

REPORT

LIVABLE OAKVILLE (OFFICIAL PLAN REVIEW) COUNCIL SUBCOMMITTEE

MEETING DATE: JANUARY 16, 2017

FROM: Planning Services Department

DATE: January 9, 2017

SUBJECT: Downtown Oakville Growth Area Review - Draft Policy Changes

LOCATION: Downtown Oakville

WARD: 3

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RECOMMENDATION

That the report entitled *Downtown Oakville Growth Area Review - Draft Policy Changes* be received.

KEY FACTS

The following are key points for consideration with respect to this report:

- This report presents draft policy changes for the Downtown Oakville growth area (**Appendix A**) for analysis and discussion prior to the preparation of a proposed amendment to the Livable Oakville Plan. Public open houses will be scheduled in the coming months to solicit public input on the draft policy changes.
- On June 13, 2016, the Livable Oakville Council Subcommittee received a staff report entitled *Downtown Oakville Growth Area Review*. The report summarized the work completed to date, including public feedback received and next steps. The Subcommittee provided staff with further comments for consideration.
- Also considered in the preparation of the draft policy changes for Downtown Oakville were the vision and objectives endorsed by Planning and Development Council in relation to the Downtown Plan in July 2014, and the *Assessment of Redevelopment Viability within the Town's Main Street Growth Areas* report received by the Subcommittee in October 2016.

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BACKGROUND

The Livable Oakville Plan (Town of Oakville Official Plan) provides a policy framework to guide growth and change for the lands south of Dundas Street and north of Highway 407 to the year 2031. The Plan identifies Downtown Oakville as one of six growth areas planned to accommodate new growth and development through intensification. Downtown Oakville is intended to remain a major downtown area for the town, providing a broad variety of commercial, office, entertainment, cultural and residential uses.

Since the adoption and approval of the Livable Oakville Plan, the Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe (Amendment 2), and the Region of Halton Official Plan (ROPA 38), have been updated.

In May 2015, the town initiated its Five Year Official Plan Review in accordance with the requirements of the *Planning Act*. As part of the five year review, the policies that guide growth and change in Downtown Oakville were identified to be studied to ensure the established goals and objectives for Downtown Oakville are realized.

Draft policy directions for the Downtown Oakville Growth Area Review were introduced at a public open house on November 23, 2015. Based on an analysis of the open house feedback and urban design principles, staff created a 3-D computer model of Downtown Oakville to test locations where there may be opportunities for redevelopment and increased building heights. To gain feedback on the model, it was presented to a stakeholder workshop on March 31, 2016, followed by a public information night on April 26, 2016. A survey about the model was also available on the town's webpage in May 2016.

In February 2016, a town-wide Urban Structure Review was initiated in response to increasing growth pressure throughout the town and to determine how to accommodate required growth to the year 2041. It will assess and provide directions to how the town will manage growth and change across the entire town.

In May 2016, the Province released the *Proposed Growth Plan for the Greater Golden Horseshoe, 2016* stemming from the ongoing Provincial Coordinated Planning Review. Significant changes have been proposed and staff continue to assess the town's urban structure and how the policies that guide growth and change in Downtown Oakville will fit into this larger framework.

On June 13, 2016, the Subcommittee received a staff report titled *Downtown Oakville Growth Area Review*. The report summarized the work completed to date, including public feedback received, and provided next steps. At the meeting, the Subcommittee provided staff with further comments for consideration.

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On October 3, 2016 the Subcommittee received the *Assessment of Redevelopment Viability within the Town's Main Street Growth Areas* report prepared by N. Barry Lyon Consultants Ltd. The report provides critical background work to inform future policies for Downtown Oakville.

On November 1, 2016 the Subcommittee received the *Urban Structure Review – Discussion Paper, DRAFT* report prepared by Macaulay Shiomi Howson Ltd.

STUDY INPUTS

A detailed assessment of factors influencing development, including public input received, was completed and presented in the *Downtown Oakville Growth Area Review* report received by the Subcommittee on June 13, 2016. The section below provides an overview of additional information received at and following the June 13, 2016 Subcommittee Meeting.

Livable Oakville Council Subcommittee Meeting - June 13, 2016

The *Downtown Oakville Growth Area Review* report concluded that “staff will consider input received from the Livable Oakville Council Subcommittee on the draft directions and 3-D test site model in future phases of the Downtown Oakville Growth Area Review.”

The Subcommittee requested that staff undertake an evaluation of the impact of increasing the number of residents and jobs in Downtown Oakville, specifically in relation to how it may improve the vibrancy of Downtown. This has been addressed to an extent by the *Assessment of Redevelopment Viability* (October 2016, discussed below), *Downtown Cultural Hub Study*, *Downtown Oakville Action Plan* (September 2015) and *Downtown Oakville Economic Study* (June 2014). Further evaluation may be undertaken throughout the review when additional information is provided.

Assessment of Redevelopment Viability Report - October 3, 2016

The *Downtown Oakville Growth Area Review* report, received by the Subcommittee June 13, 2016, concluded that a number of key areas required further technical review and analysis as part of policy development, including an assessment of redevelopment viability. This stemmed from feedback from the development and real estate communities that the redevelopment of existing properties to a maximum of four storeys (as permitted by the current Central Business District designation in Downtown Oakville) is not financially feasible. The implication of this being that it could be a contributing factor as to why there has been only modest development in Downtown Oakville in recent years. In

response, the town hired a consulting team to conduct a study to examine redevelopment viability.

On October 3, 2016, the Subcommittee received the report titled *Assessment of Redevelopment Viability within the Town of Oakville's Main Street Growth Areas* completed by N. Barry Lyon Consultants Limited. The report provides an analysis of the financial aspects contributing to project viability within the main street growth areas. It looks at the conditions that may be created when moving from a four storey to six storey height limit.

The study indicates that where market demand is strong, increasing building heights to six storeys typically:

- allows for greater efficiency and flexibility in a developer's pro forma;
- improves land values which encourages redevelopment;
- encourages consolidation of small lots; and,
- encourages the provision of a wider choice of housing types and affordability.

The study states:

Our analysis indicates that an increase from four to six storeys for new mixed-use development will have a positive impact in terms of encouraging reinvestment in these growth areas. This impacts the Town's ability to achieve broader policy objectives as articulated in the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe. These include policies to promote cost effective development patterns and densities that support the efficient use of land and resources; and, to establish development standards for residential intensification which minimize the cost of housing and facilitate compact development forms. (Page iii)

In Downtown Oakville, the increase in height provides the developer with more capital to spend on land acquisition and/or attribute to profit if land costs are fixed. (Page 24)

The study also indicates that Downtown Oakville has the highest value condominium apartment market of the three growth areas, characterized by high-end luxury units. However, it notes that this market area is limited and is experiencing some softening, illustrated through a slowing of recent sales volumes.

Urban Structure Review – Draft Discussion Paper - November 1, 2016

The *Downtown Oakville Growth Area Review* report, received by the Subcommittee June 13, 2016, concluded that “staff should commence the policy formulation phase of the Downtown Oakville Growth Area Review following sufficient direction stemming from the Urban Structure Review, if any.”

On November 1, 2016, the Subcommittee received a draft discussion paper for the ongoing Urban Structure Review. It includes options for key structural components to be included in the town-wide urban structure. All options build on the urban structure established in the Livable Oakville Plan and the North Oakville Secondary Plans. The draft report generally notes that the three Main Street Growth Areas (i.e., Bronte Village, Kerr Village and Downtown Oakville) are historic main street areas that have a different role to play than the other growth areas, and consideration should be given to this as part of the overall urban structure for the town. All development within the main street growth areas must be carefully and sensitively integrated with the surrounding area to address their unique nature, density, height and transition.

The Urban Structure Review is still a work in progress. However, the draft direction for the three main street growth areas is in line with the underlying vision and development objectives previously identified through the Livable Oakville Plan and the Growth Area Review process. Further direction may still arise from the Urban Structure Review as it proceeds to being finalized and would be incorporated into policies for the growth areas as appropriate. In the interim, there is nothing in the draft report which would indicate that the town should not proceed to the next stage of this review.

Ongoing Provincial and Regional Policy Reviews

At the time of writing this report, the Province continues to carry out a review of several Provincial Plans, including the Growth Plan. The review to date has proposed policy changes that would continue to support, and look to increase, intensification opportunities at appropriate locations throughout the Greater Golden Horseshoe's built-up area.

Growth implications of the emerging Provincial policies are being considered as part of the town-wide Urban Structure Review and the town's ongoing Official Plan Review. However, it is unknown at this time how much new growth will be required to be accommodated in Downtown Oakville and elsewhere within the town.

Revisions to proposed Provincial policies will continue to be addressed as the policy development phase of the Downtown Oakville Growth Area Review carries forward.

The Region of Halton Official Plan is also undergoing comprehensive review and will be updated to conform to new Provincial policies. The town continues to coordinate its Official Plan Review with the Region of Halton and will assess any emerging policy directions from the Region as the policy development phase of the Downtown Oakville Growth Area Review moves towards a statutory Official Plan Amendment process.

Other Town Initiatives

- **Downtown Plan**

In July 2014, Planning and Development Council endorsed the following vision and objectives for the Downtown Plan, which comprises the Downtown Cultural Hub Study and the Downtown Transportation and Streetscape Plan:

Vision

- *To create an attractive, active, animated and vibrant downtown where people come together to live, meet, work, say, interact and engage.*
- *It will be the cultural, social and economic heart of our community where citizens and visitors can celebrate and experience the natural setting, heritage, culture and the arts.*

Objectives

- *To contribute to an economically successful vibrant downtown*
- *To create a cultural focus for the town in the downtown area*
- *To provide facilities and infrastructure that meet existing and future needs*
- *To protect and enhance the natural environment and cultural heritage of downtown*
- *To develop solutions that are financially sustainable*

The Downtown Transportation and Streetscape Plan (DTS) was approved in March 2015 and implementation is underway. Most recently, Council approved traditional furnishings for the streetscape improvements, and rehabilitation work has begun on the Lakeshore Bridge over Sixteen Mile Creek. In addition, staff will be reporting back to Council on potential mitigation strategies for downtown businesses during the reconstruction of Lakeshore Road.

On November 28, 2016, Planning and Development Council received update reports from the Office of the Mayor and the Commissioner of Community Development on how to move the Downtown Cultural Hub Study (DCH) forward to meet public expectations with the financial resources available. Staff has been directed to report back with a detailed implementation plan to implement an updated Downtown Plan timeline. Under the updated timeline, short-term priorities include the planning and implementation of a waterside gathering place by 2018, Lakeshore Road infrastructure reconstruction in 2019-2020, and planning for the renewal or replacement of downtown cultural facilities in 2023 and beyond depending on funding availability.

- **Harbours Master Plan**

The following themes, which align with comments received through the various downtown projects, have emerged through the public engagement to date regarding Oakville and Bronte harbours:

- Public access to the water's edge is a must.
- The public should feel welcome at the harbours and there should be activities and attractions for non-boaters.
- The harbours need better connections with surrounding streets, parks, facilities and businesses.
- The harbours should be walkable.
- The natural beauty of the harbours should be maintained.
- There are opportunities for more active uses such as restaurants, retail and recreation.
- Sustainability policies (e.g., storm water, climate change) are important.
- There is a need for additional boating facilities and boat slips.
- Canoe clubs and non-motorized boats require improved access to the harbours.
- Investments in the harbours benefit the town as a whole.

POLICY DIRECTIONS

This section provides a rationale and evaluation of how the draft policy directions, as received by the Subcommittee on June 13, 2016, have progressed into draft policy changes, as seen in **Appendix A**. Later in this section additional policy directions are introduced with respect to the vision, objectives and long-term growth target for Downtown Oakville.

The draft policy changes in **Appendix A** are based on:

- The vision and objectives for Downtown Oakville endorsed by Planning and Development Council in relation to the Downtown Plan project;
- Comments received from the public, Subcommittee, and town staff;
- Findings from the report titled *Assessment of Redevelopment Viability in the Town's Main Street Growth Areas*;
- Emerging directions through the Urban Structure Review;
- Emerging directions from town studies and master plans; and,
- Ongoing assessment of Provincial and Regional policies.

At this time the draft policy changes provided in **Appendix A** are not considered recommendations. Rather, they are draft changes to be further refined with input from the public, Council, town staff and agencies. The draft policy changes may also be further informed by ongoing town initiatives and reviews (conducted as the study process continues).

Evaluation of Draft Policy Directions

In considering how to advance the draft directions into draft policy changes, staff created the following categories:

Category	Description
Carry Forward	Direction should be implemented.
Modify Policy Direction	Direction should be modified and implemented.
Do Not Carry Forward	A new approach should be considered.
Future Conformity	Further conformity considerations required.

Each direction was analyzed based on input received to date, and then placed into a category. For convenience purposes, the table below identifies how staff categorized each draft policy direction to be carried forward into the policy development phase.

	<i>Direction</i>	<i>Carry Forward</i>	<i>Modify Direction</i>	<i>Do Not Carry Forward</i>	<i>Future Conformity</i>
1	Maintain the existing growth area boundary		✓		
2	Maintain the existing land use permissions	✓			
3	Explore opportunities for increased building heights	✓			
4	Explore opportunities for bonusing	✓			
5	Strengthen existing urban design policies		✓		

The rationale for each response is provided below:

1. Maintain the existing growth area boundary

Staff Evaluation: Modify Direction

While public response to Direction 1 was generally favourable, input through the ongoing Harbours Master Plan and the Downtown Cultural Hub Study led staff to categorize it as “modify direction”. The modification to the boundary would be to include the valley land to the northwest of the existing growth area boundary to the middle of Sixteen Mile Creek.

Also suggested as part of the boundary expansion is a redesignation of the valley land from Natural Area to Waterfront Open Space. Uses permitted within the Waterfront Open Space designation may include: parks, parkettes, squares and open space linkages; active or passive outdoor recreational uses; minor structures related to recreational uses; trails; cultural heritage uses; conservation uses including fish, wildlife and forest management; essential public works including transportation, utility, watershed management and floor and erosion control facilities; harbours; and, legally existing uses, buildings and structures (Livable Oakville Plan, s.17.3.1).

This draft policy change is intended to facilitate the implementation of the riverfront park envisioned through the Downtown Cultural Hub Study, as well as the master plan for Oakville Harbour, while also aligning with the current Livable Oakville Plan policies related to harbours (s. 17.3.6). The area is identified as part of the Oakville Harbour and functions as such. Designating the lands Waterfront Open Space will recognize the existing uses and provide greater flexibility for implementation of the Harbours Master Plan. Further review of this approach and policies may be required as part of the directions

emerging from the Urban Structure Review and how the Natural Heritage System will be treated.

2. Maintain the existing land use permissions

Staff Evaluation: Carry Forward

Public response to Direction 2 was supportive and indicated desire for retaining a mix of land uses in Downtown Oakville. There was support in the comments to encourage more people living and working downtown in order to support the shops and restaurants, as well as to provide more housing options for those who want to live downtown.

Currently, the entirety of the Downtown Oakville growth area is designated Central Business District (CBD). This designation is very similar to the mixed use Main Street designations. In an effort to promote consistency and remove duplication, the existing mixed use designations in the Livable Oakville Plan (i.e., Main Street 1, Main Street 2, Urban Centre and Urban Core) can be applied to Downtown Oakville to encourage redevelopment that achieves the Plan's objectives, reflects the existing built context and respects the Heritage Conservation District. As a result, the CBD designation is replaced by a range of mixed use designations in the draft policy changes.

3. Explore opportunities for increased building heights

Staff Evaluation: Carry Forward

Direction 3 had the greatest split in public response. Opinion was divided about increased building heights in Downtown Oakville, while there was a collective desire to improve the downtown. Many comments identified the need to bring more people downtown to support and ensure its future success as a historic main street area.

There was concern from the public that increased building heights would alter the overall character of Downtown Oakville, and support for maintaining the current four-storey height limit. However, there was also support for a six storey height limit and, in certain locations, 8-10 storeys and 12 storeys.

The draft policy changes introduce new building heights for Downtown Oakville by replacing the Central Business District (CBD) designation with Mixed Use designations, which have associated building height ranges. The specific Mixed Use designations (e.g., Mixed Use 1, Mixed Use 2, etc.) were

determined based on the 3-D computer model of test sites, and policies in the Downtown Oakville Heritage Conservation District Plan.

Generally speaking, the draft policies and land use designations seek to provide for a two-storey street edge along Lakeshore Road East – the historic main street – increasing to four storeys and more in select locations, particularly at the western and northern edges.

The draft land use designations also reflect the maximum heights of existing buildings (e.g., The Granary) and existing site-specific exception policies that allow for more than four storeys. Further, the site-specific exception policies themselves, which all relate to building height, are to be removed to eliminate duplication.

It is noted that the draft policy changes also introduce a policy whereby a minimum height of two storeys may be permitted regardless of the height range associated with the land use designation. For example, the Main Street 2 designation would typically have a building height range of 4-6 storeys, but the draft policies would allow a minimum of two storeys. This is intended to allow for greater design flexibility to ensure that development conforms to other objectives and policies in the Livable Oakville Plan and/or the Downtown Oakville Heritage Conservation District Plan.

4. Explore opportunities for bonusing

Staff Evaluation: Carry Forward

Public feedback was again mixed for Direction 4. Concern was raised about the impacts of increased height, but there was also support for the community benefits associated with bonusing agreements.

The *Assessment of Redevelopment Viability* report received by the Subcommittee on October 3, 2016, notes that while four storey developments can produce viable financial results, the costs of developing in Oakville (particularly in Downtown Oakville) generally require developments to target the luxury market, which is already showing signs of softening. The analysis indicates that an increase to six storeys would encourage intensification in Downtown Oakville and also recommends the town continue to explore appropriate areas for buildings taller than six storeys.

As a result of the redevelopment viability report, public feedback on the 3-D model, and the desire to achieve the vision endorsed by Council, staff are of the opinion that eligibility for bonusing (up to two storeys) would be

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appropriate on lands designated Main Street 1 and Main Street 2 bound by Randall Street, George Street, Church Street, and Allan Street. The bonusing overlay shown on the draft Schedule Q1 (in **Appendix A**) is also proposed on the south side of Church Street from Dunn Street to east of Reynolds Road. This overlay would increase the potential height from a maximum of four storeys to six storeys on the Main Street 1 designated lands, and from a maximum of six storeys to eight storeys on the Main Street 2 designated lands. The land use policies and proposed new urban design policies would ensure appropriate built form and transition to the Downtown Oakville Heritage Conservation District, as well as the existing residential areas abutting the growth area.

It is noted that bonusing does not create “as-of-right” development permissions. To obtain additional height through bonusing, the proponent of a development application must apply for a Zoning By-law Amendment, demonstrating that the additional height would not create adverse impact, as well as enter into a Section 37 Agreement with the town, which would provide a community benefit to the town in exchange for the additional two storeys. Town Council has the authority and discretion to approve Zoning By-law Amendments and undertake Section 37 Agreements. Bonusing cannot happen without Council’s approval.

5. *Strengthen and enhance existing urban design policies*

Staff Evaluation: Modify Direction

Public response to Direction 5 was very favourable, with emphasis on design and retaining character identified as significant in the comments received. Draft policy changes are proposed that provide a new urban design schedule and associated policies to support and enhance the intent of the development concept for Downtown Oakville as well as place-making opportunities. Policies are introduced relating to the public realm including primary streets, secondary streets, gateways, view corridors, pedestrian access and circulation as well as built form. A policy is also provided to require that development be reviewed in accordance with the Livable by Design Manual, which may include design direction specific to Downtown Oakville.

Staff are of the opinion that strengthening and enhancing the existing policies by introducing an urban design policy subsection will help achieve the objectives of maintaining the Downtown as a vibrant pedestrian-oriented mixed use centre, achieving a high quality level of urban design, and protecting and enhancing the historic importance of Downtown. The introduction of an urban design schedule will also provide an opportunity to

graphically and spatially represent the design related policies for greater understanding.

Additional Policy Directions

Two additional policy directions have been identified to reinforce consistency between Downtown-related projects and within the emerging policy changes for the three Main Street growth areas.

Vision & Objectives

Through the draft policy changes (**Appendix A**) it is staff's intent to update the Livable Oakville Plan to reflect the vision for Downtown Oakville developed through the public engagement in relation to the Downtown Plan (i.e., DCH and DTS). In the next phase of analysis, staff will assess how the existing objectives for Downtown Oakville in the Livable Oakville Plan may be modified to further align with the objectives for the Downtown Plan project (i.e., DCH and DTS).

Growth Target

The growth area reviews for Bronte Village and Kerr Village have included a discussion with respect to growth targets and how they are expressed. The Livable Oakville Plan currently states that, "Downtown Oakville can accommodate an additional 80 residential units" (Livable Oakville, s. 25.4.4.).

A general concern expressed by the public and the Subcommittee was that a specific amount of growth planned for each growth area should be expressed through policy. In coordination with the Urban Structure Review and other conformity considerations, staff continue to explore options for how growth numbers should be expressed within a local land use policy context. It is the intent of staff to provide a clear understanding of the level of growth that is planned for, while ensuring it conforms to Provincial and Regional policy documents. A coordinated approach across all growth areas is still under consideration and review.

Currently staff have put forward, for further consideration and comment, a draft approach which considers a minimum planned density of residents and jobs combined per hectare. This language is reflective of the language contained within the Growth Plan for the Greater Golden Horseshoe. However, the draft policy changes do not currently set out a minimum planned density. This number will be confirmed once:

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- staff has public input on the draft policy changes proposed;
- an approach to the policy language expressing growth and density numbers is more firmly established for the Official Plan as a whole;
- baseline population and employment figures are confirmed through the updated census; and,
- growth allocation requirements from Halton Region are more clearly understood.

Ultimately, a minimum planned density should be provided that enables the achievement of a revitalized, transit-supportive, main street area.

Staff note that it is the responsibility of Halton Region to allocate the growth forecasts provided in the Provincial Growth Plan for the Greater Golden Horseshoe to its local municipalities. The allocation of this growth will be confirmed through the Region of Halton's Official Plan Review anticipated to conclude in 2020. As such, a coordinated approach for their introduction into the town's Official Plan is required, resulting in a two-stage implementation process at the local level.

At this time (stage one), staff are working to establish the growth and development vision for Downtown Oakville and implement these changes through amendments to the local Official Plan. This will help to inform Halton Region of the ultimate development vision and direction for this area. The second stage of implementation will be the town's conformity exercise following the approval of the Region of Halton's Official Plan. The town's conformity exercise will confirm the growth numbers that have been allocated to the town, including Downtown Oakville, resulting in another amendment to the town's official plan.

NEXT STEPS

In early 2017, staff will provide a public consultation opportunity to review and comment on the draft policy changes, as presented in **Appendix A**. Based on comments received, staff will prepare an Official Plan Amendment. During the preparation of an Official Plan Amendment, staff may have additional studies completed, such as a transportation impact study, to validate the policies and ensure they are achievable from a functional servicing perspective.

As per the Official Plan Review Work Plan presented to the Subcommittee on October 3, 2016, a Statutory Public Meeting at Planning and Development Council is not anticipated until Q3, 2017. A decision making meeting is anticipated in Q4, 2017.

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As stated earlier in this report, the Region of Halton's Official Plan Review, anticipated to conclude in 2020, will determine the allocation of growth to its local municipalities as required by the Provincial Growth Plan. As such, there will be a two-stage implementation process at the local level. At this time (stage one), staff are working to establish the growth and development vision for Downtown Oakville and implement these changes through amendments to the local Official Plan (anticipated for Q4 2017). This will help to inform Halton Region of the ultimate development vision and direction for this area. The second stage of implementation will be the town's conformity exercise following the approval of the Region of Halton's Official Plan anticipated in 2020. The town's conformity exercise will confirm the growth numbers that have been allocated to the town by the Region, including Downtown Oakville, resulting in another amendment to the town's official plan.

CONSIDERATIONS

(A) PUBLIC

Consultation has formed an integral part of the Downtown Oakville Growth Area Review and additional future public consultation opportunities have been identified and are anticipated to be provided for in early 2017.

(B) FINANCIAL

There are no financial implications arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Coordination with other departments is ongoing.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be accountable in everything we do
- be honest in everything we do
- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The Downtown Oakville Growth Area Review works to enhance the social, economic and built environment of the community.

APPENDICES

APPENDIX A Draft Policy Changes for Downtown Oakville (January 2017)

Prepared by:

Carly Dodds, MCIP, RPP
Planner, Policy Planning and Heritage

Lesley E. Gill Woods, MCIP, RPP
Senior Planner, Policy Planning and
Heritage

Recommended by:

Diane Childs, MCIP, RPP
Manager, Policy Planning and Heritage

Submitted by:

Mark H. Simeoni, MCIP, RPP
Director, Planning Services