

APPENDIX D: Official Plan and Zoning Extracts

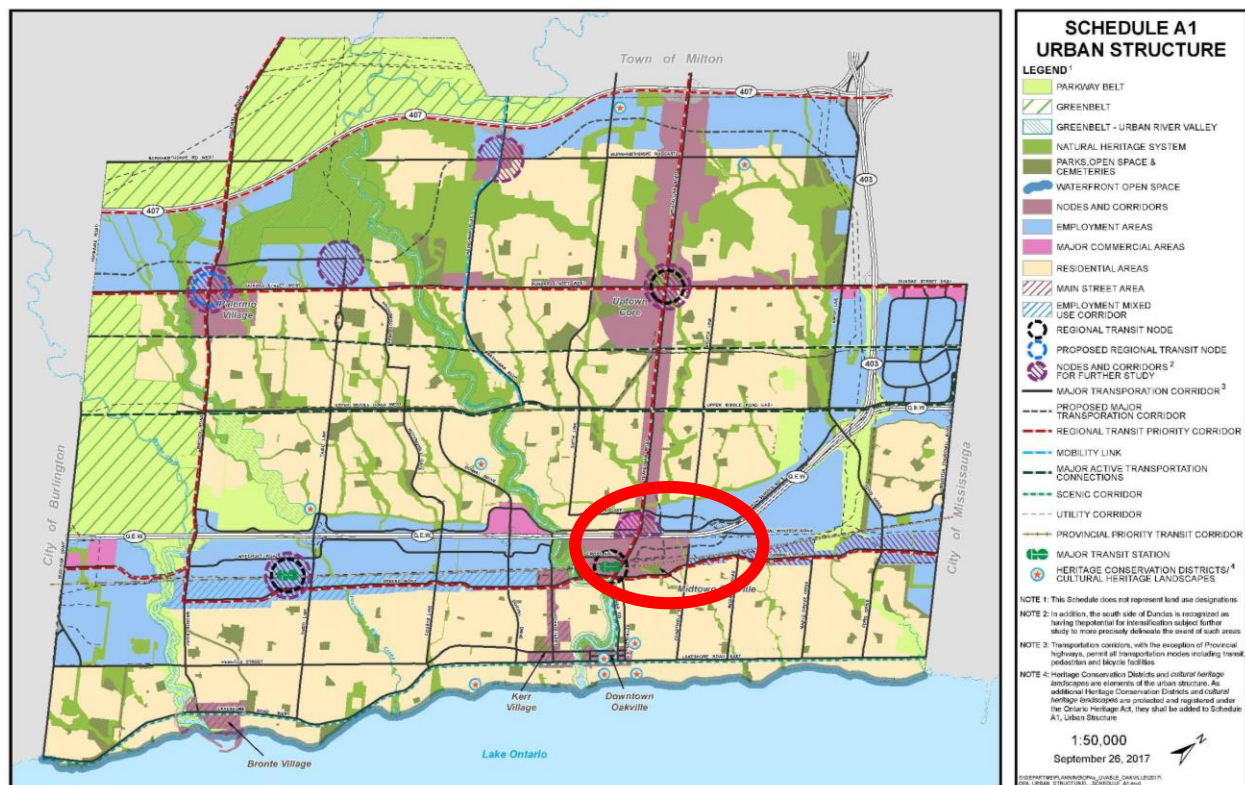
Livable Oakville

Part B: Mission Statement and Guiding Principles

Section 2.2.1 b) reinforce the Town's Urban Structure:

"b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated."

The subject lands are identified on *Schedule A1 – Urban Structure* and within a *Regional Transit Node*. Transit Nodes are located at key locations to integrate with the town-wide transportation system and to provide a focus for transit supportive development.



Part C: Making Oakville Livable (General Policies)

Preserving and Creating a Livable Town

3. URBAN STRUCTURE

The urban structure sets out the framework for where and how the Town will grow and how to determine Oakville's *character* and form. Urban structure elements are not intended to be land use designations, and are not intended to grant *development* rights or to predetermine the specific land uses that will be permitted on any particular parcel of land. ... The urban structure consists of a number of distinct and interconnected elements shown on Schedule A1, Urban Structure.

3.2 Employment Areas

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

3.7 Nodes and Corridors

Nodes and Corridors are key areas of the Town identified as the focus for mixed use *development* and intensification.

Nodes and Corridors shown on Schedule A1 – Urban Structure are referred to in this in this Plan as Growth Areas and corridors and include Midtown Oakville, Uptown Core, Palermo Village, Hospital District, Kerr Village, Bronte Village, Downtown Oakville, Trafalgar Road Corridor (QEW to Dundas Street) and the corridors along Dundas Street and Speers Road. This Plan also identifies Nodes and Corridors through the defined terms *intensification areas* and *intensification corridors*. ...

The Nodes and Corridors identified in this Plan and in the North Oakville East Secondary Plan comprise the Town's *strategic growth areas* as that term is defined in the Growth Plan.

Midtown Oakville is identified as an *Urban Growth Centre* in the *Growth Plan* and is planned to accommodate a significant portion of Oakville and Halton's required intensification. ...

4. MANAGING GROWTH AND CHANGE

4.1 Growth Areas

The majority of *intensification* in the Town is to occur within the Growth Areas as defined in Part E.

Midtown Oakville, Bronte GO *major transit station area*, the Uptown Core and Palermo Village are primary Growth Areas, which will accommodate the highest level of *intensification* and the Hospital District is a Growth Area within a *greenfield area*. They are intended to be developed as mixed use centres with *transit-supportive development* focused around *major transit station areas* and along corridors. These areas have been the subject of detailed, comprehensive land use studies or secondary planning exercises which have resulted in objectives and policies to provide for *intensification* opportunities.

4.2 Urban Growth Centre

In addition to being a Growth Area, Midtown Oakville is an *urban growth centre* identified by the *Growth Plan for the Greater Golden Horseshoe, 2006* (the *Growth Plan*). The greatest levels of height and density in the Town are planned for Midtown Oakville. It is to be a primary *intensification area* with employment, commercial and residential uses concentrated within the *major transit station area*.

Midtown Oakville is planned to achieve a minimum gross density of 200 jobs and residents combined per hectare by 2031, in accordance with the *Growth Plan*. Reductions in minimum heights or densities within Midtown Oakville will not be permitted.

5.3 Heritage Conservation

5.3.7 The Town may impose, as a condition of any *development* approvals, the implementation of appropriate measures to ensure the conservation of any affected *cultural heritage resources*, and where appropriate, their integration into new *development*.

5.5 Retention of Heritage Resources On-site or Relocation

5.5.1 All options for on-site retention of buildings and structures of cultural heritage significance shall be exhausted before resorting to relocation. Relocation of *built heritage resources* shall only be considered through a Cultural Heritage Impact Assessment that addresses retention and relocation.

6.6 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.

The Town is committed to achieving a high standard of urban design and architectural quality to provide an innovative and diverse urban form that promotes a sustainable, dynamic and livable environment.

Part D: Land Use Designations and Policies

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*.

12.5 Urban Core

The Urban Core designation is envisioned to have a strong urban focus and incorporate retail and service commercial, *major office*, office and residential uses. *Development* should be oriented to the street and shall contribute to a high quality pedestrian-oriented and *transit-supportive* environment. Midtown Oakville, Bronte GO *major transit station area*, the Uptown Core, and Hospital District are the primary locations for this designation.

12.5.1 Permitted Uses

- a) A wide range of retail and service commercial uses, including restaurants, commercial schools, *major office*, offices and residential uses may be permitted in the Urban Core designation. Retail and service commercial uses shall be provided on the ground floor of mixed use buildings that directly front a public street. These uses may also extend to other floors. Places of entertainment, indoor sports facilities and hotels may also be permitted. Office uses and ancillary residential uses may be provided on the ground floor and above the ground floor.
- b) The size and location of uses shall be determined through the *development* process and regulated by the implementing zoning.

12.5.2 Building Heights

- a) Buildings within the Urban Core designation shall be a minimum of eight storeys in height and a maximum of 12 storeys in height.
- b) Additional building height may be considered in accordance with the applicable bonusing policies in this Plan.

12.5.3 Parking

- a) Underground and/or structured parking shall be encouraged.
- b) Surface parking should not be permitted between buildings and the adjoining streets. However, consideration may be given to limited surface parking within these areas for the purpose of visitor or commercial parking.

Part E: Growth Areas, Special Policy Areas and Exceptions

Section 20 Midtown Oakville

Midtown Oakville is one of 25 areas identified as an “Urban Growth Centre” in the Province’s Growth Plan for the Greater Golden Horseshoe. Urban Growth Centres are to be transit-supportive regional focus areas that accommodate a significant portion of future population and employment growth in the Greater Golden Horseshoe. Midtown Oakville is an area identified for the highest intensification in the Town as an Urban Growth Centre.

20.3 Development Concept

Midtown Oakville is comprised of five *development* districts. Each district shall have a distinct *character* in terms of land use and built form in accordance with Schedules L1, L2 and L3 and the following policies.

20.3.4 Chartwell District

The Chartwell District shall be a business campus providing space for employment activities that do not typically locate in high-rise office buildings. A diverse range of employment opportunities, including high-tech industries and innovative business and office uses, will be provided for. A post-secondary educational use shall also be permitted in this area. The extension of Cross Avenue shall link this district to the rest of Midtown Oakville.

20.4 Functional Policies

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

20.4.1 Transportation

- a) Significant road, transit and active transportation infrastructure, to the Midtown Oakville as shown on Schedules C, D and L3, is needed to accommodate the growth the Town is required to achieve in Midtown Oakville. Many existing roads shall be realigned, widened, extended or replaced.
- b) The Town may secure rights-of-way on alignments as shown on Schedules C, D and L3 through the planning approval process. Final rights-of-way shall be consistent with the Midtown Oakville Class Environmental Assessment, 2014, and shall otherwise be determined through detailed transportation studies, environmental assessments where required, and the planning approval process.
- c) Subject to section 8.2.3, changes to the requirements, location or alignment of new transit services, roads and pedestrian and cycling facilities, as shown on Schedules C, D and L3, will not require an amendment to this Plan provided that the general intent and purpose of this Plan is maintained and *intensification* opportunities are not precluded.
- d) The rights-of-way of future roads shall be required to achieve the maximum widths identified on Schedule L3.
- e) *Development* shall not preclude the following as contemplated in this Plan:
 - i. the realignment and extension of Cross Avenue from Lyons Lane to Chartwell Road as a multi-purpose arterial road;
 - ii. a new multi-purpose arterial road – the North-South Crossing – across the QEW to link to the extension of Cross Avenue, east of Trafalgar Road, and Station Road;
 - iii. the future local road network as identified on Schedule L3;
 - iv. a grade separation of Chartwell Road at the railway; and,
 - v. grade separated pedestrian and cycling facilities, as shown on Schedule D, to be located across:
 - the QEW, east and west of Trafalgar Road; and,
 - the railway, east of Trafalgar Road.
- f) The extension of the rail platform to the east side of Trafalgar Road shall be encouraged to improve rail passenger access to and from the Lyons and Cornwall Districts. The Town will work with the Region and Metrolinx to study

- the associated impacts to traffic, and local and inter-regional transit operations, including parking.
- g) The design of existing and new roads in Midtown Oakville shall promote walking, cycling and transit use.
 - h) *Development* shall promote safe, convenient and attractive pedestrian access to transit stops or stations. Barriers, such as boundary fences, shall be discouraged.
 - i) The need for the future local road between South Service Road and the intersection of Cross Avenue and Lyons Lane, as identified on Schedule L3, shall be determined through the planning approval process.
 - j) Parking
 - i. Parking structures are preferred for the provision of required parking.
 - ii. Surface parking lots are discouraged. However, where surface parking is provided, it shall be in the side or rear yard and the visual impact shall be mitigated by a combination of setbacks and significant landscaping in accordance with the Livable by Design Manual and the Designing Midtown document.
 - iii. Reduced parking standards may be considered in the implementing zoning.
 - iv. Individual driveway access to Trafalgar Road shall not be permitted.
 - v. Shared driveways and parking facilities shall be encouraged.
 - vi. Access to parking, service and loading areas should be from local roads or service lanes, and to the side or rear of buildings.
 - vii. Implementation of the Midtown Oakville Parking Strategy shall be undertaken.

20.4.2 Urban Design

- a) In addition to the urban design policies of this Plan, *development* and the public realm shall address the urban design direction provided in the Livable by Design Manual and the Designing Midtown Oakville document.
- b) Midtown Oakville shall be designed as a regional destination and an urban centre with a focus on creating a safe and attractive public realm that

- encourages walking, cycling and transit use. New development shall support this objective through its form, scale and detail.
- c) A network of public spaces, or varying sizes and activity, should be planned for Midtown Oakville to support residents and employees throughout.
 - d) *Development* shall promote safe, convenient and attractive pedestrian access to transit stops or stations. Barriers, such as boundary fences, shall be discouraged.
 - e) It is intended that some of the Town's tallest buildings locate in Midtown Oakville. These buildings shall be designed to the highest architectural quality and detail to create landmark buildings and contribute to a distinct skyline.
 - f) Building Heights
 - i. Minimum and maximum building heights shall be permitted in accordance with Schedule L2 and the policies of this Plan.
 - ii. Additional building height may be considered in accordance with the applicable bonusing policies in this Plan.
 - iii. Minor reductions to the minimum building heights required by Schedule L2 may be considered as part of comprehensive redevelopment applications to allow flexibility in building and site design. Such consideration shall only be given where it can be demonstrated that the policies of sections 20.2 and 20.3 of the Plan are met and the planned *intensification* for the site(s) can be achieved.

20.4.3 Stormwater Management

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 Midtown Oakville Class Environmental Assessment, 2014.

20.4.5 Land Use Policies

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 specifically to Midtown Oakville.

- 20.5.5 On lands designated Urban Core or Urban Centre, a creative centre to provide studio, office, exhibition, performance and retail space for the cultural community may also be permitted.

20.7 Implementation Policies

In addition to the policies in Part F of this Plan, the following implementation policies apply specifically to Midtown Oakville.

20.7.1 Phasing/Transition

- a) *Development* will likely occur gradually over the long-term and be coordinated with the provision of *infrastructure*, including:
 - i. transit (conventional and rapid transit);
 - ii. road network capacity;
 - iii. pedestrian and cycling facilities;
 - iv. water and waste water services;
 - v. stormwater management facilities;
 - vi. streetscape improvements; and,
 - vii. *utilities*.
- b) Initial phases of *development* shall not preclude the achievement of a compact, pedestrian-oriented and *transit-supportive* urban form, or the transportation network on Schedule L3.
- c) The uses and buildings that legally existed 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.
- d) The redevelopment of existing low-rise commercial centres and uses may occur gradually in a phased manner. Notwithstanding the minimum heights shown on Schedule L2, building additions, alterations and/or replacements may be permitted, where they can be demonstrated not to preclude the long-term redevelopment of the property as set out in this Plan.

20.7.3 Programs and Initiatives

a) Implementation Strategy

The Town shall develop, in conjunction with the Region, the Province and Metrolinx, an implementation strategy for Midtown Oakville including, but not limited to:

- i. community improvement programs, through a community improvement plan, to address redevelopment incentives, which may include brownfield site remediation, property acquisition and rehabilitation, and streetscape improvements;
- ii. parking demand management and a municipal parking strategy to implement the Midtown Oakville Parking Strategy;
- iii. reconstruction of the rail platform in coordination with Metrolinx;
- iv. transportation and transit initiatives;
- v. sustainability initiatives and environmental standards;
- vi. the acquisition and disposition of public lands; and,
- vii. partnerships, programs and incentives.

Zoning By-law 2014-014

Part 7

Midtown Oakville 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.

7.1 List of Applicable Zones

Midtown Transitional Commercial MTC
 Midtown Transitional Employment MTE

7.2 Permitted Uses

Uses permitted in the Midtown Oakville 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 7.2, below.

	MTC	MTE
Legal uses of land, buildings, and structures existing on the lot as of the effective date of this By-law	✓	✓
Retail Uses		
Outside display and sales area	✓	✓
Retail propane and transfer facility	✓ (1)(2)	
Retail store	✓	✓ (3)
Service Commercial Uses		
Adult entertainment establishment		✓
Commercial school	✓	
Dry cleaning/laundry	✓	
Financial institution	✓	✓ (3)
Food production	✓	✓ (3)
Pet care establishment	✓	
Place of entertainment	✓ (4)	
Restaurant	✓	✓ (3)
Service commercial establishment	✓	✓ (3)
Sports facility	✓	✓ (3)
Veterinary clinic	✓	
Office Uses		
Business office	✓	✓
Medical office		✓
Community Uses		
Day care	✓	✓ (3)
Emergency service facility	✓	✓

OMB Appeals

Part 7 in its entirety
 36 - General Electric Canada

Once Midtown Strategy projects are complete, staff anticipate an Official Plan Amendment will be required to update various schedules in the Livable Oakville Plan. Corresponding policy amendments may also be required to reflect changes recommended in the Parking Strategy and Mobility Hub Study work being undertaken in tandem with the Class Environmental Assessment.

In the interim, staff are recommending two transition zones – Midtown Transitional Commercial (MTC) and Midtown Transitional Employment (MTE) – apply that freeze building envelopes to those legally existing February 25, 2014. New buildings and structures would require a planning application, allowing Council to review a proposal and establish conformity with the Livable Oakville Plan (in particular, the acquisition of future roads required in Midtown Oakville). A limited range of additional uses are permitted that conform to the uses permitted in the Livable Oakville Plan to allow for the continued use of existing buildings should vacancies emerge.

Staff anticipate Midtown Strategy work to be complete later in 2015. Implementing zoning for Midtown Oakville would be introduced through a separate process, including a dedicated statutory public meeting for the Official Plan and Zoning By-law Amendments.

Midtown Oakville Zones

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Table 7.2: Permitted Uses in the Midtown Oakville Zones		
	MTC	MTE
Open Space Uses		
<i>Conservation use</i>	✓	✓
<i>Park, public</i>	✓	✓
<i>Stormwater management facility</i>	✓	✓
Employment Uses		
<i>Training facility</i>		✓
Hospitality Uses		
<i>Hotel</i>		✓
<i>Public hall</i>	✓ (1)	✓
Community Uses		
<i>Art gallery</i>	✓	
<i>Community centre</i>	✓	✓
<i>Day care</i>	✓	✓
<i>Emergency service facility</i>	✓	✓
<i>Library</i>	✓	
<i>School, private</i>	✓	
Community Uses		
<i>Conservation use</i>	✓	✓
<i>Park, public</i>	✓	✓
<i>Stormwater management facility</i>	✓	✓

Additional Regulations for Permitted Uses Table 7.2

1. Not permitted on a *lot* abutting a residential *zone*.
2. Only permitted for the sale of propane to the general public for automotive and recreational purposes.
3. Permitted only within the same *building* or part thereof *used* by any other *use* not subject to this footnote.
A maximum of 20% of the *net floor area* of the *building* shall be cumulatively occupied by all *uses* subject to this footnote.
4. Permitted only as an *accessory use*.