

Midtown Oakville

~~DRAFT~~ PROPOSED Official Plan Amendment

NOTE: To assist the reader, new text in this version of the OPA is provided using **red font**, and text proposed to be deleted remains in black font and is ~~struck out~~.

The following provides a draft of proposed amendments to the Livable Oakville Official Plan as it relates to Midtown Oakville. Midtown Oakville is a Protected Major Transit Station Area as established in the Minister of Municipal Affairs and Housing approved ROPA 49. The draft OPA is intended to update policies and schedules for Midtown to conform with the Region of Halton Official Plan (now a Town of Oakville Official Plan), to respond to changes in the *Planning Act* and Provincial policies, to continue to implement Council Strategic priorities, and to respond to demographic and market trends.

As noted in the table of contents for this document, proposed changes are primarily directed to Section 20 Midtown Oakville of the Livable Oakville Plan. This document also includes relevant changes to the Official Plan that would apply on a townwide basis. These changes are mostly technical in nature and are provided because the proposed policy is not considered to be a matter that is unique to Midtown Oakville. These changes include new policies to enable the use of the Community Planning Permit System in accordance with the *Planning Act* and its associated regulation, Ontario Regulation 173/16.

When the proposed changes are recommended to Council, they will be provided in the formal format associated with Official Plan Amendments.

Contents

MIDTOWN OAKVILLE SPECIFIC POLICIES	1
20. MIDTOWN OAKVILLE	1
20.1 GOAL	1
20.2 OBJECTIVES	2
20.3 DEVELOPMENT CONCEPT	2
20.4 LAND USE POLICIES	4
20.4.1 General	4
20.4.2 Designation Specific	6
20.5 FUNCTIONAL POLICIES	7
20.5.1 Urban Design and Built Form	7
20.5.2-Mobility	10
20.5.3 Stormwater Management	13
20.5.4 Spill Flood Hazard and <i>Hazardous Lands</i>	13
20.5.5 Sustainability	14
20.6 IMPLEMENTATION	14
20.6.1 Monitoring	14
20.6.2 Implementation Measures.....	15
20.6.3 Phasing/Transition	15
20.6.4 Landowner Agreements/Cost Sharing.....	16
TOWNWIDE POLICIES.....	17
Rail Yards and Rail Corridors.....	17
Provincial Highway	17
Hazard Lands.....	18
Development Permit/Community Planning Permit System	18
Community Improvement.....	20
Pre-consultation and Complete Application Submission Requirements	20
Area Design Plans	21
Transportation Demand Management	21
Glossary	22
SCHEDULES, FIGURES AND APPENDIX	24
Schedule L1 Land Use.....	25
Schedule L2 Minimum Density.....	26
Schedule L3 Maximum Density	27
Schedule L4 Building Height Thresholds.....	28
Schedule L5 Transportation Network.....	29
Schedule L6 Active Transportation	30
Figure 1 Precinct Areas	31
• Figure E42 Active Frontages	32
Appendix: Rail Facilities and Influence Area	33
Appendix: Conservation Authority Regulated Area (new).....	34

MIDTOWN OAKVILLE SPECIFIC POLICIES

Section 20 Midtown Oakville of the Official Plan is deleted and replaced with the following:

20. MIDTOWN OAKVILLE

The interchange of Trafalgar Road and the QEW and the Oakville GO and VIA stations are major entry points to the Town and distinguish Midtown Oakville as a strategic location to accommodate both population and employment growth. Additionally, this area has unique Indigenous, railway and industrial history that have contributed to the growth of Oakville.

Access by major roads and local and inter-regional transit, combined with a large amount of vacant and underutilized land, provide the infrastructure and development opportunity for this area to evolve yet again and to create a complete urban community comprised of a mix of residential, retail and employment uses. This mix of use fosters living, working, learning and recreating in Midtown Oakville throughout the day and during all seasons.

Midtown Oakville is a Protected Major Transit Station Area (PMTSA) in accordance with the *Planning Act*. As such, this area benefits from greater planning certainty in relation to density of development, building height, and inclusionary zoning provisions.

Midtown Oakville is the Town's primary strategic growth area. It is approximately 103 hectares in size and bounded by the QEW to the north, Chartwell Road to the east, Cornwall Road to the south and the Sixteen Mile Creek valley to the west. Within these boundaries, there are areas precluded from development, such as the rail and hydroelectric utility corridors and the natural heritage system. These areas contribute to Midtown Oakville by facilitating goods and people movement and/or providing passive open space. As such, new development will be located on the balance of lands within Midtown Oakville.

The Oakville GO/VIA Rail Station, the Town's primary hub for existing and planned transit, anchors this major transit station area. Rail and bus connections service the area and major improvements to the local and inter-regional transit network are planned. In addition to improvements to the local bus network, there will be expansions to express commuter rail service and bus rapid transit corridors within the area. The bus rapid transit systems that originate in Midtown Oakville will connect with the broader Greater Toronto and Hamilton Area (GTHA) transportation network.

The Town will work with the Province, the Region and the development community to realise the goals and objectives established for Midtown Oakville. The transformation of this area will occur incrementally and will require ongoing coordination and partnership among these sectors. Partnerships may be facilitated using *Planning Act* tools including the community planning permit system, community improvement plans, and other master plan exercises.

20.1 GOAL

Midtown Oakville is the leading Strategic Growth Area within the Town's urban structure. Midtown Oakville will accommodate significant residential and employment growth in a dynamic urban setting where people embrace healthy, active lifestyles by living, working, and playing in a vibrant, walkable, mixed-use neighbourhood, connected to the rest of Oakville by pedestrian, cycling, transit and street networks.

Within this compact urban community, residents and business will benefit from inter-regional transportation systems, enjoy access to the natural heritage system, and have access to regional-scale commercial, institutional, recreational, and office facilities.

Midtown Oakville will foster a community where pedestrians and cyclists feel safe, and public transit predominates over the use of single occupant vehicles.

20.2 OBJECTIVES

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

20.2.1 To create a transit-supportive community by:

- a) ensuring the entire area is designed and developed as a pedestrian-oriented environment focused on access to, and from, public spaces and transit;
- b) providing internal road circulation and connections to, and through, Midtown Oakville for public transit, pedestrians, cyclists and vehicles; and,
- c) promoting a *compact urban form* with high density and high intensity land uses.

20.2.2 To create a vibrant and complete community by:

- a) providing a mix of residential, commercial, employment, civic, institutional, cultural and recreational uses, complemented by public open spaces and public art, to attract different users throughout the day;
- b) directing *major office* and appropriate large scale institutional *development* to Midtown Oakville as key economic generators;
- c) ensuring high quality human-scaled design that complements and contributes to the vitality of both Midtown Oakville and the Town, based on the vision for each of the precinct areas **described in section 20.3**;
- d) promoting a high calibre of architecture and urban design through development and the public realm;
- e) providing a transition among the concentration, mix and massing of uses and buildings in Midtown Oakville and neighbouring areas and properties;
- f) coordinating public investment in transit, *infrastructure* and civic facilities to support future growth ~~in a timely manner~~ **in accordance with town master plans**;
- g) promoting *district energy* facilities and sustainable building practices in alignment with the Oakville Community Energy Strategy; and
- h) protecting and maintaining natural heritage system, including lands along Sixteen Mile Creek.

20.2.3 To achieve Midtown Oakville goals ~~in a timely manner~~ by:

- a) **continuously** promoting and enabling the evolution of Midtown Oakville as the Town's primary Strategic Growth Area;
- b) ensuring a minimum gross density of 200 residents and jobs combined per hectare– a combined total of approximately 20,000 residents and jobs – by 2031;
- c) ensuring that *development* occurs in a comprehensive and progressive manner by monitoring key *development* indicators at regular intervals **in accordance with the Town's official plan review and/or relevant master plan work**, and
- d) ensuring future population and job growth is accommodated through efficient use of infrastructure and capital planning **on an on-going basis**.

20.3 DEVELOPMENT CONCEPT

Midtown Oakville is comprised of five precincts as shown on ~~Schedule L1~~ **Figure E1**.

20.3.1 Transit Hub Precinct

The Transit Hub Precinct includes all lands designated “Utility,” this Precinct includes the transit-related and transit-supportive uses and facilities that define Midtown Oakville as a *major transit station area*. The Precinct includes the train platform, station buildings, bus terminal and parking areas, as well as adjacent lands within the rail and hydro corridors.

The Town will work with:

- a) Metrolinx to develop an eastward extension of the train platform across Trafalgar Road in order to enhance access to the station, and
- b) the Province to provide multi-use trail connections to the transit hub.

20.3.2 Trafalgar Precinct

The Trafalgar Precinct that flanks Trafalgar Road will develop with a mix of land uses in a highly walkable community of Midtown Oakville. This Precinct will accommodate a mix of office, civic, cultural, residential, and recreational uses and public spaces.

- a) Major civic and post-secondary institutional investment that benefits from this area’s multi-modal transportation system is strongly encouraged.
- b) Civic and community uses, complemented by public open spaces, are intended to become landmark features of the community.
- c) At-grade retail space is intended along local streets to serve the needs of residents, workers and visitors to Midtown Oakville, as well as create an active street life.
- d) Office uses should be located close to the Oakville Station and transit terminal, providing easy and convenient connections for commuters.
- e) An event centre may provide recreational and leisure space.
- f) Trafalgar Road will be improved through landscaping treatments and building frontages that create an environment that supports and encourages walking within Midtown Oakville.
- g) Public multi-use trail (including an overpass north of Cross Avenue) connecting Midtown Oakville west and east of Trafalgar Road.
- h) Development that supports frequent bus operations along Cross Avenue to provide reliable access to and from the transit hub.

20.3.3 Lyons Precinct

The Lyons Precinct is bounded by ~~16~~ Sixteen Mile Creek, the QEW, Trafalgar Precinct and Cornwall Road and will evolve into a highly compact mixed use and transit oriented community.

- a) Local roads shall be framed by active at-grade frontages and strategic building setbacks to encourage and support pedestrian activities and movement.
- b) Development shall support frequent bus operations along Cross Avenue to provide reliable access to and from the GO and VIA train stations.
- c) Development shall protect views of and provide safe access to Sixteen Mile Creek.

20.3.4 Chartwell Precinct

The Chartwell Precinct, east of the Trafalgar Precinct and north of the Transit Hub Precinct, is an area that provides transition from urban mixed use development to less intense development and a business campus area of Midtown Oakville.

- a) This Precinct supports a vibrant live-work community where a high proportion of development contributes to non-residential uses and reflects on the origins of Midtown Oakville as an area of employment.
- b) The employment only area of this Precinct provides space for employment activities that do not typically locate in mixed use areas. A diverse range of employment opportunities will be provided.
- c) This area will be connected to the larger Midtown Oakville area through a network of streets and multi-use trails that provide pedestrian and transit access to and from the transit hub.

20.3.5 Cornwall Precinct

The Cornwall Precinct, east of Trafalgar Road and south of the Transit Hub Precinct, shall include a mix of uses that define the southern edge of Midtown Oakville.

- a) *Development* shall be *compatible* with the residential neighbourhood south of Cornwall Road.
- b) Commercial areas and active parkland will serve the needs of residents and workers in Midtown Oakville and the surrounding area.

20.4 LAND USE POLICIES

The entirety of Midtown Oakville is a Protected Major Transit Stations Area (PMTSA) in accordance with section 16 of the *Planning Act*. As such, the boundary of the PMTSA is identified on Schedule L1 and delineated as “Growth Area Boundary.”

Land use designations are provided on Schedule L1. In addition to the policies in Parts C and D of this Plan, the following policies apply to Midtown Oakville.

20.4.1 General

The predominant use of land within Midtown Oakville shall be mixed use, transit-supportive development. ~~All public service facilities, including transit-supportive facilities such as bus terminals, passenger pick-up and drop-off (PUDO) areas, are permitted.~~

a) **Public Service Facilities**

- i. All public service facilities, including transit-supportive facilities such as bus terminals, passenger pick-up and drop-off (PUDO) areas, are permitted **in all land use designations where development is permitted.**
- ii. **To support growth,** new *public service facilities* shall be provided ~~in a timely manner in accordance with the policies of this plan and/or town or public agency master plans, to support growth.~~
- iii. Landowners, public agencies, and/or non-profit community service providers are encouraged to enter into partnerships to support the provision, improvement, and expansion of *public service facilities*.
- iv. Development shall, in accordance with Town By-laws, contribute to the delivery of *public service facility* needs identified through the planning application process or other Town master plan by providing:
 - new space for on-site *public service facilities*; and/or
 - a contribution towards a specific *public service facility* that meets identified needs, in lieu of providing a facility on site;
- v. *Public service facilities, which include education facilities,* ~~should~~ **shall** be planned and designed to meet the requirements of the Town and/or public agencies, and should, as applicable and appropriate for the use:
 - be provided in visible locations with strong pedestrian, cycling and transit connections;
 - be co-located in mixed used buildings, where possible, and provide for integrated pick-up and drop-off areas;
 - be located adjacent to parks and open spaces to enable synergies between facilities; and
 - provide for multi-functionality through flexible, accessible, multipurpose spaces that can be programmed in different ways and can adapt over time to meet the varied needs of the community.

b) **Educational Facilities**

- i. Schedule L1 to this Plan identifies priority areas for schools to be located.
- ii. Additional school areas beyond those identified in Schedule L1 may be identified as this Plan is implemented, without amendment to this Plan.
- iii. The precise location, size and phasing of any educational facility site shall be determined in consultation with the School Boards.
- iv. Educational facilities shall be built to an urban standard that optimizes the use of land, encourages walking and cycling, and is connected to the broader transportation network.

- v. Educational facilities should optimize the use of land, as recommended in Town guidelines.
- vi. Any landowner or developer proposing residential development shall consult with applicable school boards, in advance of completing their application for development, to determine a need for educational facility space within the proposed development.

c) Housing

- i. Where residential uses are permitted, such development should include:
 - Mid-rise and tall building types, and unit sizes that can accommodate a variety of households, including those with children and residents at different stages of life;
 - Amenities designed for households with children as well as older adults;
 - Non-market housing, including emergency, transitional, supportive housing, special needs housing, and affordable housing; and,
 - purpose-built rental housing.
- ii. When and where in effect, development shall provide affordable housing in accordance with the Town’s inclusionary zoning policies and provisions.
- iii. Multi-unit development ~~with 20 units or more~~, shall provide, at a minimum, 35% of the units in the form of 2 or more bedrooms.
- iv. *Special needs housing* is exempt from policy 20.4.1 (fc) (iii).

d) Non-residential uses

- i. A mix of commercial uses, including large and small scale retail, service and community-serving uses, is encouraged throughout Midtown Oakville and should be located at-grade and designed to complement pedestrian-oriented access and street character.
- ii. **New** large format retail, such as grocery stores, are permitted where they are integrated with development. Such facilities are ideally located in the podium of mixed-use buildings with pedestrian access from the public realm.
- iii. Redevelopment on sites with existing non-residential uses shall provide for the replacement of all existing non-residential *gross leasable floor area*.
- iv. The replacement of all existing non-residential *gross leasable floor area* may be modified on a case-by-case basis, without an amendment to this Plan, provided a Non-Residential Needs Analysis demonstrates that an alternative amount of non-residential use within the relevant Precinct can support the long-term employment objectives of this Plan.

e) Automobile Related Uses

- i. New **stand alone** automobile related uses, including automobile dealerships; **and** service stations, ~~and drive-throughs shall be~~ **are not be** permitted.
- ii. Existing automobile dealerships and related uses, including automobile service stations, may be permitted to redevelop provided they are in a compact, urban form, and do not preclude the long-term development of lands as set out in this plan.
- iii. **New drive-throughs are not permitted.**

f) Active Frontages

- i. Buildings required to have active frontages as identified in Figure E4**2** shall be pedestrian-oriented and human-scaled at grade.
- ii. Buildings with active frontages identified in Figure E4**2** shall provide deeper setbacks to the public realm, and be designed in accordance with *Designing Midtown*.
- iii. A minimum of 70% of the public realm frontage along the ground floor of the building shall be devoted to active at-grade uses, such as: commercial, recreational, entertainment, retail, office, community services and facilities, and institutional uses.
- iv. The minimum at-grade activation requirement may be modified on a case by-case basis, without an amendment to this Plan, provided a Non-Residential Needs Analysis demonstrates that an alternative amount of non-residential active at-grade use on a Precinct-level basis can support the

long-term employment objectives of this Plan, and a design brief demonstrates how the proposed development encourages walkability along the public realm.

20.4.2 Designation Specific

a) **Utility**

In addition to Part D Section 18.0 of this Plan, lands designated Utility are subject to the following policies:

- i. Transit-related uses and facilities, subject to the protection of underground and above-ground utilities, are permitted, including:
 - station buildings and related office uses;
 - transit terminals;
 - passenger amenity areas and public open spaces;
 - passenger pick-up and drop-off (PUDO) areas; and,
 - surface and structured parking.
- ii. Passive recreational uses, such as off-leash dog areas, community gardens, multi-use trail systems, and naturalized areas, are permitted, subject to the protection of the function of utilities and consultation and approval from relevant agencies.

b) **Urban Core**

In addition to permitted uses provided in Part D Sub-Section 12.5.1 of this Plan, lands designated Urban Core are subject to the following policies which are provided to ensure that employment objectives and targets, along with the transit supportive, walkable community, and social cohesion goals of this plan are met:

- i. New development shall provide a minimum of ~~10~~ 12 percent of the total proposed gross floor area as non-residential uses, such as cultural, community, retail, commercial, and/or office, integrated within a mixed-use building or as a stand-alone building.
- ii. The minimum non-residential requirement may be modified on a case-by case basis, without an amendment to this Plan, provided a Non-Residential Needs Analysis demonstrates that an alternative amount of non-residential use within the applicable Precinct can support the long-term employment objectives of this Plan; and,
- iii. On large sites where more than one building is proposed on a phased-in basis, and the non-residential GFA is proposed after the first phase, the Town shall secure commitments to establish the non-residential development at a subsequent phase through holding provisions, agreements registered on title, and/or other means to the satisfaction of the Town.

c) **Community Commercial**

In addition to permitted uses provide in Part D Sub-Section 13.4.1 of this Plan, regarding lands designated Community Commercial the following uses are also permitted:

- i. Offices, including *major office*,
- ii. Urban agriculture, in the form of a greenhouse or vertical farming facility.

d) **Parks and Open Space**

In addition to Part D Section 17.1 of this Plan, lands designated Parks and Open Space are subject to the following policies

- i. Lands designated Parks and Open Space are conceptually shown on Schedule L1 Land Use. The size and configuration of these lands shall be determined via site plan, development permit, consent and/or plan of subdivision approval process(es), without an amendment to this Plan.
- ii. Schedule L1 shall be updated to show the actual parkland size and configuration, after being established as noted in policy (i) above, without an amendment to this Plan in subsequent office consolidations of the Official Plan.

- iii. These parkland parcels are intended to function as Public Common or Urban Square to serve the needs of Midtown Oakville residents, businesses and visitors.
 - iv. The Town will work with schoolboards to co-locate park and school sites to optimize co-benefits, where and when possible.
 - v. **The Town shall work with the applicable school board to determine park configuration and programming where parkland is intended to be co-located with school-sites. Programming of such parkland shall be prioritized for school use during school operating hours.**
- e) **Office Employment**
In addition to Part D Sub-Section 14.3 of this Plan, lands designated Office Employment are subject to the following:
- i. Policy 14.1.1 (a) as amended by OPA 68 does not apply.
 - ii. The following is also permitted:
 - 1. Urban agriculture, in the form of a greenhouse or vertical farming facility.

20.5 FUNCTIONAL POLICIES

In addition to the policies in Parts C and D of this Plan, the following functional policies apply specifically to Midtown Oakville.

20.5.1 Urban Design and Built Form

In addition to the Urban Design policies in Part C: Section 6.0 of this Plan, the following policies shall apply to Midtown Oakville.

- a) **Design Guidelines**
- i. *Development* and the public realm shall address the urban design direction provided in the Town’s applicable guidelines.
 - ii. Standards established in Town by-laws and development approvals shall be informed by these guidelines.
- b) **Public Realm**
A major feature of Midtown Oakville shall be its public realm – comprised of public streets, parks and open spaces, including privately-owned publicly accessible open spaces. The public realm includes trees and landscaping, lighting, furnishings, urban amenities, gateway treatments, wayfinding and public art that enhance the local context and create a sense of identity and support pedestrian comfort. **These elements collectively expand the tree canopy, provide social connections, and promote environmental sustainability.**
- i. Development shall contribute to the creation of a high-quality public realm that is safe and comfortable, *universally accessible*, encourages *active transportation*, and contributes to a distinct character for Midtown Oakville.
 - ii. Buildings shall be oriented to, and have their main entrance(s) facing, the public realm.
 - iii. Buildings located along all Active Frontage streets shown on Figure E+2 shall provide strategic setbacks, and step-backs to achieve appropriate streetwalls designed to frame the street and provide a comfortable pedestrian-oriented environment
 - iv. Streetscapes shall reinforce the *active transportation*-oriented and urban environment and provide a seamless interface between the public and private realms.
 - v. Landscaping, **preferably with native species**, shall be incorporated into private development to enhance the pedestrian experience and contribute to the area’s identity.
 - vi. Public art that connects with the history of Midtown Oakville and the emerging culture of this area and Oakville overall is encouraged in strategic locations that create view termini, as well as animate streets, parks, squares, and building frontages.

- vii. Service access points, loading and any visible waste collection/management areas shall be located and designed to minimize physical and visual impact on sidewalks and publicly accessible open spaces.

c) Parks and Open Space

The parks and open space system is shown conceptually on Schedule L1 Land Use of this Plan.

- i. The parks depicted in Schedule L1 shall reflect the Town’s Parks Plan and consist of Public Commons and Urban Squares.
- ii. The parks system shall be further complemented by:
 - *active transportation* connections,
 - privately-owned publicly-accessible spaces (POPS) which may be delivered through future development applications,
 - Natural Areas that contain natural features as described by Part D Section 16 of this Plan,
 - open space located within the Utility land use designation, ~~and~~
 - **landscaped space associated with highway and street rights-of-way, and**
 - open space associated with educational facilities.
- iii. The location and delivery of public parks and open spaces shall be coordinated as development progresses to ensure that parks and open spaces are provided for new residents and employees as needed.

d) Utilities

- i. Utility vaults, meters, and similar infrastructure shall be located internal to a building or development block, within mid-block connections, or underground to ensure a clear and unobstructed public realm.
- ii. Hydro and other utility transmission lines, where located within a public right-of-way, should be provided, or relocated, underground, where feasible, as infrastructure improvements and development progresses.

e) **Site Density**

The minimum density of development within Midtown Oakville as a whole is 200 residents and jobs per hectare. To achieve and exceed this target, ensure transit supportive development, and implement the vision for Midtown Oakville, the range of gross floor area within buildings shall be as follows:

- i. Minimum *gross density*, expressed as *floor space indices* (FSI), shall be provided on a development site in accordance with Schedule L2, unless exempt per the policies of this Plan.
- ii. Up to the maximum *gross density*, expressed as *floor space indices* (FSI), may be permitted on a development site in accordance with Schedule L3 and the policies of this Plan.
- iii. Smaller sites are encouraged to consolidate with adjacent lands to enable a comprehensively designed development that comprises most of the associated block.
- iv. Notwithstanding the minimum densities shown on Schedule L2, minimum site densities shall not apply to:
 - lands required for public parks and open spaces;
 - educational facilities; and
 - *public service facilities* operated by a public authority, including transit facilities;
- v. Notwithstanding the minimum site density shown on Schedule L2, building additions, alterations and/or replacements to existing development may be permitted, where they can be demonstrated not to preclude the long-term redevelopment of the property as set out in this Plan.
- vi. Where a development site is located within two or more density blocks shown on Schedule L3, the maximum permitted gross floor area (GFA) shall be determined by calculating the site area (excluding non-developable lands) within each density block multiplied by the allocated FSI. The total permitted GFA will be based on the sum of products calculated for each density block or portion thereof.
- vii. ~~Where this Plan is implemented by a Community Planning Permit (CPP) By-law, a Community Benefits Charge by-law is not applicable. The CPP by-law may establish maximum density and/or height thresholds after which community benefits or cash-in-lieu of those benefits are required as a condition of development permit issuance. Such threshold rates shall be lower than the maximum provided on Schedule L3 and must exceed the minimum density established in Schedule L2, and in accordance with section 28.15 of the Official Plan.~~

f) **Building Height**

- i. “As of right” building height thresholds are shown on Schedule L4. Additional height beyond the threshold may be permitted through a development permit or through a rezoning application, subject to:
 1. the maximum density for the site is not exceeded, and
 2. community benefits or cash-in lieu of benefits are provided in accordance with town by-laws.
- ii. The minimum heights established on Schedule L4 are provided as an average height minimum of the building. Portions of a building may be less than the minimum, provided the overall average of building height achieves the minimum.
- iii. Notwithstanding the minimum height shown on Schedule L4, minimum height shall not apply to:
 - lands required for public parks and open spaces;
 - educational facilities; ~~and~~
 - *public service facilities* operated by a public authority, including transit facilities, **and**
 - **expansions to existing uses in accordance with policy 20.5.1 (e) (vi).**

g) **Tall Buildings**

- i. Tall buildings shall be designed to the highest architectural **and engineering** quality and detail, and shall ensure a pedestrian-oriented built form, provide active façades oriented to public streets, and contribute to a distinctive skyline.

- ii. Multiple towers within a block, development site, or within close proximity to each other on abutting sites should vary in height from one another in order to create variation in building height and a distinctive skyline for Midtown Oakville.
 - iii. The height of the building base (podium) for tall buildings should generally be equivalent to the building-to-building distance across the adjacent right-of-way, up to a maximum of 25 metres in height, in order to frame the street and enhance pedestrian comfort.
 - iv. For tall buildings along public streets or publicly accessible amenity space, a step back between the podium base and tower portion should be provided to reinforce the character of the public realm.
 - v. For tall buildings, the floorplate of each tower (the portion of the building above the base or podium) shall provide a slender tower profile to minimize adverse shadowing, maximize sun exposure and enhance the skyline.
 - vi. The distance between the facing walls of towers shall generally be a minimum of 30 metres at the tower base, and expand to a minimum of 35 metres above the 25th storey, as applicable.
 - vii. The distance between facing walls of podiums, where there are windows on both building faces, shall generally be a minimum of 15 metres.
- h) **Mid-Rise Buildings**
Buildings, ~~taller than the streetwall height and up to consisting of 12-storeys or less, should~~ shall:
- i. incorporate a step-back in the main building wall for storeys located above the established streetwall height; and,
 - ii. provide a minimum building separation distance of 15 metres between a mid-rise with another mid-rise building, or a tall building
- i) **Building Setbacks**
Setbacks from a building to public streets should be landscaped spaces or extensions of the public boulevard that contributes to the character of an area.
- j) **Building Orientation**
Buildings shall be designed and sited to maximize solar energy, ensure adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows on the public realm.
- k) **Green Roofs**
Green roofs and/or amenity space should, and where required by by-law shall, be provided on the roof of any building, including the roof of the podium.
- l) **Block Design**
- i. Development blocks are formed by the planned transportation street network and each development block shall be designed comprehensively.
 - ii. Where properties within a block cannot be consolidated so that development may be coordinated, development on a portion of a block shall not preclude the development of the remainder of the block in accordance with this Plan.
 - iii. Mid-block connections, as conceptionally shown on Schedule L6, should be provided within large blocks.

20.5.2 Mobility

- a) **Transportation**
Streets and streetscapes facilitate multi-modal movement year-round, provide valuable frontage for development, and provide the setting for the range of uses and activities that define Midtown Oakville. A grid of streets is permeable, designed for pedestrians, and fundamental to encouraging *active transportation*.

Schedule L5 establishes a street network that recognizes the function and character of roads and Precincts. It creates a fine-grained pattern of streets and connections to support convenient transit, pedestrian, cyclist and other forms of *active transportation* movement and circulation.

- i. The design and operation of existing and new streets in Midtown Oakville shall prioritize year-round *active transportation* and transit use.
- ii. Significant *active transportation*, transit, and street infrastructure, as shown on Schedules C, D, L5 and L6, is necessary to support growth. Certain existing street or street segments shall be abandoned, realigned, widened, extended, or replaced in accordance with this Plan.
- iii. The Town **and/or the Region** may require the early conveyance of rights-of-way, prior to development, to complete the street network.
- iv. The Town **and/or the Region** may secure rights-of-way on alignments as shown on Schedules C, D, L5 and L6 through the planning approval process, through purchase and sales agreements, or through a public land expropriation process. Final rights-of-way shall be consistent with Schedules C, D, L5 and L6, or otherwise be determined through detailed transportation studies, transit plans, environmental assessments where required, and the planning approval process.
- v. The provision of future streets and other transportation infrastructure, **including bridges and underpasses**, shall be **subject to studies to determine final alignment and no negative environmental impact. Their implementation shall be** coordinated as development progresses to ensure that transportation infrastructure is provided for new residents and employees **in a timely manner. The timing of the delivery of such infrastructure shall be in accordance with the policies of this plan and/or town or public agency master plans.**
- v. Subject to section 8.2.3, changes to the requirements, location or alignment of new transit services, streets, and *active transportation* facilities, as shown on Schedules C, D, L5 and L6, will not require an amendment to this Plan, provided that the general intent and purpose of this Plan is maintained.
- vi. Development shall not preclude the provision of the planned transit and transportation network.
- vii. Development shall contribute to the creation of a connected public street and mobility network as shown on Schedules L5 and L6 and through the following measures:
 - Connecting internal streets and site access points to contribute to a continuous street grid;
 - Creating opportunities for shared access for loading, parking and servicing, and
 - Developing privately or publicly-owned mid-block connections in accordance with the policies of this plan to minimize interruption of streets, pedestrian and cycling infrastructure.
- viii. Cross Avenue and the new north-south street connecting Cornwall Road to Trafalgar Road will serve as a transit route for transit services including higher-order transit (BRT/LRT) to and from the Midtown Oakville transit hub. Lands and services required for the transit amenities, including stops, will be determined through future study.
- ix. The Town will work with Halton Region and Metrolinx to:
 - implement the extension of the rail platform east of Trafalgar Road and improve transit passenger access from the east side of Trafalgar Road; and
 - implement relocation of the shared transit terminal to east of Trafalgar Road.

b) Active Transportation

Active Transportation routes are conceptually shown on Schedule L6.

- i. Midtown Oakville streets shall provide ~~sidewalks~~ **pedestrian facilities** on both sides.
- ii. Active Transportation routes, including underpasses and bridges, shall be designed for pedestrian and cyclist comfort and safety, and limit motor vehicle speeds and volumes consistent with the Neighbourhood Traffic Safety Program.

- iii. The exact location, design, facility type, and alignment of the Active Transportation connections shown on Schedule L6 may be refined without amendment to this Plan, provided that the overall intent and connectivity is maintained.
- iv. Pedestrian and cycling infrastructure should contribute to a continuous and comprehensive network throughout Midtown Oakville, and connect with the broader townwide network.
- v. Street furniture, bike parking, bike and other active mobility sharing facilities, and transit shelters and seating shall be provided to encourage *active transportation* and transit ridership at appropriate locations along future transit and *active transportation* routes.
- vi. Development in the vicinity of a future pedestrian bridge or underpass shall have consideration for the location and connectivity objectives of these connections and shall not preclude their realization.

c) Mid-Block Connections

Midblock connections are shown conceptually on Schedule L6 as part of the “off-road active transportation connections.”

- i. Development shall promote safe, barrier-free, convenient, and predictable mid-block connections.
- ii. The location of mid-block connections should relate to the placement of the buildings, and align with existing or planned transportation (including active transportation) circulation routes.
- iii. Mid-block connections may be publicly or privately owned and shall be publicly accessible.
- iv. Mid-block connections may be used to support site servicing or site access.
- v. Mid-block connections should:
 - form uninterrupted connections through a block to allow for continuous transportation opportunities throughout Midtown Oakville;
 - be designed to be *universally accessible*;
 - include appropriate pedestrian-scaled lighting;
 - incorporate active transportation infrastructure including bicycle parking; and,
 - have appropriate and clear signage and wayfinding.
- vi. Shared vehicular access and service facilities should be provided internal to a block.

d) Parking

- i. The use of maximum parking standards shall be considered in the implementing by-law and through the planning approval process. It is the intent that the requirement and/or need to supply parking associated with development will progressively diminish as access to higher-order, frequent transit and *active transportation* facilities increases as Midtown Oakville becomes a complete community over time.
- ii. Development shall provide structured parking, preferably below-grade.
- iii. Where above ground structured parking is included in a development, the design of the structure shall incorporate active external uses, such as commercial, office and/or residential uses, facing a public street at-grade and above grade.
- iv. **Above ground structured parking should be designed with the flexibility to be repurposed for other uses, such as commercial, office and/or residential, as parking demand decreases over time due to shifts toward transit and active transportation.**
- v. Surface parking should not be provided as part of development, unless:
 - 1. Surface parking is only intended for visitor parking and/or short-term, temporary parking, including parking for vehicles that are associated with a ride-share program.
 - 2. Surface parking shall be located in the side or rear yard and screened.
- vi. Shared parking facilities are encouraged.
- vii. Parking facilities shall be located and designed to minimize physical and visual impact on sidewalks and accessible open spaces.

- viii. Development should, and where enabled by by-law shall, include electric vehicle charging infrastructure and be designed to support the provision of additional electric vehicle charging facilities over time to encourage the use of electrified vehicles and bicycles.
- ix. **Development shall provide secure, covered, and accessible bicycle parking facilities to encourage active transportation. These facilities should be located conveniently near building entrances and integrated with the broader cycling infrastructure network.**
- x. Opportunities for stratified parking arrangements may be considered on a case-by-case basis.

20.5.3 Stormwater Management

- a) Development within Midtown Oakville shall be required to implement stormwater management techniques in accordance with the policies of this Plan and the recommendations of the following studies and any other subsequent studies or updates:
 - Lower Morrison and Lower Wedgewood (LMLW) Creeks Flood Mitigation Study Report - 2024
 - Flood Mitigation Opportunities Study for Lower Morrison and Wedgewood Creek Systems;
 - The town's Consolidate Linear Infrastructure Environmental Compliance Approval number 314-S701;
 - Stormwater Master Plan, 2019; and,
 - Midtown Oakville Class Environmental Assessment, 2014.
- b) To mitigate stormwater impacts, onsite landscape amenity space, parks and open space areas should, **and where required by by-law shall**, incorporate green infrastructure that enhances the ecological function of the area, and supports stormwater management, including low impact development and subsurface stormwater facilities, where appropriate.

20.5.4 Spill Flood Hazard and *Hazardous Lands*

- a) Development and site alteration within *flood hazards* must implement the findings of the Flood Hazard Mapping Study: Sixteen Mile Creek to Lower Morrison Creek (as amended).
- b) Development shall be directed away from areas of *hazardous lands* where there is an unacceptable risk to public health or safety or of property damage and shall not create new or aggravate existing hazards.
- c) Development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and/or erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.
- d) Notwithstanding the policies above, development and site alteration may be permitted in those portions of *hazardous lands* where the effects and risk to public safety are minor, can be mitigated in accordance with provincial standards, and where it has been demonstrated that:
 - i. development and site alteration are carried out in accordance with floodproofing standards, protection works standards, and access standards;
 - ii. the site has safe access (ingress and egress) appropriate for the nature of the development and the natural hazard;
 - iii. new hazards are not created, and existing hazards are not aggravated; and
 - iv. no adverse environmental impacts will result.
- e) The following uses shall not be permitted to locate in *hazardous lands*, including *spill flood hazard* areas:
 - i. institutional uses, including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - ii. essential emergency services, such as that provided by fire, police and ambulance stations and electrical substations; or

- iii. uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
- f) ~~Notwithstanding policy 10.13.3, the Town, in consultation with the relevant conservation authority, may adopt the two-zone concept, in accordance with Provincial procedures, to address hazard lands.~~

20.5.5 Sustainability

- In addition to policies in Part C of the Official Plan addressing sustainable development, the following provisions apply:
- a) Development should, **or where required by by-law shall**:
- i. identify opportunities to implement renewable energy generation in proposed development, with a focus on reducing carbon emissions;
 - ii. incorporate bird-friendly design strategy elements;
 - iii. integrate on-site renewable electricity production (e.g. solar panels) to reduce electricity demand;
 - iv. reduce embodied carbon energy in building material (e.g. re-using materials, using lower-carbon materials, **including encapsulated mass timber construction**; sourcing materials locally); and,
 - v. target net-zero energy use and emissions.
- b) To increase the energy efficiency of buildings, development should, or where required by by-law shall, use passive design and/or renewable energy approaches, this may include any of the following:
- a green or blue roof;
 - solar capture equipment;
 - cooling roof materials;
 - suitable glazing ratio for energy efficiency;
 - urban tolerant trees and other vegetation to provide shade and additional tree canopy;
 - soft landscaping on the flat portion of rooftops (excluding the area required for mechanical equipment).
- c) Applications for development in Midtown Oakville may be required to submit a **sustainable development** report that describes how the applicant has endeavoured to incorporate the policies of this Plan, as deemed appropriate and applicable through the pre-application consultation process.

20.6 IMPLEMENTATION

In addition to the policies in Part F of this Plan, the following implementation policies also apply:

20.6.1 Monitoring

- a) The Town shall monitor the level of development within Midtown Oakville.
- b) To track the pace of development and identify and plan for infrastructure improvements, including *active transportation* and transit, the monitoring program shall evaluate the following:
- i. traffic characteristics on key routes and at key intersections, in accordance with the Town and Region's transportation study guidelines;
 - ii. existing, approved and proposed development, including the number of residential units and the amount of non-residential floor space;
 - iii. transit usage and modal share;
 - iv. usage of *active transportation* and *public service facilities*;
 - v. population and employment generated by development; and
 - vi. indicators of sustainability in accordance with the policies of this plan.
- c) The town shall monitor the provision of retail uses throughout Midtown. Where the needs of the community are not being met, the town may amend this Plan to require such retail opportunities as grocery stores in specific locations to be delivered through the development process.

20.6.2 Implementation Measures

- a) The Town shall develop, in conjunction with **school boards, Conservation Halton**, Halton Region, the Province and Metrolinx, implementation measures to address:
 - i. parkland acquisition;
 - ii. transportation, including *active transportation* and transit initiatives;
 - iii. streetscape and/or public realm;
 - iv. parking demand management;
 - v. the extension and improvement of the Oakville GO rail platform, and re-location of the transit terminal;
 - vi. emergency services and *public service facility* provision;
 - vii. community improvements through a community improvement plan;
 - viii. economic development;
 - ix. a coordinated approach to development and infrastructure phasing, including monitoring key development indicators at regular intervals;
 - x. sustainability initiatives and environmental standards, including district energy and green/solar roofs, in alignment with the Oakville Community Energy Strategy;
 - xi. opportunities for flood hazard mitigation in accordance with the Flood Hazard Mapping Study: Sixteen Mile Creek Lower Morrison Creek (as amended);
 - xii. public sector partnerships and programs; and,
 - xiii. the municipal acquisition and disposition of lands.
- b) Town master plans and implementation documents shall be updated to support the planned growth and change in Midtown Oakville to 2051 and beyond.
- c) Innovative engineering and design solutions or alternate standards for infrastructure, parks and open spaces, that are appropriate for an urban area and optimize environmental sustainability and life cycle costs are encouraged and may be implemented through master plans, implementation documents, *development*, and infrastructure projects, subject to any necessary approvals.
- d) The town shall work with Oakville Hydro and other utility providers to ensure services located within a public right-of-way are provided or relocated underground, where feasible, as infrastructure improvements and development progress.
- e) To share and commemorate Midtown Oakville’s Indigenous, railway and industrial history, the Town may prepare a Heritage Commemoration Strategy that will be used to inform programming and placemaking within parks, open spaces and buildings in Midtown Oakville. Accordingly, *development* shall have regard for the Midtown Oakville Heritage Commemoration Strategy, as appropriate.
- f) Site-specific applications and studies related to them shall take into consideration the relevant findings and recommendations of the studies, strategies, master plans noted above and in this official plan.
- g) Where conveyance of roads or parkland is required, development applications shall include a land division process.

20.6.3 Phasing/Transition

- a) Development shall occur over the long-term and may include interim conditions and incremental implementation.
- b) Development shall be coordinated with the provision of infrastructure, including:
 - i. transit;
 - ii. road network capacity;
 - iii. pedestrian and cycling facilities;
 - iv. parks and open space;
 - v. water and wastewater services and capacities;
 - vi. measures to mitigate potential flood risk in accordance with the Flood Hazard Mapping Study: Sixteen Mile Creek Lower Morrison Creek (as amended);

- vii. ~~public sector partnerships~~ *public service facilities*;
 - viii. stormwater management services and capacity;
 - ix. streetscape improvements; and,
 - x. utilities.
- c) Further to subsection (a) above, the timing of development shall be subject to the availability of required infrastructure, including but not limited to future transportation network improvements, water and wastewater services, and stormwater management facilities.
 - d) Initial phases of development shall not preclude the achievement of a compact, pedestrian oriented and transit-supportive urban form, or the transportation network identified on Schedules of this Plan.
 - e) The uses and buildings that legally existed, *or that were approved*, prior to the adoption of this Plan shall be permitted to continue, however, they are ultimately intended to be redeveloped in conformity with this Plan.
 - f) Development shall demonstrate compliance with the capacity of the existing water, wastewater and stormwater servicing networks. Private on-site controls and enhanced building design may be required, to mitigate any increased demand that exceeds existing capacity.

20.6.4 Landowner Agreements/Cost Sharing

- 20.6.4 Landowners' Agreement / Cost Sharing**
- a) ~~Development, as determined following a pre-submission meeting, shall only be permitted when a~~ *A* landowners' group ~~shall be~~ *has been* established for Midtown Oakville for the purposes of administering a cost sharing agreement(s) amongst landowners to ensure that the costs associated with development, including but not limited to the provision of parkland, *school sites*, parking, stormwater management services, local roads, other infrastructure, and servicing, are distributed in a fair and equitable manner among landowners.
 - b) *The Town shall determine, following a pre-submission meeting, whether the applicant is required to participate in a landowner group. And if required, the development application* ~~Individual development in Midtown Oakville shall not be deemed complete~~ *approved* until the subject landowner has become a party to the *relevant* landowners' cost sharing agreement.
 - c) Landowners are encouraged to enter into agreements to coordinate the provision of urban format grocery stores *and/or other community serving facilities and services that are determined to be deficient*, within mixed use buildings.
 - d) Landowners, public agencies, and/or non-profit community service providers are encouraged to enter into partnerships to support the provision, improvement, and expansion of *public service facilities*.

TOWNWIDE POLICIES

Rail Yards and Rail Corridors

Section 8.11 of the Official Plan is proposed to be modified by adding the following new policies:

<p>8. 11.4 Rail yard(s) and rail influence areas are depicted on Appendix 5.</p> <ul style="list-style-type: none">a) New or expanded residential or other sensitive land uses shall not be permitted within 300 metres of a rail yard.b) Proposed residential <i>development</i> or other sensitive land use located between 300m and 1000m of a rail yard shall be required to undertake land use compatibility studies to the satisfaction of both the Town and rail operator to support the feasibility of the proposed development and, if feasible, to include appropriate mitigation measures.
<p>8. 11.5 Proposed residential or other sensitive use <i>development</i> within 300 metres of a railway right-of-way shall be required to:</p> <ul style="list-style-type: none">a) undertake noise studies, in consultation with the appropriate railway operatorb) undertake appropriate measures to mitigate any adverse effects from noise that were identified, andc) investigate and implement available options, including alternative site layouts and/or attenuation measures to ensure appropriate sound levels are achieved.
<p>8.11.6 Any <i>development</i> within 300 metres of the Metrolinx Rail Corridor shall:</p> <ul style="list-style-type: none">a) demonstrate that it conforms with the “Metrolinx Adjacent Development Guidelines - GO Transit Heavy Rail Corridors” and “Metrolinx Overbuild Development Guidelines - GO Transit Heavy Rail Corridors,”b) be supported by an acoustical study to the satisfaction of the Town and Metrolinx, andc) require registration of an Environmental/Operational Easement in favour of Metrolinx over the subject lands.
<p>8.11.7 Any <i>development</i> within 75 metres of the Metrolinx Rail Corridor shall provide a vibration study to the satisfaction of the Town and Metrolinx.</p>
<p>8.11.8 <i>Development</i>, including site alteration, adjacent to the Metrolinx Rail Corridor shall be subject to the review of Metrolinx and may be subject to conditions issued by Metrolinx, including the execution of agreements with and/or permits from Metrolinx.</p>

Provincial Highway

Section 8.12 of the Official Plan is proposed to be modified by adding the following new policy:

<p>8.12.4 <i>Development</i> in and adjacent to the Ministry of Transportation right-of-way may be required to provide a setback per Ministry policy and to obtain necessary Ministry of Transportation permits prior to the commencement of construction.</p>
--

Hazard Lands

Section 10.13 of the Official Plan is proposed to be modified by adding the underlined text shown below to policies 10.13.1 and 10.13.2:

<p>10.13.1 The delineation and regulation of <i>hazard lands</i> are administered by the Conservation Authorities. The general location of floodplain limits and shoreline <i>hazard lands</i> are conceptually shown on Schedule B. The limits of <i>hazard lands</i> on Schedule B may be updated without a Plan amendment. <u>Technical studies, prepared by qualified professionals, may be required to delineate and/or refine the limit of <i>hazardous lands</i>, and demonstrate that the policies of this plan have been met, to the satisfaction of the Town and applicable Conservation Authority.</u></p>
<p>10.13.2 No new development or site alteration is permitted within <u>or adjacent to <i>hazard lands</i></u> without the approval of the Conservation Authority, <u>in accordance with the <i>Conservation Authorities Act</i> and associated regulations and policies. For reference purposes, Appendix 6 provides the approximate Regulation Limit of the Conservation Authorities. The text of the <i>Conservation Authorities Act</i> and associated regulations prevail over any mapping. The regulation limit does not represent a development limit.</u></p>

Development Permit/Community Planning Permit System

Section 28.15 of the Official Plan is proposed to be modified by deleting and replacing with the following subsection and policies:

<p>28.15 Community Planning Permit System</p> <p>28.15.1 The Town may, in a by-law, establish a identify community planning permit areas within the Plan area in the Official Plan. Where identified, the town shall establish by-laws pursuant to the provisions of the <i>Planning Act</i>, and in compliance with applicable regulations.</p> <p>a) Midtown Oakville as described in Section 20 and delineated in the schedules of the Official Plan is a community planning permit area.</p> <p>28.15.2 Notwithstanding policy section 28.3.1, the Town may use a community planning permit by-law, in lieu of a zoning by-law, for the purpose of implementing the objectives and policies of this Plan within areas identified as community planning permit areas under this Plan.</p> <p>28.15.3 Any requirements, standards, conditions, criteria set out in the policies of this Plan that are related to site plan control or zoning is deemed to also apply in the context of a community planning permit by-law.</p> <p>28.15.4 Identification of a community planning permit area and passing of a community planning permit by-law shall be subject to the following:</p> <p>a) vision, goals, objectives, and policies to achieve them, are established prior to or concurrently with the proposed by-law for the specified area through a consultative process;</p> <p>b) the area is identified as one that would benefit from the streamlined process that arises from implementing a community planning permit by-law;</p> <p>c) the area is identified as one that requires public facilities, services, and matters to be provided commensurate with the area's growth and development over time; and/or</p> <p>d) the area would benefit from having development permits issued in accordance with conditions and criteria provisions of a community planning permit by-law.</p> <p>28.15.5 Within the community planning permit by-law, Council may delegate its decision-making authority as prescribed to a committee or staff. This authority may include approving or refusing</p>

development permit applications, entering into agreements, and issuing development permits with or without conditions. All such decisions shall be in compliance with the provisions of **this Plan and** the community planning permit (CPP) by-law.

28.15.6 Approval of development permit applications shall be in conformity with **this Plan and** the CPP by-law. As such, criteria for decision making shall be provided in the by-law in accordance with relevant general and specific policies in this Plan, **including policies respecting the permission of uses that are intended to be temporary in accordance with policy 28.7.2**, and any other criteria that more specifically provides necessary guidance to achieve the Official Plan goal(s) and objectives that are applicable to the CPP by-law area.

28.15.7 Approval of development permits may be subject to conditions that may be imposed prior to, at the time of, or following issuance of a development permit.

28.15.8 The CPP by-law may include any of the types of conditions listed in O. Reg. 173/16, as well as:

- a) conditions that require payment in lieu of a matter that is otherwise required;
- b) conditions that provide the Town with an equivalent benefit that is otherwise gained through the implementation of the Town's community benefits charge by-law;
- c) any other type of condition that is required to ensure the safety and security of persons, property, and the natural environment;
- d) conditions that establish lapsing periods for development permit approval after which the approval is rescinded;
- e) conditions which establish a set time within which the development permit is in effect;
- f) conditions which put a development permit issuance on hold until a specified time or **specified matter(s) has/have** been addressed.

28.15.9 Any such condition may require an agreement which may be required to be registered on title.

28.15.10 Where the CPP by-law proposes conditions associated with permitting development at heights and/or densities that exceed maximum thresholds set for "as-of-right" development in exchange for community benefits, the CPP by-law shall:

- a) include provisions regarding the proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height and/or density of development that may be allowed, **and**
- b) **establish maximum density and/or height thresholds in accordance with CPP area specific policies of this Plan. For the subject sites, such threshold rates must ensure that the minimum density of the site can be exceeded and shall be lower than the permitted maximum height or density provided in this Plan.**

28.15.11 Benefits, All Areas

The facilities, services, and matters that may be provided by operation of these provisions include, but are not limited to, the following, and may be further specified in the by-law.

- a) public transit infrastructure, facilities, services and improved pedestrian access to public transit;
- b) public parking;
- c) affordable housing for a wide array of socio-economic groups;
- d) conservation and preservation of cultural heritage resources;
- e) protection and/or enhancement of natural features and functions;
- f) *public service facilities* and improvements to such *facilities*;
- g) parkland and improvements to parks;
- h) day care centres;
- i) public art;
- j) integration of office uses in mixed use developments;
- k) green buildings; and,

- l) other local improvements that contribute to the achievement of the Town’s building, landscape and urban form objectives as set out in this Plan and supporting documents.

28.15.12 Benefits, Area Specific

In addition to the benefits listed in policy 28.15.11, the following are additional benefits that may be considered:

- a) **Midtown Oakville**
 - i. grade separated pedestrian and cycling facilities across the QEW, railway tracks or Trafalgar Road;
 - ii. community facilities such as:
 - a creative centre, including associated studio, office, exhibition, performance and retail space; and,
 - a public library;
 - iii. improved local transit facilities and transit user amenities; and
 - iv. contributions towards a district/renewable heating/cooling/energy system.

28.15.13 All facilities, services, and matters as well as cash-in-lieu of them shall be allocated to lands within the subject community planning permit area.

Community Improvement

Section 28.16 of the Official Plan is proposed to be modified by adding item (k), as shown in underline below:

28.16 Community Improvement

28.16.2 The designation of a community improvement project area shall be based on one or more of the following criteria:

- a) deficiencies in the physical infrastructure of the area, including water, sanitary sewers, storm sewers, roads, sidewalks, curbs, street lighting, traffic control and electrical facilities;
- b) deficiencies in the provision or design of off-street parking areas;
- c) inadequate parks, open space, landscaping and community or recreation facilities;
- d) evidence of economic decline in commercial areas, such as unstable uses or high vacancy rates;
- e) problems with incompatible land uses;
- f) buildings and structures in need of maintenance and repair;
- g) need to improve streetscape amenities on public and/or private property;
- h) need for heritage resource conservation;
- i) opportunities for infilling and development of under-utilized sites; ~~and~~,
- j) existing or probable soil or water contamination, and/or
- k) need for affordable housing and/or special needs housing.

Pre-consultation and Complete Application Submission Requirements

Section 28.19 of the Official Plan is proposed to be modified by adding “development permit” to policies 28.19.3 and 28.19.19, as shown in underline below:

28.19.3 Unless an exemption is granted under section 28.19.5, the following information and materials shall be required to be submitted as part of any application for official plan amendment, zoning by-law amendment, site plan, development permit, draft plan of subdivision or draft plan of condominium, and shall be requested as applicable for other applications: ...

28.19.19 An application for official plan amendment, zoning by-law amendment, site plan, development permit, draft plan of subdivision or draft plan of condominium shall be considered complete under the Planning Act only when all of the following items have been provided to the Town:...

Area Design Plans

Section 28.19 of the Official Plan is proposed to be modified by adding the following new policies:

28.19.3

(i) **Area Design Plans**

To address coordination issues between landowners and phasing of development. The area design plan shall:

- i. be prepared in accordance with terms of reference approved by the Town;
- ii. provide a comprehensive development scheme for the entirety of the block in which the subject lands are located;
- iii. demonstrate how the proposed development shall not preclude development on adjacent properties in accordance with the policies of this Plan;
- iv. outline how development may be phased and coordinated between the subject lands and adjacent properties, including properties across any public streets from the subject lands;
- v. identify the specific location and boundaries of land uses and designations;
- vi. identify the density and distribution of built form, building heights, mixture of uses, and housing types including affordable housing;
- vii. identify the detailed street pattern including *active transportation*, transit facilities, streetscape/public realm enhancements, and on street parking;
- viii. identify the size and location of parks and open spaces;
- ix. identify the size and location of public service facilities and educational facilities; and
- x. identify the size, location, and general configuration of stormwater management facilities.

Transportation Demand Management

Section 28.19 of the Official Plan is proposed to be modified by adding the following new policies:

28.19.3

(j) **Transportation Demand Management**

- i. Transportation Demand Management (TDM) Options Report that demonstrates how the proposed development shall promote a shift to more sustainable travel modes and support transit initiatives. A TDM Options Report and its implementation may include, but is not limited to the following:
 - Secure bicycle parking, including publicly accessible bicycle parking rooms;
 - Cycling infrastructure and end-of-trip infrastructure, such as bike repair station/stand and shower and change room facilities, located in an accessible location;
 - Micromobility options including scooter share, bike share and electric scooter/bike charging stations;

- Dedicated cycling routes internal to the site to and from key destinations;
 - New or improved connections to the existing or planned Town cycling network;
 - Pedestrian supportive features such soft landscaping, shade trees, street furniture such as benches, and marked safety crossings;
 - Cyclist amenities such as bike racks, bike lockers, and showering facilities;
 - Continuous pedestrian linkages;
 - Functional building entrances oriented to locations where pedestrians, cyclists, and transit users arrive;
 - Weather protection, such as protective awnings or wind screening, along street frontages adjacent to transit stops;
 - Subsidized transit passes or pre-loaded transit cards for residents, students and/or employees;
 - Real-time technology that displays transit route and time information and technology that supports other modes of sustainable transportation;
 - Publicly accessible car-share or ride-share services, pick-up drop-off areas, and parking spots;
 - Preferential carpool parking;
 - Paid parking for non-residential uses;
 - Shuttle services;
 - Varying hours of work to reduce peak-hour loads;
 - Shared parking agreements; and,
 - Other sustainable transportation measures that may be identified.
- ii. The development of site-specific Transportation Demand Management (TDM) strategies shall consider relevant Town Parking Strategy(ies), ~~Halton Region's Mobility Management Strategy~~, other relevant strategies that the Town and/or Region are a party to, and relevant by-laws that may authorize, permit or preclude proposed strategies.

Glossary

Section 29.5 Glossary of the Official Plan is modified by inserting the following new terms and definitions in alphabetical order:

Flood fringe

for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway (PPS, 2024)

Floodway

for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire contiguous flood plain. Where the *two-zone* concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two-zone* concept applies, the outer portion of the flood plain is called the flood fringe. (PPS 2024)

Spill

means where flood waters leave the valley and flood plain of a watercourse and “spill” into surrounding lands, either rejoining the watercourse at a distance downstream, flowing into an adjacent watershed, or remaining within the spill area (if there is no outlet). Spills typically flow in multiple directions, often in

complex patterns, and generally do not follow the watercourse. (~~Conservation Halton, draft definition provided in draft spill flood hazard policies, CHB 05-24-05 Attachment 1~~)

Spill flood hazard

means a spill or portion of a spill that could be unsafe for development activity. (~~Conservation Halton, draft definition provided in draft spill flood hazard policies, CHB 05-24-05 Attachment 1~~)

Two-zone concept

means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*. (PPS-2024)

Universally Accessible

means the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability. (~~Accessibility for Ontarians with Disabilities Act Toolkit, University of Waterloo~~)

Gross Density

means the product of total proposed building floor area (excluding sub-surface and mechanical areas) divided by land area of a site (excluding lands where development is prohibited) and prior to lands being dedicated for public use, and as may be further defined in the implementing by-law.

Gross leasable floor area

means the total floor area occupied by a commercial, retail or office facility for its exclusive use (excluding ~~public or common areas~~ or areas devoted to storage or refuse collection) and as may be further defined in the implementing by-law.

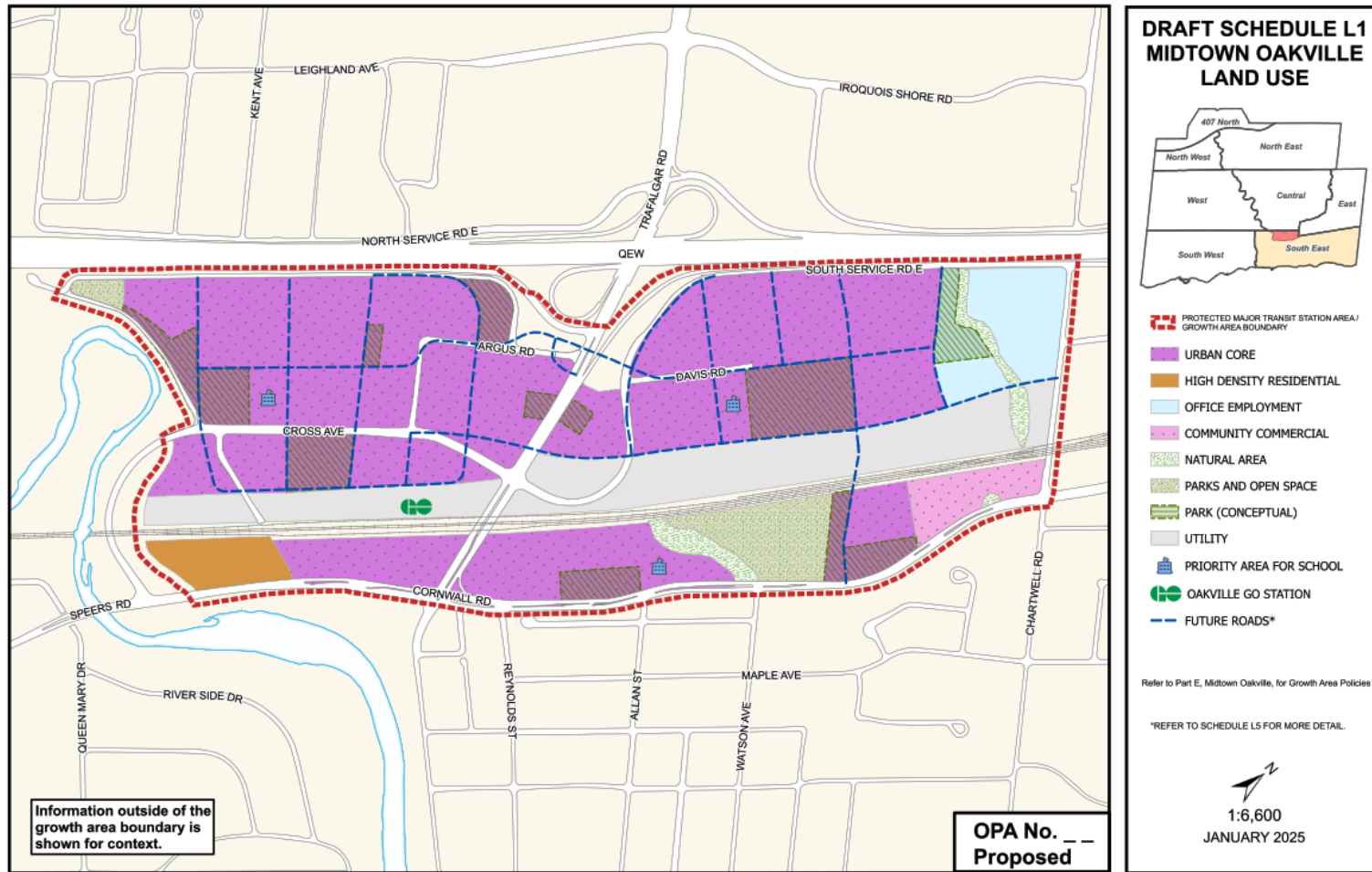
Section 29.5 Glossary of the Official Plan is modified by inserting “and including *educational facilities*” to the definition of *Public Service Facility*, as shown below in underlined text.

Public service facilities means lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services, and including educational facilities. Public service facilities do not include infrastructure

SCHEDULES, FIGURES AND APPENDIX

<p>Schedule A1 Urban Structure is amended by modifying the Midtown Boundary in accordance with the boundary depicted on Schedule L1 attached hereto to this amendment.</p>
<p>Schedule B Natural Features & Hazard Lands is modified to identify natural features and hazard lands in accordance with those identified in Schedule L1 attached hereto and shown as lands designated Natural Heritage</p>
<p>Schedule C Transportation Plan future roads and transit system are updated in accordance with Schedule L5 attached hereto.</p>
<p>Schedule D Active Transportation Plan proposed cycling facilities are updated in accordance with Schedule L6 attached hereto.</p>
<p>Schedule G South East Land Use is amended by modifying the boundary of the Growth Area associated with Midtown in accordance with the boundary identified on Schedule L1 attached hereto.</p>
<p>Schedules L1 Midtown Oakville Land Use, L2 Midtown Oakville Building Heights, and L3 Midtown Oakville Transportation Network are deleted and replaced with the following new Schedules</p> <ul style="list-style-type: none">L1 – Land Use,L2 - Minimum Density,L3 – Maximum Density,L4 – Building Height Thresholds,L5 – Transportation Network, andL6 - Active Transportation

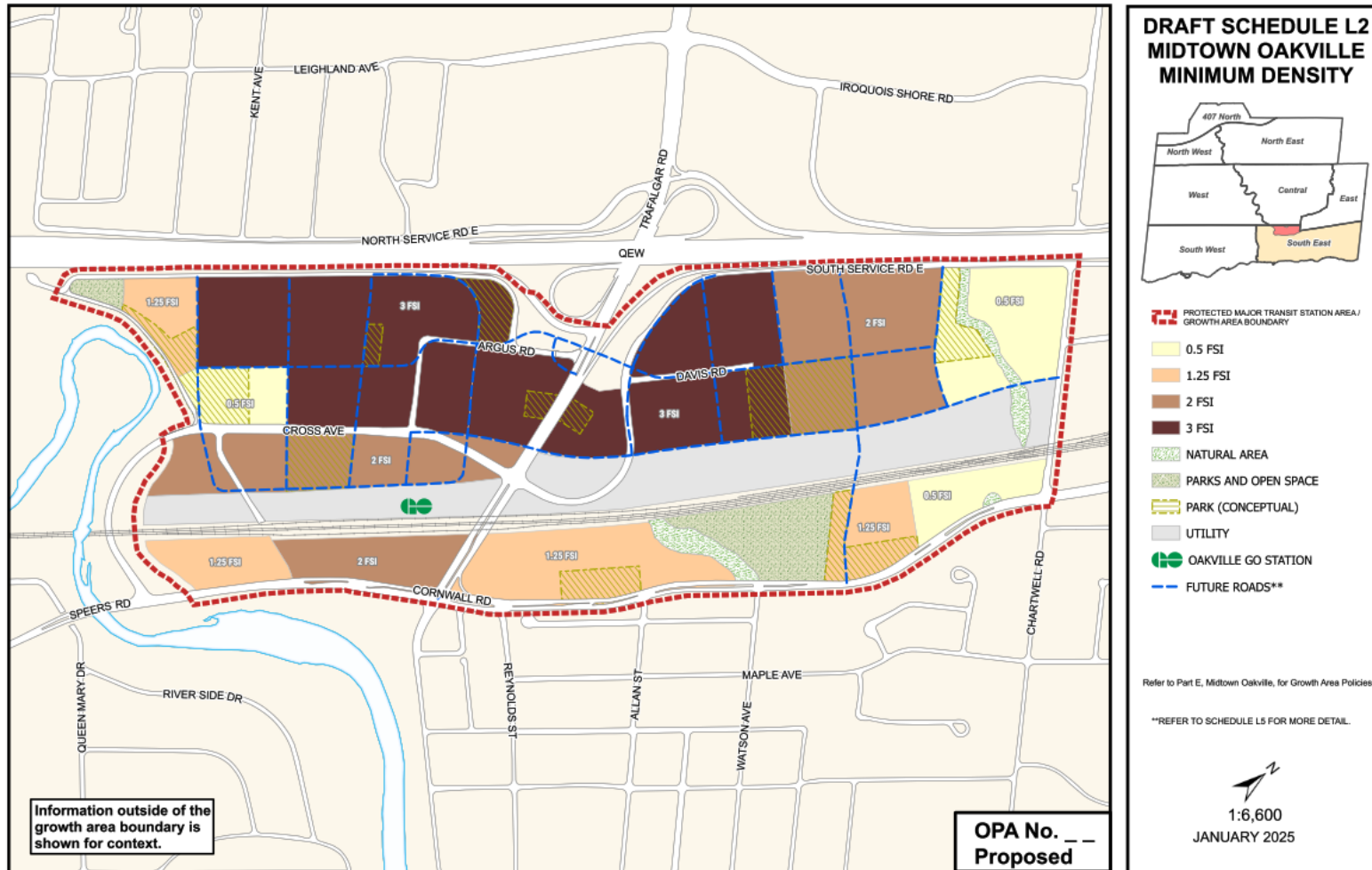
Schedule L1 Land Use¹



¹ The following is a description of changes that have been made to September 2024 Draft Schedule:

- The Urban Core designation is removed from MTO lands that abut the QEW Highway.
- Precinct boundaries are removed. (They are now shown in Figure 1.)
- A third priority school site is provided on lands east of Trafalgar Road and south of the railway corridor.

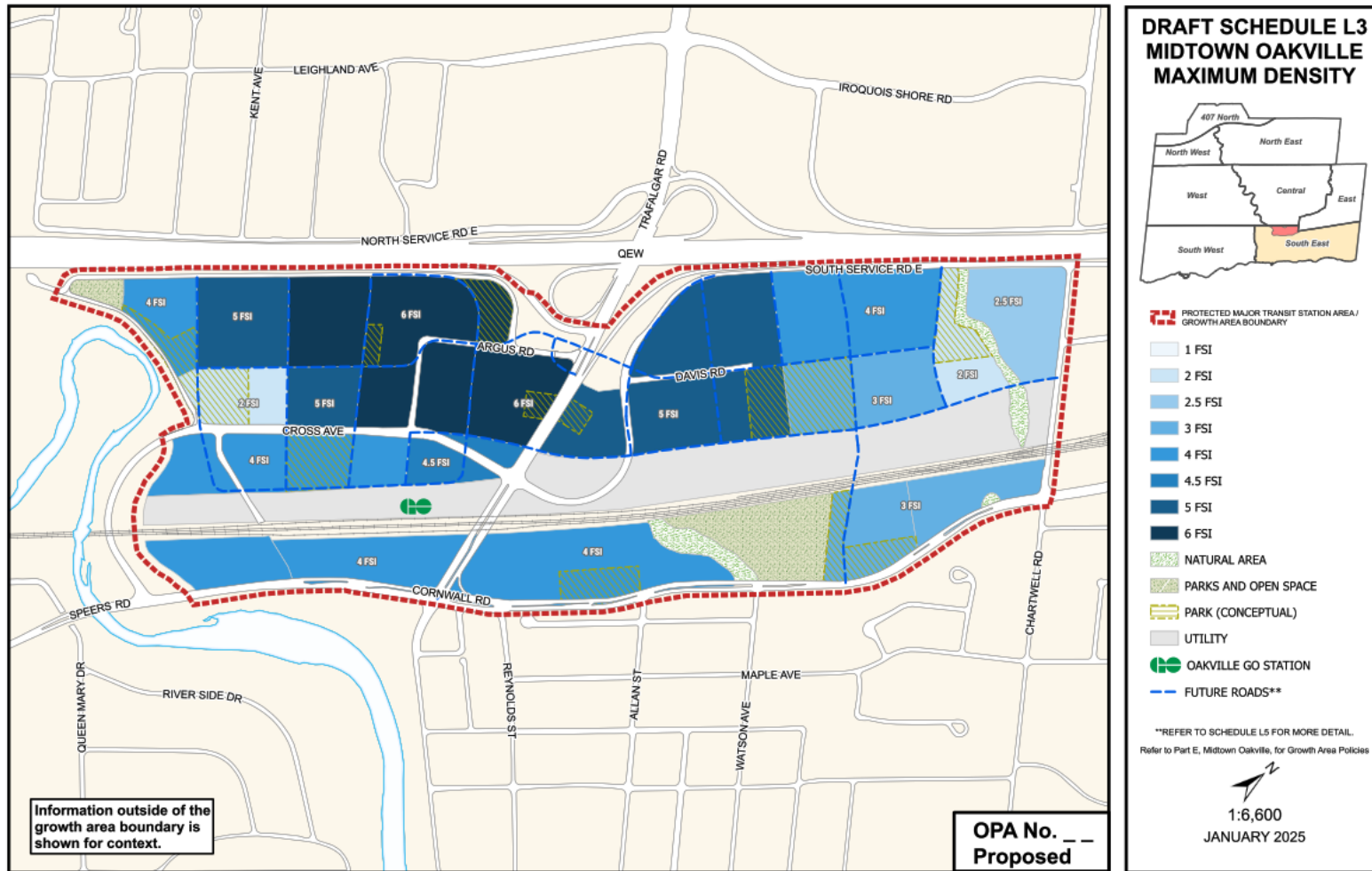
Schedule L2 Minimum Density²



² The following is a description of changes that have been made to September 2024 Draft Schedule:

- Density allocations are removed from MTO lands that abut the QEW Highway.

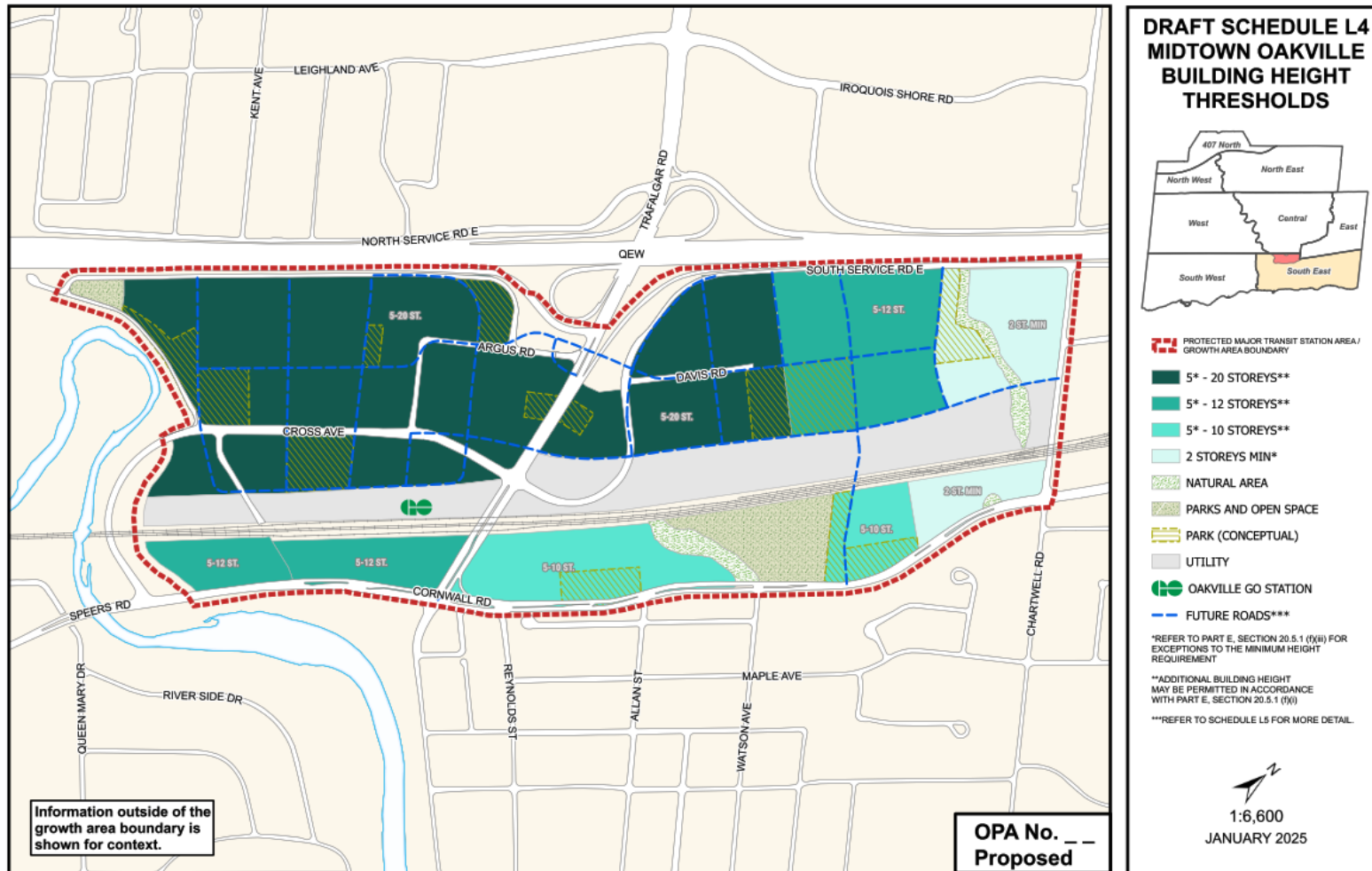
Schedule L3 Maximum Density³



³ The following is a description of changes that have been made to September 2024 Draft Schedule:

- Density allocations are removed from MTO lands that abut the QEW Highway.

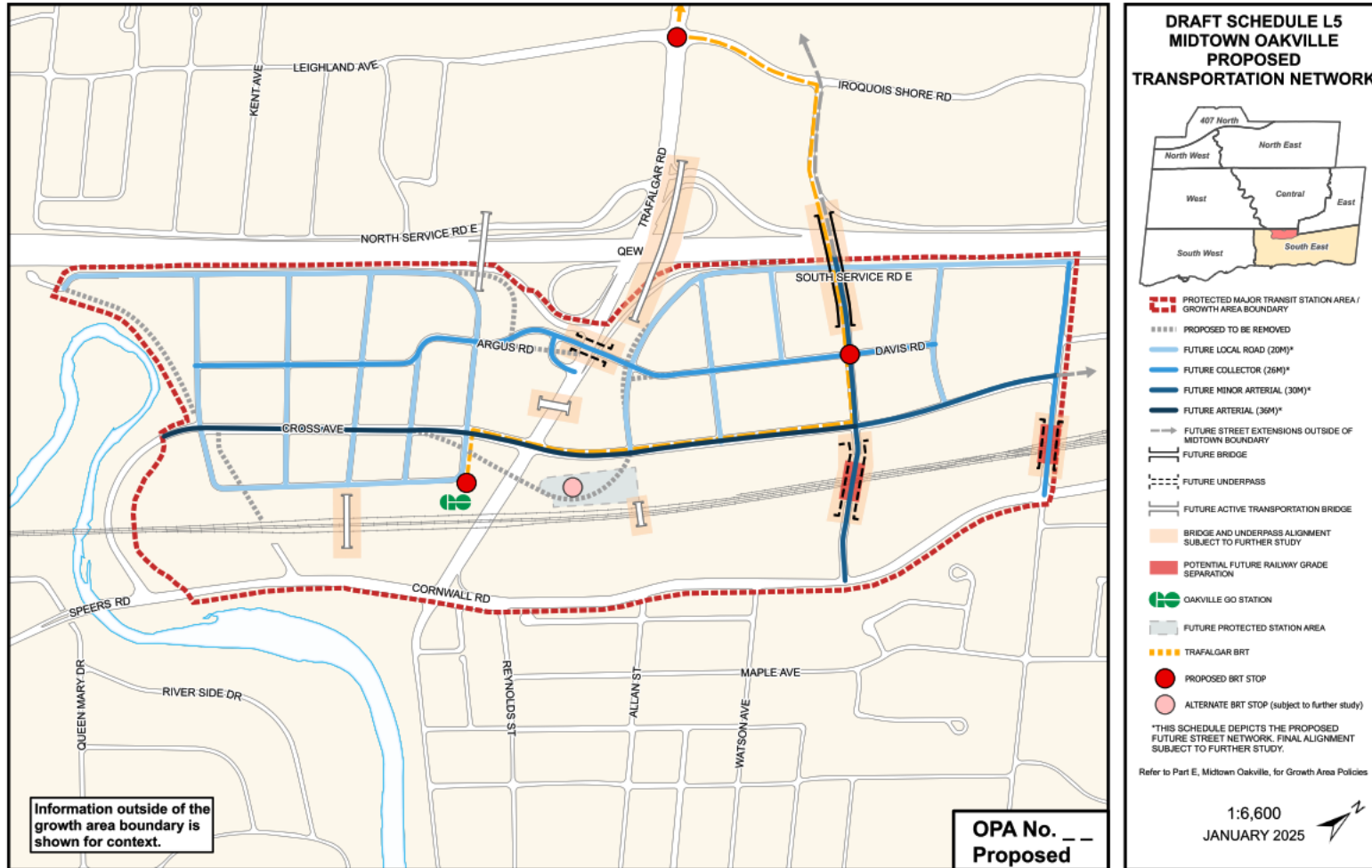
Schedule L4 Building Height Thresholds⁴



⁴ The following is a description of changes that have been made to September 2024 Draft Schedule:

- Height allocations are removed from MTO lands that abut the QEW Highway.
- The following text is added to the legend: “Refer to Part E Midtown Oakville for Growth Area Policies.”

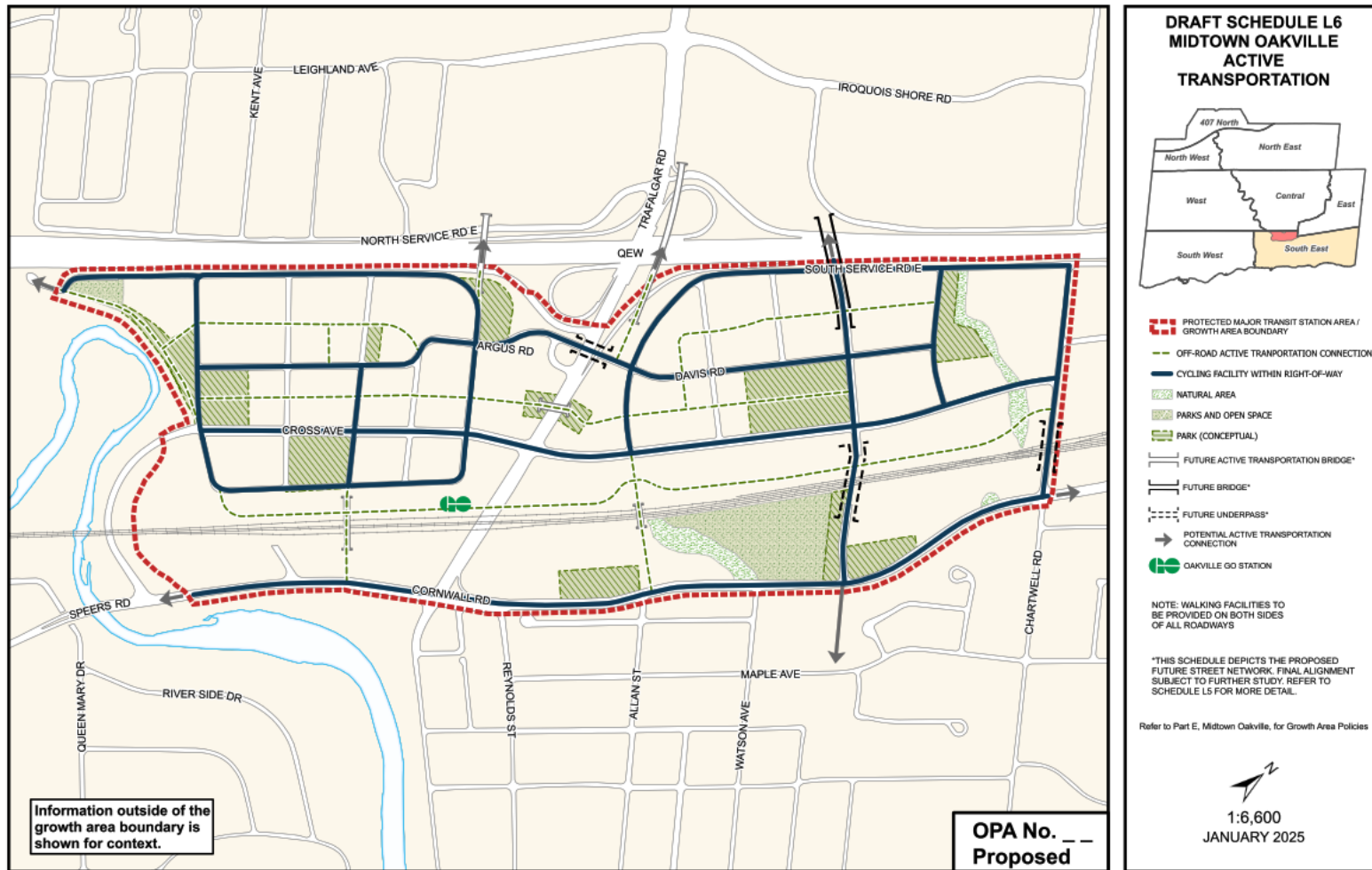
Schedule L5 Transportation Network⁵



⁵ The following is a description of changes that have been made to September 2024 Draft Schedule:

- The following text is added to the legend: “Refer to Part E Midtown Oakville for Growth Area Policies.”

Schedule L6 Active Transportation⁶

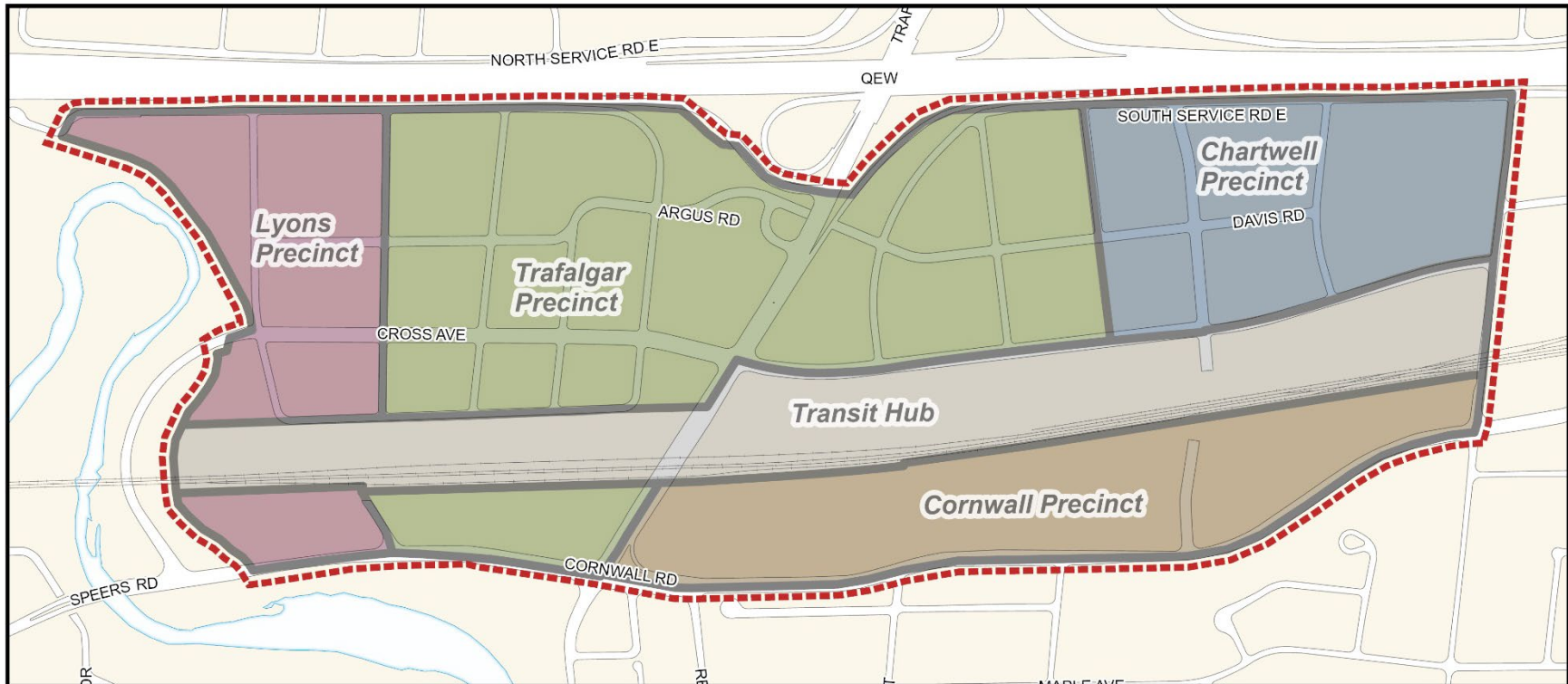


⁶ The following is a description of changes that have been made to September 2024 Draft Schedule:

- The following text is added to the legend: “Refer to Part E Midtown Oakville for Growth Area Policies.”
- An active transportation connection to the existing multi-use trail south of Cornwall Road, beside and across from Cornwall Park, is identified.

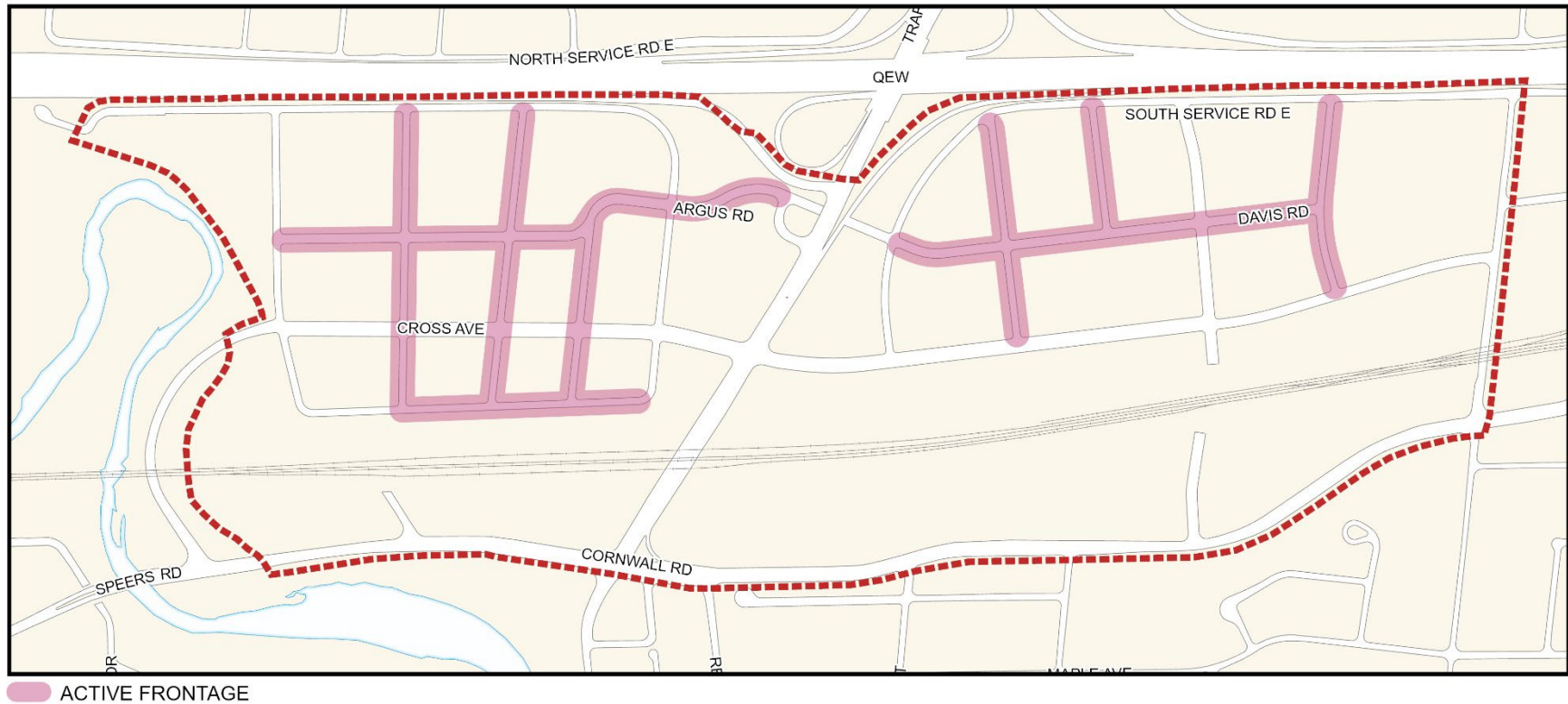
Figure 1 Precinct Areas

Figure E1 Precinct Areas is added to Section 20 Midtown Oakville.



· Figure E42 Active Frontages⁷

Figure E42 Active Frontages is added to Section 20 Midtown Oakville.

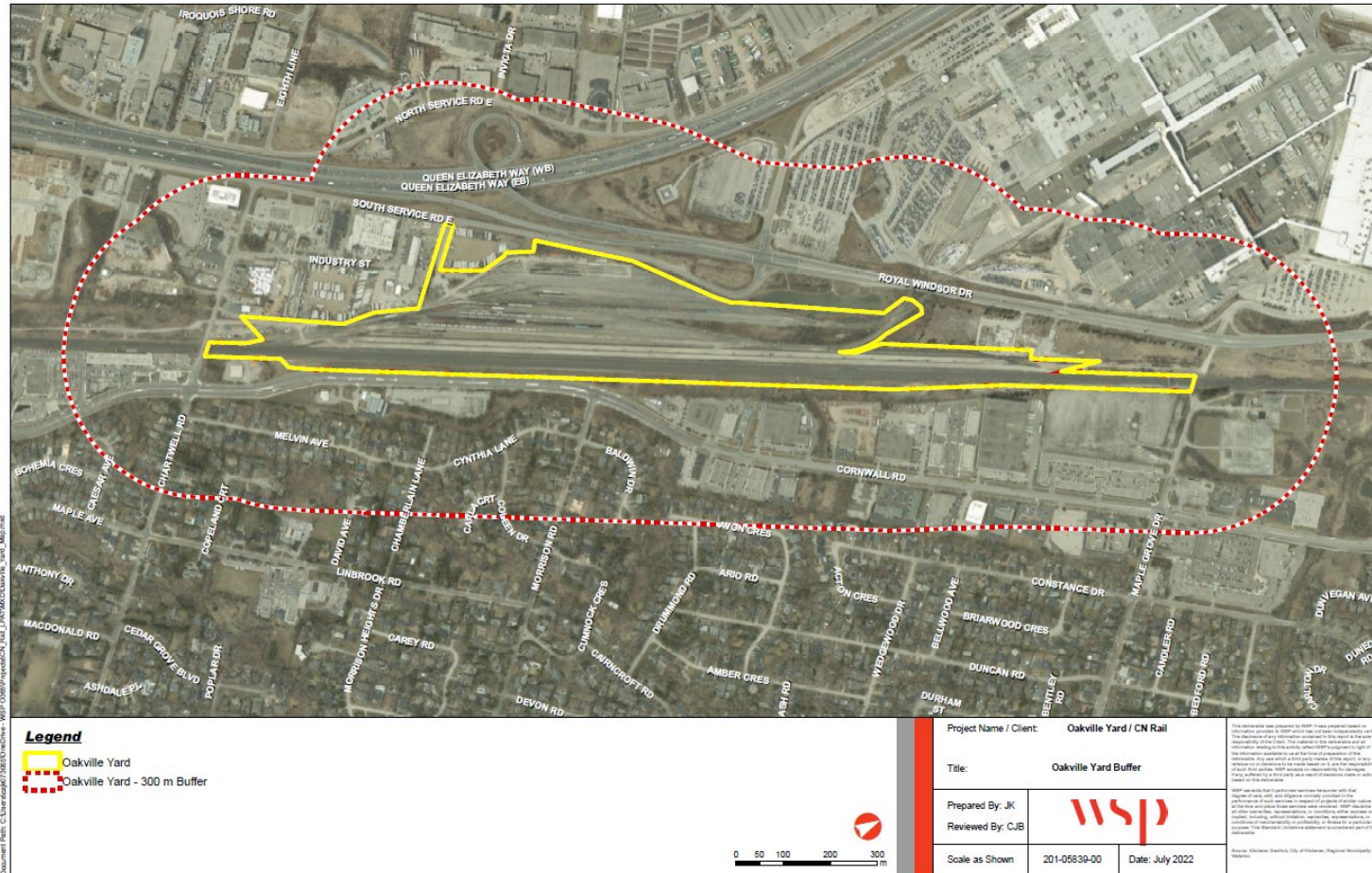


⁷ The following is a description of changes that have been made to September 2024 Draft Figure:

- Another Active Frontage along the east-west local road north of the Oakville GO/VIA station is added to the figure.

Appendix: Rail Facilities and Influence Area

Note to reader: Appendices of the Official Plan are provided for information and do not require an OPA to add, modify or delete from the Plan. This map is provided in the OPA for information. A version of this map will be added to the Livable Oakville Plan, as Appendix 5, using the standard Appendix format.



Appendix: Conservation Authority Regulated Area (new)

Note to reader: Appendices of the Official Plan are provided for information and do not require an OPA to add, modify or delete from the Plan. A map of Oakville depicting the most recent version of conservation authority regulated areas will be added to the Livable Oakville Plan, as Appendix 6, using the standard Appendix format.