primarily within the defined Growth Areas, including the Kerr Village Growth Area, which will accommodate *intensification* through new *development* and redevelopment, with a mix of residential and commercial uses.

The revitalization of Kerr Village has been the subject of detailed and comprehensive land use studies that have resulted in land use policies and designations to provide for intensification opportunities.

42 Lakeshore Road West is subject to Official Plan and Zoning By-law amendment applications (File No. OPA 1715.25 & Z.1715.25) proposing the development of an eleven (11) storey mixed-use building.

Town staff recommends approval of an Official Plan Amendment for a site-specific exception policy to permit a maximum building height of nine (9) storeys, inclusive of one (1) storey to accommodate indoor rooftop amenity space.

#### **D. Basis**

An Official Plan Amendment is required to:

- permit the development of a nine (9) storey mixed use development on the lands designated Main Street 1 known as 42 Lakeshore Road West;

The proposed Official Plan Amendment is consistent with the Provincial Policy Statement, conforms with applicable Provincial Plans, the Region of Halton Official Plan, and the Livable Oakville Plan, has regard for matters of Provincial interest, and represents good planning for the reasons set out in the staff report titled “Recommendation Report – Official Plan Amendment (File No. 1715.25) and Zoning By-law Amendment (File No. 1715.25), Format Lakeshore Inc., 42 Lakeshore Road West”.

A Public Information Meeting was held on July 25, 2023, to receive public input on the applications.

The Statutory Public Meeting on the proposed Official Plan amendment was held on November 13, 2023, by the Town’s Planning and Development Council.

Notice of the Statutory Public Meeting regarding the applications was published in the Oakville Beaver, was mailed to property owners within 240

m of the subject land on or before October 24, 2023, and circulated to the agencies and public bodies prescribed by the *Planning Act*.

Notice of the Recommendation Meeting was also mailed to persons who requested to be notified, and to any persons who provided written and/or oral submissions and circulated to the required agencies and public bodies prescribed by the *Planning Act*.

Information related to the applications was available for public review on the Town's website ([Format Lakeshore Inc. - 42 Lakeshore Road West - OPA 1715.25 and Z.1715.25 \(oakville.ca\)](#)), as of October 2, 2023, being at least 20 days before the recommendation meeting.

## **Part 2 – The Amendment**

### **A. Text Changes**

The amendment includes changes to the text in the Livable Oakville Plan listed in the following table.

Item No.	Section	Description of Change
1.	23.7.9 Kerr Village Exceptions – Schedule O1	<p>The current exception policy 23.7.9 is revised and replaced as follows under 'revised exception policy':</p> <p>Current policy 23.7.9:</p> <p>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, condition on the owner entering into an agreement under section 37 of the Planning Act.</p> <p>Revised policy 23.7.9</p> <p>27.7.9 On the lands designated Main Street 1 known as 42 Lakeshore Road West, a maximum building height of nine storeys shall be permitted.</p>