

THE CORPORATION OF THE TOWN OF OAKVILLE

**DRAFT* 2017-09-12*

BY-LAW NUMBER 2017-___

Official Plan Amendment ___

A by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number ___ (Kerr Village Growth Area, File 42.15.55)

WHEREAS the Livable Oakville Official Plan, which applies to the lands south of Dundas Street and the lands north of Highway 407, was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011; and,

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 Livable Oakville Plan to implement recommendations of the Kerr Village Growth Area Review;

COUNCIL ENACTS AS FOLLOWS:

1. The attached Amendment Number ___ to the Livable Oakville Official 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and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Municipal Board.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 Livable Oakville Official Plan.

PASSED this ____ day of _____, 2017

MAYOR

CLERK

**Official Plan Amendment Number ____
to the Town of Oakville's Livable Oakville Plan**

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number ____ to the Livable Oakville Plan.

Part 1 – Preamble

1. Purpose

The purpose of the proposed official plan amendment is to modify the text and schedules of the Livable Oakville Plan pertaining to the Kerr Village Growth Area to implement the findings of the Kerr Village Growth Area Review.

The effect of the proposed amendment includes changes to:

- enhance clarity and intent through housekeeping amendments;
- update the description and development concept to clarify intent and to reflect various policy changes throughout;
- update the policy language for expressing growth targets as a minimum planned density to be determined as part of future conformity matters;
- introduce new and revised urban design policies to enhance existing objectives;
- introduce a new urban design schedule to illustrate urban design elements including: primary streets, secondary streets, enhanced streetscape areas, urban squares, and gateways;
- designate the northwest corner of Kerr Street and Speers Road entirely Urban Core to facilitate comprehensive redevelopment;
- introduce bonusing permissions to the Main Street 1 designations within the Kerr Village Main Street District;
- permit stand-alone residential uses in certain contexts within the Main Street 1 and Main Street 2 designations;

- extend the Kerr Village Growth Area boundary in the Lower Kerr Village District to Dorval Drive in the west and Sixteen Mile Creek in the east;
- introduce the Greenbelt Urban River Valley to the lands subject to the new Greenbelt Plan (2017); and,
- update the Kerr Village Land Use Schedule and South East Land Use Schedule accordingly.

The proposed amendment will result in changes to the following parts of the Livable Oakville Plan:

- Section 23 (Kerr Village);
- Section 27.2 (South East Exceptions – Schedule G);
- Schedule A1 – Urban Structure;
- Schedule G – South East Land Use; and,
- Schedule O – Kerr Village Land Use.

2. Background

- Council adopted the Livable Oakville Plan on June 22, 2009. Halton Region then approved the Plan, with modifications, on November 30, 2009, as it was deemed to conform to the Growth Plan, and be consistent with the Provincial Policy Statement, 2005, and the Region's Official Plan, as amended, including the proposed ROPA 38. That decision was appealed by a number of parties.
- Following the resolution of a majority of the appeals, the Ontario Municipal Board approved the Plan with further modifications on May 10, 2011.
- Throughout 2012, the Board approved additional modification to resolve outstanding site-specific appeals.
- The Livable Oakville Plan is in force except for five outstanding site-specific appeals, two to the Livable Oakville Plan (OMB Case No. PL100058) and three to OPA 4 (OMB Case No. PL140317).

3. Basis

- 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 Kerr Village 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 the Kerr Village Growth Area Review was to be undertaken.
- An extensive review and public consultation process were undertaken as part of the Kerr Village Growth Area Review including:
 - May 26, 2015 – public open house to solicit the views of the public;
 - November 19, 2015 – public open house to solicit public feedback on draft policy directions prepared by staff;
 - June 13, 2016 – Livable Oakville Council Subcommittee (Subcommittee) meeting to report back on work completed to date, public feedback received, next steps, and provide the Subcommittee with an opportunity for discussion;
 - October 3, 2016 – Subcommittee meeting to present the “*Assessment of Redevelopment Viability within the Town of Oakville’s Main Street Growth Areas*”, prepared by N. Barry Lyon Consultants Limited, retained by the town in May 2016, which investigated the viability of existing and emerging land use policies for the town’s main street areas and provided background information to inform policy development;
 - January 16, 2017 – Subcommittee meeting to present draft policy changes for discussion with the Subcommittee and proceed to further consultation with the public;
 - March 9, 2017 – public information session to present the draft policy changes and solicit input from the public;
 - June 12, 2017 – Subcommittee meeting to report back on public feedback and comments received, next steps, and provide the Subcommittee with an opportunity for discussion.

- 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.
- The statutory public meeting on the proposed Official Plan Amendment is to be held on October 11, 2017.
- Notice of the statutory public meeting regarding the proposed Official Plan Amendment was published in the local newspaper, circulated to the agencies and public bodies prescribed by the *Planning Act*, mailed to property owners within the Kerr Village Growth Area, and emailed to the Official Plan Review E-blast distribution list, on or before September 20, 2017.
- 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 September 20, 2017, 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 Livable Oakville Plan listed in the following table. Text that is **bolded and underlined** is new text to be inserted into the Livable Oakville Plan. Text that is crossed out ("~~strikethrough~~") is to be deleted from the Plan.

Item No.	Section	Description of Change
1.	23 KERR VILLAGE	<p>Revise the policy as follows:</p> <p>Kerr Village, <u>as shown on Schedule O1, is situated along the length of Kerr Street, from the railway tracks in the north to just south of Lakeshore Road West in the south. The southerly portion of the village extends along Lakeshore Road West, from Dorval Drive in the west to Sixteen Mile Creek in the east.</u> is bounded by Lakeshore Road West to the south and the railway tracks to the north, and lies east of Maurice Drive and west of Queen Mary Drive. <u>Kerr Street, and Lakeshore Road West, are</u> is the main streets of the village, where a mix of commercial, residential and institutional land uses are found.</p> <p>Kerr Village will accommodate <i>intensification</i> through new</p>

Item No.	Section	Description of Change
		<i>development</i> and redevelopment , with a mix of residential and commercial uses. The Village will also continue to function as a location for institutional, recreational and public open space uses.
2.	23.3.2 KERR VILLAGE Development Concept Kerr Village Main Street District	Revise the policy as follows: Kerr Village Main Street District The Kerr Village Main Street District will be a predominantly mixed use area along Kerr Street with residential buildings including commercial or office uses at-grade. Blocks shall have medium density buildings Development shall be set back to allow for pedestrian activity and attractive streetscapes. A gathering point for the community, such as a market, shall be encouraged here.
3.	23.3.2 KERR VILLAGE Development Concept Lower Kerr Village District	Revise the policy as follows: Lower Kerr Village District The Lower Kerr Village District shall largely be a mixed use area, allowing for a mixture of commercial, office and residential uses, including some standalone residential uses, the Central Business District extending from Downtown Oakville, with a defined entrance into Kerr Village.
4.	23.4.2 KERR VILLAGE Public Realm	Delete section 23.4.2 in its entirety. Policies are relocated and revised under a new Urban Design section 23.5
5.	23.4.3 KERR VILLAGE Urban Design	Delete section 23.4.3 in its entirety. Policies are relocated and revised under a new Urban Design section 23.5
6.	23.4.4 KERR VILLAGE Growth Target	Re-number section to 23.4.2 and revise the policy as follows: <u>A minimum planned density shall be established for Kerr Village through Provincial plan conformity coordinated with Halton Region.</u> It is anticipated that Kerr Village can accommodate 5,000 residents and 1,500 jobs, including 1,200 new residential units. In addition, there is the potential for 900 more residential units with transit improvements.
7.	NEW KERR VILLAGE Urban Design	Insert a new policy section as section 23.5 Urban Design as follows: 23.5 <u>Urban Design</u> <u>In addition to the Urban Design policies in Section 6 of this Plan, the following policies shall apply</u>

Item No.	Section	Description of Change
		<p><u>specifically to Kerr Village. The urban design plan for Kerr Village is provided on Schedule O2.</u></p> <p>23.5.1 <u>General</u></p> <p><u>Development and public realm improvements, including the streetscape for Kerr Street and Lakeshore Road West, shall be evaluated in accordance with the urban design direction provided in the Livable by Design Manual.</u></p> <p>23.5.2 <u>Public Realm</u></p> <p><u>Enhanced streetscape areas, as identified on Schedule O2, should be incorporated in the design of new developments, streetscapes and open space areas, and utilized as a unifying public realm element through the use compatible, consistent and complementary design treatments while contributing to a distinctive and unique streetscape. Enhanced streetscape areas may include the preservation of existing large stature trees and open space areas, as well as larger setbacks in built form and the creation of additional pedestrian-oriented spaces</u></p> <p>23.5.3 <u>Streetscapes</u></p> <p>a) <u>Primary and secondary streets, as identified on Schedule O2, shall provide for pedestrian-oriented streetscapes through the use of wide sidewalks, landscaping and furnishings.</u></p> <p>b) <u>Buildings along primary streets, as identified on Schedule O2, shall:</u></p> <p>i) <u>incorporate a high degree of transparency on the ground floor;</u></p> <p>ii) <u>provide building openings and principal entrances facing the street; and,</u></p> <p>iii) <u>contain commercial, office, community or cultural uses adjacent to the street which</u></p>

Item No.	Section	Description of Change
		<p><u>foster an active main street environment.</u></p> <p>c) <u>Buildings along secondary streets, as identified on Schedule O2, should:</u></p> <p>i) <u>incorporate a high degree of transparency on the ground floor;</u></p> <p>ii) <u>provide building openings and principal entrances facing the street; and,</u></p> <p>iii) <u>contain commercial, office, community or cultural uses adjacent to the street which support the main street district, and may also contain residential uses on the ground floor.</u></p> <p>23.5.4 Gateways</p> <p>a) <u>Through public actions and the <i>development</i> process, gateway treatments shall be provided in Kerr Village.</u></p> <p>b) <u>Gateways are identified on Schedule O2 and indicate locations that are visually prominent entry points into Kerr Village. These locations shall provide gateway treatments which may include well designed built form or structures, distinctive streetscape treatments, landscaping, and/or public art. Gateway locations include:</u></p> <p>i) <u>the future Kerr Street underpass and railway crossing;</u></p> <p>ii) <u>Speers Road and Kerr Street;</u></p> <p>iii) <u>Speers Road at the Queen Mary Drive bridge;</u></p> <p>iv) <u>Lakeshore Road West and Kerr Street;</u></p> <p>v) <u>Lakeshore Road West and Dorval Drive; and,</u></p>

Item No.	Section	Description of Change
		<p>vi) <u>Lakeshore Road West and Forsythe Street.</u></p> <p>23.5.5 Urban Squares</p> <p>a) Through the development process, a <u>new</u> park facility shall be provided in the Upper Kerr Village District, west of Kerr Street, north of Speers Road.</p> <p>b) Heritage Square, <u>located on the west side of Kerr Street opposite Florence Drive, should be a gathering area with hard surfaced and landscaped elements appropriate for an array of public event uses. Built form and land uses surrounding the urban square are to complement and enhance the area.</u></p> <p>23.5.6 Built Form</p> <p>a) <i>Development</i> within the mixed use designations south of Speers Road that does not have direct frontage on Kerr Street is encouraged to consolidate with lots that front onto Kerr Street to ensure comprehensive <i>development</i>. and active street frontages</p> <p>b) Buildings greater than 4<u>3</u> storeys in height, on lands immediately adjacent to lands designated Residential Low Density, shall be stepped back above the fourth <u>third</u> storey.</p>
8.	23.5 KERR VILLAGE Land Use Policies	<p>Renumber section to 23.6 and renumber all of the following policies accordingly. Revise the new section 23.6 as follows:</p> <p>Land use designations are provided on Schedule O<u>1</u>. In addition to the policies of Part D of this Plan, the following policies apply specifically to Kerr Village.</p>
9.	23.5.1 KERR VILLAGE Land Use Policies	Renumber section to 23.6.1
10.	23.5.2 KERR VILLAGE Land Use Policies	<p>Renumber section to 23.6.2 and revise the policy as follows:</p> <p>The maintenance of a food store in any redevelopment of lands within the Urban Centre and Urban Core designations shall be encouraged</p>

Item No.	Section	Description of Change
11.	NEW KERR VILLAGE Land Use Policies	<p>Insert new policy 23.6.3 as follows:</p> <p><u>On the lands designated Main Street 1 and Main Street 2, residential uses may be permitted on the ground floor, including multiple-attached dwellings and apartments, except where adjacent to Lakeshore Road West, Kerr Street and Speers Road, where commercial, office, community or cultural uses shall be provided on the ground floor facing the street, to maintain and enhance a pedestrian-oriented main street function</u></p>
12.	23.5.3 KERR VILLAGE Land Use Policies	<p>Renumber section to 23.6.4 and revise the policy as follows:</p> <p>The lands designated Central Business District between the properties on the south side of Lakeshore Road West <u>located between the properties designated Main Street 1 south of Lakeshore Road West,</u> and the properties designated Low Density Residential on the north side of Burnet Street, from Brock Street to Forsythe Street, are a transition area, as implemented by the Zoning By-law, and subject to the following additional policies:</p> <ul style="list-style-type: none"> a) Medium Density Residential uses shall be permitted. b) Limited commercial uses that are non-retail and do not generate major traffic and noise may also be permitted at 79, 82 and 86 Wilson Street. <i>Development</i> in the transition area shall: <ul style="list-style-type: none"> i) enhance the quality of the existing surrounding residential context; ii) contribute to a sensitive transition from the lands to the north of the transition zone with those to the south; iii) be <i>compatible</i> with adjacent, existing <i>development</i> with respect to scale, form and <i>character</i>; and, iv) be sensitive to neighbouring heights, massing, setbacks from the street, distance between buildings, architectural form, colour and materials.

Item No.	Section	Description of Change
13.	NEW KERR VILLAGE Land Use Policies	Insert a new policy 23.6.5 as follows: <u>The lands subject to the Greenbelt Urban River Valley is a Greenbelt area and subject to Section 26.5 of this Plan.</u>
14.	23.6 KERR VILLAGE Exceptions – Schedule O	Renumber section to 23.7 in accordance with item 8 above, and revise as follows: Kerr Village Exceptions – Schedule O₁ The following additional policies apply to certain lands on Schedule O ₁ , Kerr Village Land Use
15.	23.6.1 KERR VILLAGE Exceptions – Schedule O	<i>Renumber section to 23.7.2</i>
16.	23.6.2 KERR VILLAGE Exceptions – Schedule O	<i>Renumber section to 23.7.3</i>
17.	23.6.3 KERR VILLAGE Exceptions – Schedule O	Renumber section to 23.7.4
18.	23.6.4 KERR VILLAGE Exceptions – Schedule O	Renumber section to 23.7.10 and revise as follows: On the lands designated Main Street 2 Central Business District at the northeast corner of Lakeshore Road West and Chisholm Street, a maximum building height of six storeys shall be permitted along the John Street frontage.
19.	23.6.5 KERR VILLAGE Exceptions – Schedule O	Renumber section to 23.7.1 and revise as follows: At the northwest corner of Speers Road and Kerr Street: <u>The lands designated Urban Core at the northwest corner of Speers Road and Kerr Street are subject to the following additional policies:</u> a) <u>As part of any development approval, development and redevelopment shall be based on a comprehensive development plan which demonstrates the potential full build out of the lands.</u> a)

Item No.	Section	Description of Change
		<p>b) On the lands designated Urban Centre and Urban Core, the rRedevelopment of existing low-rise commercial uses may occur gradually in a phased manner. Notwithstanding the minimum building heights required by this Plan, building additions, alterations and/or replacements may be permitted where they can be demonstrated not to preclude the long-term redevelopment of the properties as set out in this Plan; and</p> <p>b)</p> <p>c) On the lands designated Urban Core oOn the west side of Kerr Street abutting the railway, any requirement for, and the size and location of, retail, service commercial and office uses on the ground floor of buildings shall be determined through the development process and regulated by the implementing zoning.</p>
20.	23.6.6 KERR VILLAGE Exceptions – Schedule O	<p>Renumber section to 23.7.8 and revise as follows:</p> <p>On the lands designated Main Street 1 Central Business District located at 43 to 49 Lakeshore Road West, the redevelopment of existing drive-through facilities may occur. Notwithstanding the minimum building heights required by this Plan, building additions, alterations and/or replacements may be permitted where they can be demonstrated not to preclude the long-term redevelopment of the properties as set out in this Plan.</p>
21.	23.6.7 KERR VILLAGE Exceptions – Schedule O	<p>Renumber section to 23.7.9 and revise as follows:</p> <p>On the lands designated Main Street 1 Central Business District at the southwest corner of Lakeshore Road West and Chisholm Street, a maximum building height of 5 storeys may be permitted, conditional on the owner entering into an agreement under section 37 of the <i>Planning Act</i>.</p>
22.	27.2.1 EXCEPTIONS South East Exceptions – Schedule G	<p>Renumber section to 23.7.5 to accommodate revised Kerr Village Growth Area boundary.</p>
23.	27.2.2 EXCEPTIONS South East Exceptions – Schedule G	<p>Renumber section to 23.7.6 to accommodate revised growth area boundary and revise as follows:</p> <p>On the lands designated Main Street 1 Central Business District on the north side of Lakeshore Road, between Dorval Drive and Maurice Drive:</p>

Item No.	Section	Description of Change
		<ul style="list-style-type: none"> a) Retail and service commercial uses, and ancillary residential uses, may be permitted on the ground floor. b) The maximum building height shall be four storeys. c) Redevelopment of the lands between Garden Drive and Maurice Drive shall only occur at such time as all the lands within a development block have been acquired for development purposes. Lands fronting on to Garden Drive constitute one development block, while the remaining lands make up another development block. d) Redevelopment in accordance with c), above, shall be subject to the urban design guidelines for the Maurice Drive area.
24.	27.2.3 EXCEPTIONS South East Exceptions – Schedule G	Renumber section to 23.7.12 to accommodate revised growth area boundary.
25.	NEW KERR VILLAGE Exceptions – Schedule O	<p>Insert new policy 23.7.7 as follows:</p> <p><u>On the lands designated Medium Density Residential on the east side of Wilson Street between Rebecca Street and John Street, semi-detached dwellings may be permitted.</u></p>
26.	NEW KERR VILLAGE Exceptions – Schedule O	<p>Insert new policy 23.7.11 as follows:</p> <p><u>On the lands designated Urban Core at the northwest corner of Lakeshore Road West and Forsythe Street, a maximum building height of 17 storeys may be permitted.</u></p>
27.	23.7 KERR VILLAGE Implementation Policies	Renumber section to 23.8 , in accordance with item 8 above
28.	23.7.1 KERR VILLAGE Implementation Policies	Renumber section to 23.8.1
29.	23.7.2 KERR VILLAGE Implementation	Renumber section to 23.8.2

Item No.	Section	Description of Change
	Policies	
30.	23.7.3 KERR VILLAGE Implementation Policies	Re-number section to 23.8.3

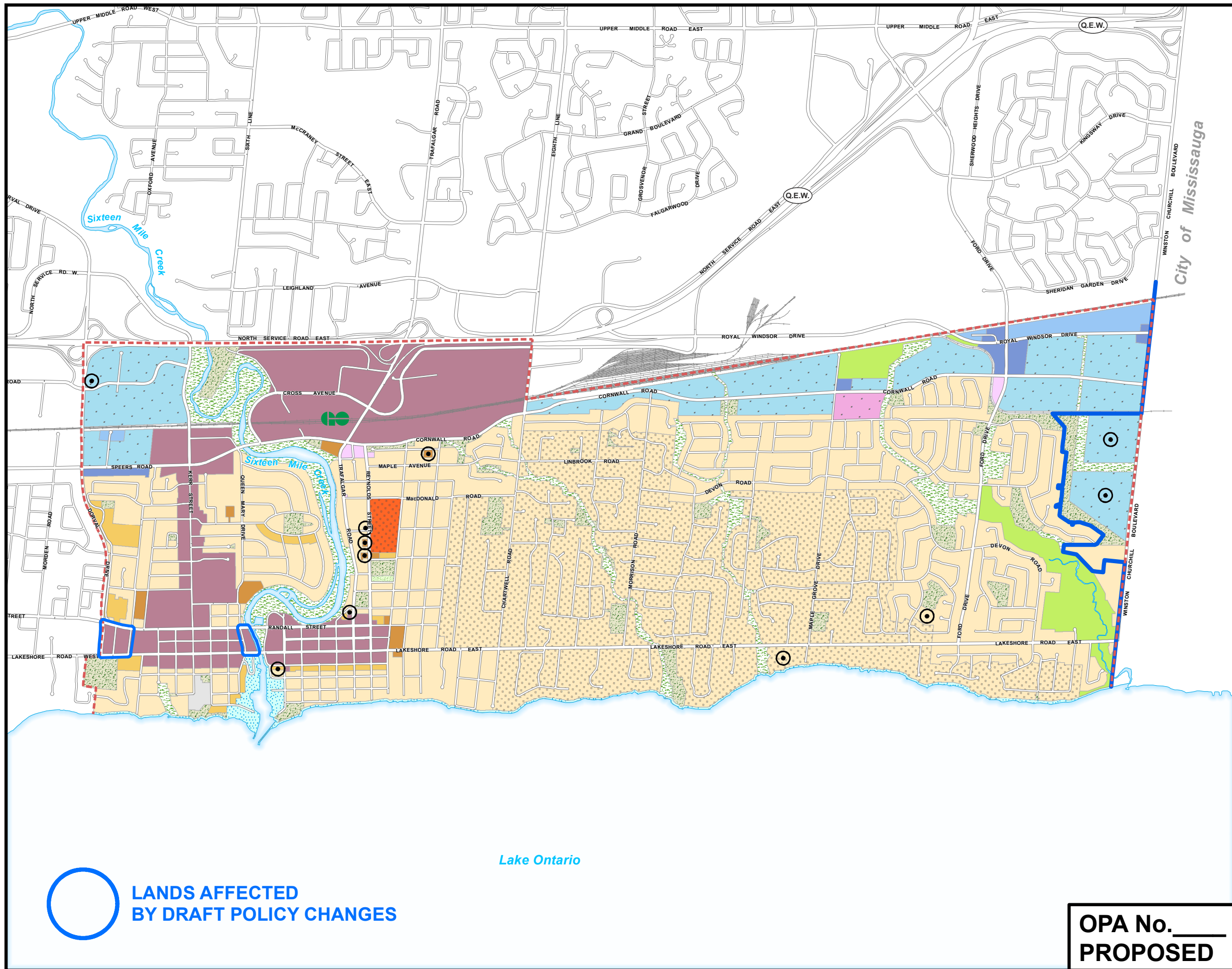
B. Schedule Changes

The amendment includes the changes and additions to the schedules to the Livable Oakville Plan listed in the following table, and shown in Appendix 1.

Item No.	Schedule	Description of Change
31.	Schedule A1 Urban Structure	Amend Schedule A1 to reflect the revised Kerr Village Growth Area boundary, as identified on Schedule O1 and shown in Appendix 1.
32.	Schedule G South East Land Use	Amend Schedule G to reflect revised Kerr Village Growth Area boundary.
33.	Schedule O Kerr Village Land Use	<p>Rename Schedule O to <u>Schedule O1</u> and amend the schedule as shown in Appendix 1 to:</p> <ul style="list-style-type: none"> - change the land use designation from Urban Centre to Urban Core in the northwest corner of Speers Road and Kerr Street; - consolidate the three exception bullets in the northwest corner of Speers Road and Kerr Street to one exception bullet; - introduce bonusing permissions to the Main Street 1 designations within the Kerr Village Main Street District; - change the land use designation in the Lower Kerr Village District from Central Business District to a mix of Urban Core, Urban Centre, Main Street 2, Main Street 1, High Density Residential, Medium Density Residential and Low Density Residential; - change the boundary of the Kerr Village Growth Area by extending the Lower Kerr Village District to Dorval Drive in the West and Sixteen Mile Creek in the east; - add exception bullets in the Lower Kerr Village District; and,

Item No.	Schedule	Description of Change
		<ul style="list-style-type: none">- introduce the Greenbelt Urban River Valley to the lands subject to the new Greenbelt Plan (2017).
34.	NEW Kerr Village Urban Design	<p>Insert new <u>Schedule O2</u> as shown in Appendix 1 to:</p> <ul style="list-style-type: none">- enhance the application of urban design policy objectives through the use of an urban design schedule; and,- illustrate urban design elements through mapping including: primary streets, secondary streets, enhanced streetscape areas, urban squares, and gateways.

APPENDIX 1
Changes to Schedules
to the Livable Oakville Plan

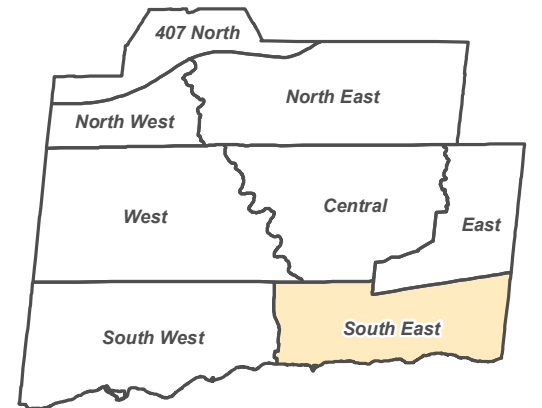


**LANDS AFFECTED
BY DRAFT POLICY CHANGES**

Lake Ontario

**OPA No. _____
PROPOSED**

SCHEDULE G SOUTH EAST LAND USE



- BUILT BOUNDARY
- SCHEDULE AREA BOUNDARY
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- NEIGHBOURHOOD COMMERCIAL
- COMMUNITY COMMERCIAL
- CENTRAL BUSINESS DISTRICT
- OFFICE EMPLOYMENT
- BUSINESS EMPLOYMENT
- INDUSTRIAL
- BUSINESS COMMERCIAL
- INSTITUTIONAL
- NATURAL AREA
- PARKWAY BELT
- PARKS AND OPEN SPACE
- PRIVATE OPEN SPACE
- WATERFRONT OPEN SPACE
- UTILITY
- GROWTH AREA*
- SPECIAL POLICY AREA
- RAILWAY

* Refer to Part E, Growth Area Policies

⊙ Refer to Part E, Exceptions



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August 29, 2017

