

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2018-074

Official Plan Amendment 321

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. 42.15.56)

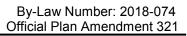
WHEREAS the North Oakville East Secondary Plan, approved by the Ontario Municipal Board on January 11, 2008, forms part of the Official Plan of the Oakville Planning Area applicable to lands not covered by the Livable Oakville Plan;

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 321 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and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of.
- 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 321 to the North Oakville





East Secondary Plan forming part of the Official Plan of the Oakville Planning Area.

PASSED this 11th day of June, 2018

MAYOR

CLERK



Official Plan Amendment Number 321 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 321 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 stormwater management pond locations within the Trafalgar Urban Core Area and Dundas Urban Core Area
- Update the Trafalgar Urban Core Area purpose policy to reinforce the town's Urban Structure
- Update the Trafalgar Urban Core Area land use policies to reflect transit supportive minimum densities and clarify location specific minimum heights and location specific townhouse provisions
- Update the Dundas Urban Core Area policies to reflect transit supportive minimum densities and clarify location specific townhouse provisions
- 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, increase the maximum height and require one mixed use or non-residential building at neighbourhood activity nodes
- Update the phasing policy to clarify the unphased development requirements
- Update the definition of Medium Density Residential Development
- Include new definitions for added clarity, including Complete Communities, Regional Transit Priority Corridor and Strategic Growth Areas from the Growth Plan, 2017

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;
- Section 7.9.2.c) Phasing; 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 was developed to have regard for the Provincial Policy Statement (1997) and predates the Growth Plan for the Greater Golden Horseshoe.
- The Provincial Policy Statement (2005) was followed by the Provincial Policy Statement (2014), which came into effect on April 30, 2014. The Planning Act requires that all land use planning matters "shall be consistent with" the Provincial Policy Statement.
- The 2017 Growth Plan for the Greater Golden Horseshoe (2017 Growth Plan) took effect on July 1, 2017. It is a long-term plan that works together



with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. All planning decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter are required to conform to the 2017 Growth Plan.

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, which came into force and effect on 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 first statutory public meeting on the proposed Official Plan Amendment was held on February 12, 2018.
- Notice of the first 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 26, 2018 and was published in the local newspaper on January 25, 2018.
- The proposed amendment for the first statutory public meeting 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.
- The second statutory public meeting and recommendation meeting on the proposed Official Plan Amendment are to be held on June 11, 2018. A second statutory public meeting was deemed necessary due to nature of the revisions to the proposed Official Plan Amendment from February 12, 2018 resulting from staff review and public comment.
- Notice of the second statutory public meeting and recommendation 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 May 21, 2018 and was published in the local newspaper on May 17, 2018.
- The proposed amendment for the second statutory public meeting and recommendation meeting 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), as of May 22, 2018, being at least 20 days before the second 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	Revise and inser	t new policies as follows and reformat the section accordingly:
	LAND USES GENERALLY PERMITTED Permitted in Most Land Use Designations		water Management Facility water management facilities Perovided that 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 and any approved Environmental Implementation Report and Functional Servicing Study. In addition,
		<u>ii)</u>	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>iii)</u>	Stormwater management ponds shall be discouraged within 100m of Trafalgar Road and Dundas Street.
		<u>iv)</u>	Notwithstanding Section 7.6.2.2.a.iii), stormwater management ponds may be permitted within 100m of Trafalgar Road and Dundas Street, where it is demonstrated that the frontage has been minimized to the greatest extent feasible.
		<u>v)</u>	Where a pond has been minimized in accordance with Section 7.6.2.2.a.iv), increased height to a maximum of 4 additional storeys, exclusive of bonusing, may be considered on adjacent lands.



Item No.	Section	Description of Change	
		vi) Notwithstanding Section 7.6.2.2.iii) and iv), stormwater management ponds may be permitted within 100m of Dundas Street where Environmental Implementation Reports and Functional Servicing Studies have been sufficiently advanced and where demonstrated that all other policies of this plan have been met.	
2.	7.6.4.1	Revise the policy as follows:	
	TRAFALGAR URBAN CORE Purpose	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.	
		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 insert new policies as follows, and reformat the section accordingly:	
	URBAN CORE Land Use Policies for All Core Areas 1-4	b) The highest development densities will be focused along 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 a butting residential neighbourhoods. A mix of uses shall be permitted in the Trafalgar Urban Core Area at the following with a range of heights and densities to support transit, with development being encouraged to exceed the minimum density to better support transit use where ever possible.	
		c) Minimum Density	
		Development within the Trafalgar Urban Core Area shall achieve an overall minimum density target of 72 units per gross hectare or 160 residents and jobs combined per gross hectare.	
		i) Minimum density - Floor Space Index (FSI) of 1 for those lands north of the mixed use area along existing	



Item No.	Section	Description of 0	Change
			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.
			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;
		ii)	Maximum density FSI of 5;
		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;
		d) Buildi	ing Heights
		<u>i)</u>	Development within 100m from the Trafalgar Road right-of-way shall be a minimum height of 8 storeys, excluding podium elements which may be lower.
		<u>ii)</u>	Development between 100m and 300m from the Trafalgar Road right-of-way shall be a minimum height of 6 storeys, excluding podium elements which may be lower and as provided for in policy 7.6.4.8.e).
		<u>iii)</u>	Development beyond 300m from the Trafalgar Road right-of-way shall be a minimum height of 3 storeys.



Item No.	Section	Description of	of Change
		<u>iv)</u>	A Minimum height 5 metres for a commercial and or industrial building permitted as part of a comprehensive development, including implementing zoning, shall be a minimum height of 5 metres. and primarily 3 storeys for other development, with the exception that
		<u>v)</u>	Notwithstanding Section 7.6.4.8.d.iii), the minimum height a minimum height of 2 storeys may be permitted along the western and eastern boundaries which directly abut residential neighbourhoods, as identified in Figure NOE1. may be 2 storeys; and,
		<u>vi)</u>	Notwithstanding the above, school sites as identified on Figure NOE2, may be a minimum height of 2 storeys.
		<u>vii)</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 or Dundas Street where the maximum height shall be 20 storeys.
		<u>viii)</u>	In accordance with Section 7.6.2.2.a.v), increases of up to 4 storeys beyond the maximum permitted building height, exclusive of bonusing, may be considered where adjacent to stormwater management ponds.
		<u>ix)</u>	Increases beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.
		e) Med	lium and High Density Residential Development
		tow per	withstanding Section 7.6.4.8.d)ii), stand-alone nhouses with a minimum height of 3 storeys may be mitted in the area between 100m to 300m of the falgar Road right-of-way, provided that:
		i)	they are part of a comprehensive development, including implementing zoning;
		ii)	they do not exceed 15 percent of the total number



Item No.	Section	Description of Change	
		of units within the total area of the comprehensive development plan between 100m and 300m of the Trafalgar Road right-of-way;	
		iii) the achievement of a complete community is supported;	
		iv) <u>a diverse mix of land uses is provided; and,</u>	
		v) <u>a diverse range and mix of housing options is provided.</u>	
4.	7.6.5.2	Insert new policy as follows:	
	DUNDAS URBAN CORE Permitted Uses, Buildings and Structures	e) Stand-alone townhouses shall not be permitted adjacent to Dundas Street.	
5.	7.6.5.3	Insert new policies as follows and reformat the section accordingly:	
	DUNDAS URBAN CORE Land Use Policies	b) A mix of uses shall be permitted at the following heights and densities:	
		 Minimum density - FSI of 0.5, with the exception of service station sites and as set out in Subsection c); 	
		 Maximum density - FSI of 2.5 	
		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 to areas between the	
		nodes Minimum height - 5 metres for a commercial building, 3 storeys for other development within nodes, 2 storeys for other development; and,	
		<u>Maximum height - 8 storeys</u>	
		b) <u>Minimum Density</u>	
		Development within the Dundas Urban Core Area shall achieve an overall minimum density target of 72 units per gross hectare or 160 residents and jobs combined per gross hectare.	



Item No.	Section	Descrip	otion of Change
		c)	Building Heights
			i) A minimum height of 3 storeys shall be permitted.
			ii) A maximum height of 8 storeys shall be permitted.
			iii) A commercial building permitted as part of a comprehensive development, including implementing zoning, shall be a minimum height of 5 metres.
			iv) In accordance with Section 7.6.2.2.a.v) increases of up to 4 storeys beyond the maximum permitted building height, exclusive of bonusing, may be considered where adjacent to stormwater management ponds.
			v) Increases of up to 4 storeys beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.
		<u>c)</u>	Where the minimum standards are not proposed to be achieved
			with the initial development proposals, the applicant shall be required to submit an intensification plan demonstrating
			how the ultimate density and other objectives for the site can be
			achieved. The intensification plan shall address:
			 the provision of local roads and small blocks;
			the means to achieve a safe pedestrian and transit
			friendly streetscape with the initial uses;
			 the siting and orientation of buildings within the block
			and to the street for the initial development and longer term
			intensification;
			the siting and orientation of parking for the initial
			development and changes to parking to accommodate the
			 intensification process; and the ability to achieve both short term and longer term
			intensification, the former potentially through intensification
			around initial buildings or reserved sites and the latter through
			possible redevelopment of the initial buildings themselves.
			Based on this information, the Town will consider a reduction in
			the minimum density on specific sites to the following minimum
			densities:
			• 0.25 for retail and service commercial uses provided
			the interim development also complies with the design policies



Item No.	Section	Description of Change
		of Section 7.5.15 c) and the land use policies of this section.
_	7074	• 0.3 for all other uses
6.	7.6.7.1 NEIGHBOURHOOD AREA Neighbourhood Centre Area	Revise and insert new policies as follows: a) Purpose 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 mixed use, live/work units and limited commercial and civic uses focused at a central neighbourhood activity node to serve neighbourhood residents.
		b) Permitted Uses, Buildings and Structures
		The permitted uses shall be medium density residential uses, mixed use 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.
		 Permitted uses shall be primarily located in live/work mixed use 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.
		Notwithstanding the above, a minimum of one mixed use or non-residential building, in accordance with the provisions in Section 7.6.7.1.c) is required at the intersection of each neighbourhood activity node identified on Figure NOE 1.
		c) <u>Land Use Policies</u>
		 Mixed-use development will be focused at neighbourhood activity nodes, identified on Figure NOE 1, which will include a transit stop and other public facilities which serve the neighbourhood such as central mail boxes, or mail pickup facilities. In



Item No.	Section	Description of Change
		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:
		 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,
		o Maximum height - 5 <u>6</u> storeys.
7.	7.9.2.c) PHASING Unphased Development	c) Development in Employment, Transitional and Urban Core Area designations, as well as development specifically based on the principle of sustainable development in conformity with Section 7.4.4 of this Plan, and the development of parkland, shall be permitted without reference to any phasing policies subject to the availability of suitable urban infrastructure such as water, wastewater collection and treatment facilities, fire and ambulance protection and transportation.
		In addition, development in the Neighbourhood Area designation in Neighbourhoods 8 and 9, or Neighbourhoods 6 and 7, or Neighbourhoods 9, 10 and 11, shall be permitted without reference to any phasing policies, subject to the availability of suitable urban infrastructure, provided that as a condition of development:
		i) Lands in the Employment Area designation
		 The Region and Town are satisfied that municipal sewer and water services are extended, or secured through an agreement, to the lands in the Employment Area designation to permit the development of a plan of subdivision with a minimum gross area of 25 hectares of land within the Employment Area designation, which is draft plan approved, and



Item No.	Section	Description of Change
		which the Town is satisfied can be registered provided services are made available; and ii) Lands in the Trafalgar Urban Core designation
		 The Region and Town are satisfied that municipal sewer and water services are extended, or secured through an agreement, to the lands in the Trafalgar Urban Core Area designation to permit the development of a plan of subdivision with a minimum gross area of 10 hectares of land within the Trafalgar Urban Core Area designation, which is draft plan approved, and
8.	7.10.13	which the Town is satisfied can be registered provided services are made available. Revise and insert new definitions as follows:
	DEFINITIONS	I) Medium Density Residential Development, buildings or uses shall consist primarily of single detached dwellings on small lots, semi-detached, duplex and triplex dwellings, as 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.
		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)
		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



Item No.	Section	Description of Change	
		centres, mobility hubs, employment areas, major transit station areas and abutting municipal connections. Transit priority corridors provide a focus for transit-supportive development.	
		g) 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).	
		r) The auxiliary verbs "may", "should" and "shall" are used throughout this Plan in the following context: i) "may" implies that the policy is permissive and not mandatory or obligatory; ii) "should" implies that the policy is directive and demands compliance unless proven otherwise on good planning grounds; and iii) "shall" implies that the policy is mandatory and requires full compliance.	