



OAKVILLE

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2017-123

Official Plan Amendment 22

A by-law to adopt an amendment to the Livable Oakville Official Plan, Official Plan Amendment Number 22 (Cortel Group/Trafalgar Heights; 278 Dundas Street East and 2466 Trafalgar Road; File Z.1413.30)

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 modify the site-specific policy applying to the lands known as 278 Dundas Street East and 2466 Trafalgar Road with respect to maximum permitted building heights

COUNCIL ENACTS AS FOLLOWS:

1. The attached Amendment Number 22 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and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Municipal Board.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 22 to the Livable Oakville Official Plan.

PASSED this 5th day of December, 2017

MAYOR

CLERK

Official Plan Amendment Number 22 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 22 to the Livable Oakville Plan.

Part 1 – Preamble

1. Purpose and Effect

The purpose of this Official Plan Amendment and Zoning By-law Amendment is to permit one building on the site to have a maximum height of 25 storeys, inclusive of bonusing, whereas the maximum is currently set at 20 storeys. It will also permit up to three other buildings on the site to have a maximum height of 17 storeys, inclusive of bonusing, whereas the maximum is currently set at 16 storeys.

2. Location

The site subject to this Official Plan Amendment is municipally known as 278 Dundas Street East and 2466 Trafalgar Road. It comprises an area of approximately 2.47 hectares at the southwest corner of Dundas Street East and Trafalgar Road. The site will be accessed via extensions to Taunton Road and Oak Walk Boulevard.

3. Background

- In 2011, the Town and the previous land owner reach a settlement before the Ontario Municipal Board (OMB). The OMB approved a mixed use development with residential, commercial and office permissions.
- The site-specific policy was subsequently included in the Livable Oakville Plan. It permits a maximum building height of 20 storeys, inclusive of bonused height, for one building only. Three other buildings are permitted to have a maximum height of 16 storeys, inclusive of bonused height.
- In December 2016, the current owner filed a development application amend the Official Plan and Zoning By-law, as they apply to the site, to

permit one building to have a maximum height of 25 storeys (instead of 20 storeys), and for the other three buildings to have a maximum height of 17 storeys, all inclusive of bonused height and subject to the owner entering into a Section 37 Agreement with the Town.

3. Basis

- The proposed amendment would provide the opportunity for a greater variation in building height among the four buildings, creating a more dynamic visual appearance for the development.
- The subject property is considered a visually prominent Gateway location as an entry point into the Town and Growth Area. The proposed amendment and implementing zoning would have the effect of promoting the Urban Design objectives of the Uptown Core as a well-designed built form that contributes to community image and identity.
- The proposal would support the intensification of the Uptown Core growth area and be complementary to the adjacent Uptown Core Transit terminal.
- The bonusing provisions of the Livable Official Plan and the OMB approved Minutes of Settlement would continue to be applicable to the subject development.
- The proposed increase in height does not have any servicing implications or infrastructure constraints given that there is no change to the maximum number of units.
- An updated Traffic Impact analysis has confirmed that the traffic generated by the proposed development can be accommodated on the existing and planned road network to the satisfaction of the Region.

Part 2 – The Amendment

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
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Item No.	Section	Description of Change
1.	21.6.4 UPTOWN CORE, Uptown Core Exceptions – Schedule M1 and M2	<p>Revise the policy as follows:</p> <p><i>Development</i> of the lands located at the southwest corner of Trafalgar Road and Dundas Street adjacent to the existing transit station at Oak Walk Drive and Taunton Road, known as 278 Dundas Street East and 2466 Trafalgar Road, may be permitted which provides for the transfer of unused height to internal building(s) providing for a maximum of 750 residential units and a minimum of 2,640 square metres of office uses. <i>Development</i> is expected in a total of four mixed use buildings on the site, subject to the applicable bonusing policies of this Plan, and with a variation of height where the maximum height, inclusive of bonused height, is 20 <u>25</u> storeys and only one building may be 20 <u>25</u> storeys. <u>The maximum height for all other buildings, inclusive of bonused height, shall be 17 storeys. Notwithstanding the height permissions above, the total number of storeys through bonusing must not exceed 20 storeys across the site.</u></p>