

**THE CORPORATION OF THE TOWN OF OAKVILLE*****DRAFT* 2018-01-25****BY-LAW NUMBER 2018-___**

Official Plan Amendment __

A by-law to adopt an amendment to the North Oakville East Secondary Plan forming part of the Official Plan of the Oakville Planning Area (File No. 41.15.56)

WHEREAS the North Oakville East Secondary Plan, approved by the Ontario Municipal Board on January 11, 2008, forms part of the Official Plan of the Oakville Planning Area applicable to lands not covered by the Livable Oakville Plan;

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

WHEREAS it is deemed necessary to pass an amendment to the Official Plan of the Oakville Planning Area to implement the policy directions focused on areas of concern to be addressed in the short-term through the North Oakville Secondary Plans Review.

COUNCIL ENACTS AS FOLLOWS:

1. The attached Amendment Number __ to the Official Plan of the Oakville Planning Area, Official Plan Amendment 272 (North Oakville East Secondary Plan) is hereby adopted.
2. Pursuant to subsection 17(27) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this Official Plan Amendment comes into effect upon the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to subsections 17(24) and (25). Where one or more appeals have been filed under subsection 17(24) and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Municipal Board.

3. In the event that the Regional Municipality of Halton, being the Approval Authority, declares this Official Plan Amendment to be not exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number __ to the North Oakville East Secondary Plan forming part of the Official Plan of the Oakville Planning Area.

PASSED this __ day of _____, 2018

MAYOR

CLERK

DRAFT

**Official Plan Amendment Number ____
to the North Oakville East Secondary Plan**
forming part of the Official Plan of the Oakville Planning Area
of the Town of Oakville

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number ____ to the North Oakville East Secondary Plan forming part of the Official Plan of the Oakville Planning Area.

Part 1 – Preamble

1. Purpose

The purpose of the proposed official plan amendment is to modify the text of the North Oakville East Secondary Plan to implement the policy directions focused on areas of concern to be addressed in the short-term through the North Oakville Secondary Plans Review.

The effect of the proposed amendment includes changes to:

- Update the Stormwater Management Facility use permissions to provide greater direction on locations within the Urban Core Areas
- Update the Trafalgar Urban Core purpose policy to reference the town's Urban Structure
- Update the Trafalgar Urban Core land use policies to reflect transit supportive minimum densities, introduce location specific minimum heights and location specific medium density policies
- Clarify the provision of bonusing in the Trafalgar Urban Core Area and Dundas Urban Core Area
- Update the Neighbourhood Centre Area policies to enhance clarity, require limited commercial or mixed use at neighbourhood activity nodes, and increase the maximum height

- Update the Medium Density Residential Development and High Density Residential Development definitions

The proposed official plan amendment will result in revisions to the following parts of the North Oakville East Secondary Plan:

- Section 7.6.2.2.a) Stormwater Management Facility;
- Section 7.6.4 Trafalgar Urban Core Area;
- Section 7.6.5 Dundas Urban Core Area;
- Section 7.6.7.1 Neighbourhood Centre Area; and,
- Section 7.10.13 Definitions.

2. Background

- The North Oakville East Secondary Plan (NOESP) was approved by the Ontario Municipal Board (OMB) in January 2008 and provides policy direction for growth and development to 2021.
- The NOESP predates the Growth Plan (2006) and was developed to have regard for the Provincial Policy Statement (1997).
- The NOESP relies on policies from the town's 2006 Oakville Official Plan and are not part of the Livable Oakville Plan.

3. Basis

- The Provincial Policy Statement (2014) which came into force and effect on April 30, 2014.
- The Growth Plan for the Greater Golden Horseshoe (2017) and the Greenbelt Plan (2017), both of which came into force and effect July 1, 2017.
- Section 26 of the *Planning Act*, as amended, requires municipalities to review their official plans no less frequently than 10 years after it comes into effect as a new official plan, and every five years thereafter, unless the plan has been replaced by another new official plan.
- On February 10, 2014, Planning and Development Council received a staff report entitled "*Long Range Planning Work Program*" which signaled the commencement of the five-year Official Plan Review. The report identified

that the policies guiding growth and change in North Oakville were to be reviewed.

- On May 11, 2015, Planning and Development Council hosted a Special Public Meeting and received a staff report titled “*Official Plan Review – Special Public Meeting*” launching the five-year Official Plan Review. The report identified that a review of the North Oakville East and West Secondary Plans was to be undertaken.
- On May 15, 2017, the Livable Oakville Council Sub-committee received the report entitled “*North Oakville Secondary Plans Review*” which outlined the purpose and scope of the study, the study process, emerging issues identified by staff, and preliminary directions resulting from the Official Plan Review and other land use planning initiatives.
- On November 6, 2017, the Livable Oakville Council Sub-committee received the report “*North Oakville Secondary Plans Review – Directions Report*” which confirmed areas of concern and identified draft policy directions to be addressed in the short-term and matters to be addressed in the long term.
- A Public Information Meeting was held on December 6, 2017 to solicit public input on the draft policy directions for the North Oakville Secondary Plans Review.
- The statutory public meeting on the proposed Official Plan Amendment is to be held on February 12, 2017.
- Notice of the statutory public meeting regarding the proposed Official Plan Amendment was circulated to the agencies and public bodies prescribed by the *Planning Act*, mailed to property owners within the North Oakville East Secondary Plan Area, and emailed to the Official Plan Review E-blast distribution list, on or before January 23, 2018 and was published in the local newspaper on January 25, 2018.
- The proposed amendment was available for public review in the Planning Services Department at Town Hall, 1225 Trafalgar Road, and on the town’s website (www.oakville.ca), on or before January 23, 2018, being at least 20 days before the statutory public meeting.

Part 2 – The Amendment

A. Text Changes

The amendment includes the changes to the text of the North Oakville East Secondary Plan listed in the following table. Text that is **bolded and underlined** is new text to be inserted into North Oakville East Secondary Plan. Text that is crossed out ("~~strikethrough~~") is to be deleted from the North Oakville East Secondary Plan.

Item No.	Section	Description of Change
1.	7.6.2.2 LAND USES GENERALLY PERMITTED Permitted in Most Land Use Designations	Revise and introduce new definitions as follows: a) Stormwater Management Facility Stormwater management facilities <i>i)</i> provided sites and development standards are consistent with the policies of this Secondary Plan and in accordance with directions established in the North Oakville Creeks Subwatershed Study. In addition, <i>ii)</i> notwithstanding the other policies of this section, stormwater management facilities may be permitted in the Core Preserve Area, Linkage Preserve Area, High Constraint Stream Area and Medium Constraint Stream Area designations in conformity with the policies of Section 7.4.7.3 c) of this Plan, <u>and,</u> <i>iii)</i> <u>shall not be permitted within 100m of a Major Arterial/Transit Corridor, Minor Arterial/Transit Corridor or Arterial/Transit Corridor within the Trafalgar Urban Core, Dundas Urban Core or Nevaqawa Urban Core.</u>
2.	7.6.4.1 TRAFALGAR URBAN CORE Purpose	Revise the policy as follows: <u>The Trafalgar Urban Core Area is identified in Section 3, Urban Structure and Schedule A1, Urban Structure of the Livable Oakville Plan as part of the Nodes and Corridors element. Nodes and Corridors are key areas identified as the focus for mixed use development and intensification and comprise the town's strategic growth areas, as defined in the Growth Plan, 2017.</u> The Trafalgar Urban Core Area designation on Figure NOE2 is designed to ultimately provide for the creation of a major Node - a dense, mixed use development concentration that is pedestrian and transit oriented. This area will link to and complement the Uptown Core to the south of Dundas Street.
3.	7.6.4.8 TRAFALGAR	Revise and introduce new policies as follows: b) The highest development densities will be focused along

Item No.	Section	Description of Change
	URBAN CORE Land Use Policies for All Core Areas 1-4	<p>Trafalgar Road, with building heights and densities generally scaling down east and west of Trafalgar Road. Development at the edge of the Urban Core will be designed as a transition to abutting residential neighbourhoods. A mix of uses shall be permitted in the Trafalgar Urban Core Area at the following <u>with a range of</u> heights and densities <u>to support transit</u>, with development being encouraged to exceed the minimum density to better support transit use where ever possible.</p> <p>c) <u>Minimum Density</u></p> <p><u>Development within 500m of Trafalgar Road shall achieve an overall minimum density target of 72 units per hectare or 160 residents and jobs combined per hectare.</u></p> <p>i) Minimum density— Floor Space Index (FSI) of 1 for those lands north of the mixed use area along existing Burnhamthorpe Road and those blocks fronting on Trafalgar Road and 0.75 for other lands within the designation, except as set out in subsection f). Notwithstanding these interim requirements, development in Urban Core Area 1 not fronting on the Trafalgar Corridor or existing Burnhamthorpe shall be subject to the density provisions of the employment area designation.</p> <p>In addition, to ensure an appropriate transition, the minimum density for areas along the eastern and western boundaries which abut residential neighbourhoods may be reduced to an FSI of 0.5;</p> <p>ii) Maximum density— FSI of 5;</p> <p>iii) Medium Density Residential Density— Notwithstanding the foregoing, where medium density residential uses are permitted such development shall have a minimum density of 25 units per net hectare and a maximum density of 75 units per net hectare. However, development at less than 30 units per net hectare will be limited, and will generally be located in areas adjacent to the east and west boundaries of the Trafalgar Urban Core Area;</p>

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		<p>d) <u>Building Heights</u></p> <p>i) <u>Development within 100m of the Trafalgar Road right-of-way shall be a minimum of 8 storeys;</u></p> <p>ii) <u>Development between 100m and 300m of the Trafalgar Road right-of-way shall be a minimum of 6 storeys;</u></p> <p>iii) <u>Development beyond 300m of the Trafalgar Road right-of-way shall be a minimum of 4 storeys;</u></p> <p>iv) <u>A mMinimum height— of 5 metres for a commercial and or industrial building may be permitted as part of a comprehensive development, including zoning; and primarily 3 storeys for other development, with the exception that</u></p> <p>v) <u>Notwithstanding Section 7.6.4.8.d.iii), the minimum height along the western and eastern boundaries which abut residential neighbourhoods may be 2 storeys; and,</u></p> <p>vi) <u>A mMaximum height— of 15 storeys shall be permitted, with the exception of lands at the intersection of Major Arterial/Transit Corridors and Avenue/Transit Corridors with Trafalgar Road where the maximum height shall be 20 storeys-; and,</u></p> <p>vii) <u>Increases beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.</u></p> <p>e) <u>Medium Density Residential Development</u></p> <p><u>Notwithstanding Section 7.6.4.5.d), 7.6.4.6.b), and 7.6.4.7.c), the following applies:</u></p> <p>i) <u>Medium Density Residential development shall not be permitted within 100m of the Trafalgar Road right-of-way;</u></p> <p>ii) <u>Medium Density Residential development may be</u></p>

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		<p><u>permitted in other areas of the Trafalgar Urban Core Area, provided that:</u></p> <p>a. <u>the transit supportive minimum density target is achieved,</u> b. <u>a complete community is achieved,</u> c. <u>a mix of uses is provided, and,</u> d. <u>a range and mix of housing form and unit sizes to accommodate a diverse range of household sizes and incomes is provided.</u></p> <p>iii) <u>Medium Density Residential development shall not exceed 30 percent of the total number of units in the area between 100m to 300m of the Trafalgar Road right-of-way.</u></p>
4.	7.6.5.3 DUNDAS URBAN CORE Land Use Policies	Reorder and introduce new policies as follows: b) <u>Increases of up to 4 storeys beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.</u> b) c)
5.	7.6.7.1 NEIGHBOURHOOD AREA Neighbourhood Centre Area	Revise and introduce new policies as follows: a) <u>Purpose</u> The Neighbourhood Centre Area land use category on Appendix 7.3 will generally be used for areas located central to each neighbourhood. It is intended to accommodate a range of medium density residential, development including <u>mixed use, live/work units</u> and limited commercial and civic uses focused at a central neighbourhood activity node to serve neighbourhood residents. b) <u>Permitted Uses, Buildings and Structures</u> <ul style="list-style-type: none"> The permitted uses shall be medium density residential uses, <u>mixed use</u> and small scale convenience retail, personal service, restaurants and business activity, as well as public and institutional uses including village squares. Business activity may include a range of small scale uses including offices, medical clinics, workshops for artisans and artists studios.

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		<ul style="list-style-type: none"> • Permitted uses shall be primarily located in live/work <u>mixed use</u> or medium density residential buildings. Both mixed use, single use buildings shall be permitted, and this may include convenience commercial buildings in accordance with the provisions in Subsection c) below. • <u>Notwithstanding the above, a minimum of one mixed use or single use convenience commercial building, in accordance with the provisions in Subsection c) below, is required within each neighbourhood activity node identified on Figure NOE 1.</u> <p>c) <u>Land Use Policies</u></p> <ul style="list-style-type: none"> • Mixed-use development will be focused at neighbourhood activity nodes, <u>identified on Figure NOE 1</u>, which will include a transit stop and other public facilities which serve the neighbourhood such as central mail boxes, or mail pickup facilities. In addition, convenience commercial facilities or similar uses will be encouraged to locate in these areas. • A mix of uses shall be permitted at the following heights and densities: <ul style="list-style-type: none"> ○ Minimum density - FSI of 0.5 for mixed use; ○ Maximum density - FSI of 2 for mixed use; ○ Minimum density - 35 units per net hectare for residential; ○ Maximum density - 150 units per net hectare for residential; ○ Minimum height - 2 storeys; and, ○ Maximum height - 5 <u>6</u> storeys.
6.	7.10.13 DEFINITIONS	<p>Revise and introduce new definitions as follows:</p> <p>l) Medium Density Residential Development, buildings or uses shall consist primarily of single detached dwellings on small lots, semi-detached, duplex and triplex dwellings, as</p>

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		<p>well—multiple attached dwelling units such as townhouses, back-to-back townhouses, block townhouses, stacked townhouses and apartments or similar types of dwellings, the majority with direct frontage and access to a public or private street.</p> <p>m) High Density Residential Development, buildings or uses shall consist of stacked townhouses, back-to-back townhouses and apartments or similar types of dwellings.</p> <p><u>o) Complete Communities are places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts (Growth Plan 2017)</u></p> <p><u>p) Regional Transit Priority Corridor means a thoroughfare identified in Halton Region’s Mobility Management Strategy that has or is planned to provide greater levels of transit service connecting people to existing and planned local and regional destinations including urban growth centres, mobility hubs, employment areas, major transit station areas and abutting municipal connections. Transit priority corridors provide a focus for transit-supportive development.</u></p> <p><u>q) Strategic Growth Areas means within settlement areas, nodes, corridors and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas (Growth Plan, 2017).</u></p>

Item No.	Section	Description of Change
		<p>r) <u>The auxiliary verbs “may”, “should” and “shall” are used throughout this Plan in the following context:</u></p> <p><u>i) “may” implies that the policy is permissive and not mandatory or obligatory;</u></p> <p><u>ii) “should” implies that the policy is directive and demands compliance unless proven otherwise on good planning grounds; and</u></p> <p><u>iii) “shall” implies that the policy is mandatory and requires full compliance.</u></p>

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