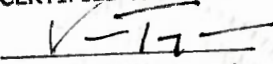




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Victoria Susan Tytaneck
Town Clerk

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2025-037

Official Plan Amendment No.70

A by-law to amend the Livable Oakville Official Plan to incorporate new policies for the Midtown Oakville Protected Major Transit Station Area and Community Planning Permit System

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;

WHEREAS it is deemed necessary to pass an amendment to amend the Livable Oakville Official Plan to implement the findings of the Midtown Oakville Growth Area Review and to enable a Community Planning Permit System;

WHEREAS Midtown Oakville is a protected major transit station area in accordance with Section 16(15) of the *Planning Act*;

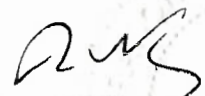
WHEREAS Section 16 (18) of the *Planning Act* states the Minister is the approval authority for Official Plan Amendments that add or change certain policies regarding protected major transit station areas; and

WHEREAS Section 2.1 of the *Planning Act* states that an approval authority must have regard to any decision of Council made under the *Planning Act* and the information and material that was considered by that Council as it relates to the same planning matter.

COUNCIL ENACTS AS FOLLOWS:

1. Official Plan Amendment Number 70 to the Livable Oakville Official Plan, attached as Appendix "A" to this by-law, is hereby adopted.
2. The Clerk is hereby authorized and directed to apply to the Approval Authority being the Minister of Municipal Affairs and Housing for approval of this Official Plan Amendment.

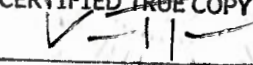
PASSED this 18th day of February, 2025


Rob Burton

Mayor


Andrea Holland Acting Town Clerk

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Victoria Susan Tytaneck
Town Clerk

APPENDIX “A” to By-law 2025-037

Official Plan Amendment Number 70 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 Official Plan Amendment Number 70 (OPA 70) to the Livable Oakville Plan.

Part 1 – Preamble

A. Subject Lands

The proposed amendment applies predominantly to the Midtown Oakville area which is located south of the QEW/Highway 403 and north of Cornwall Road, between Sixteen Mile Creek and Chartwell Road as shown in Figure 1 below.

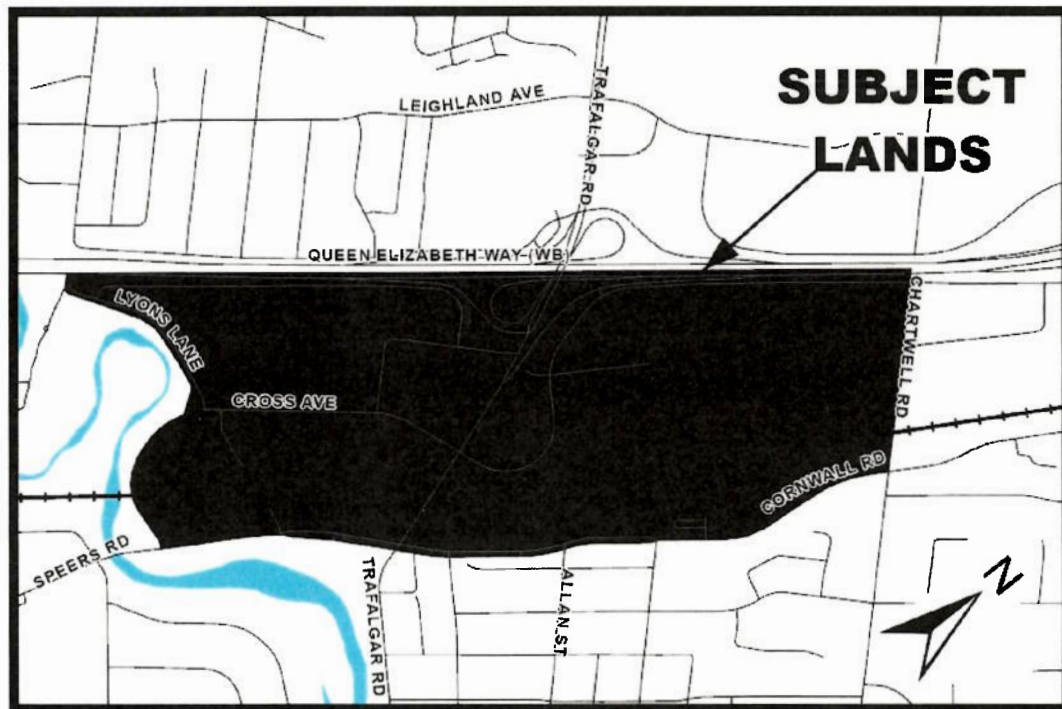


Figure 1 Midtown Oakville Area

Parts of the proposed amendment also apply on a townwide basis as noted in the Part 2 – The Amendment.

B. Purpose and Effect

The purpose of the proposed Official Plan amendment (OPA) is to update the land use policies applying to Midtown Oakville as a Protected Major Transit Station Area (PMTSA) and to update related policies that apply on a townwide basis, including policies that enable the use of a Community Planning Permit System, in the *Livable Oakville Plan* (Official Plan).

The effect of the proposed amendment to the *Livable Oakville Plan* is to:

- a) Replace Section 20, Midtown Oakville, in its entirety, which would:
 - o update and revise the area, introduction, goal, objectives and development concept for Midtown Oakville
 - o update and revise the related area-specific policies (e.g., land use, transportation, active transportation, parking, urban design, parks and open spaces, and stormwater) to enable redevelopment that is contextually appropriate,
 - o establish minimum and maximum site density, and building height minimums,
 - o update the area-specific implementation policies to eliminate the bonusing policies and provide new and revised policies relating to phasing/transition, area design plans, landowners' agreements (cost sharing), an implementation strategy and monitoring.
- b) Update and revise all schedules identifying the Midtown Oakville protected major transit station area boundary, which excludes the following areas that were previously identified as 'urban growth centre': 564 Lyons Lane, and the valleyland between Cross Avenue and Cornwall Road. Show the existing land use designations applying to those excluded lands (being "Natural Area") on Schedule G (Southeast Land Use) instead of Schedule L1 (Midtown Oakville Land Use)
- c) Replace Schedules L1, L2 and L3, with new schedules that revise Midtown Oakville land uses, provide building height thresholds, minimum and maximum densities, and propose transportation networks to reflect and support the proposed policy changes.
- d) Update schedules A1, B, and G to be in accordance with revised Schedule L1.
- e) Update schedules C and D to be in accordance with new schedules L5 and L6, respectively.

- f) Add townwide policies which enable the use of a community planning permit system, and address matters such as land use compatibility in relation to rail yards and corridors and provincial highways, update hazard lands policies, enable the use of Community Improvement Plans to incentivize the provision of affordable housing, and, where appropriate, request the preparation of area design plans and transportation demand management options reports.

C. Background and Basis

- Council adopted Official Plan Amendment Number 15 (OPA 15) for a town-wide Urban Structure on September 27, 2017. The town-wide Urban Structure provides for the long-term protection of natural heritage, public open space and cultural heritage resources, maintains the character of residential areas and is the foundation to direct growth to identified nodes – including the Midtown Oakville urban growth centre – and corridors. OPA 15 has been fully in effect since July 9, 2021.
- In accordance with the Town's [growth area review](#) supported by Council in January 2018, directions were provided to update Section 20 Midtown Oakville which precipitated undertaking this Official Plan amendment process.
- Regional Official Plan Amendment Number 48 (ROPA 48) to the Region of Halton Official Plan identifies the Midtown Oakville as a Protected Major Transit Station Area (PMTSA) in accordance with the *Planning Act*. ROPA 48 was [approved](#) with eight modifications by the Minister of Municipal Affairs and Housing on November 10, 2021. This approval established:
 - the PMTSA boundary (encompassing 103 hectares of land that includes the Oakville GO and VIA Rail stations and a transit hub along with future Bus Rapid Transit Stations),
 - the minimum density target of 200 residents and jobs per hectare by 2031, and
 - accommodating a general target proportion of 65% residents and 35% jobs within this area.
- In accordance with requirements of the Region of Halton Official Plan and the *Planning Act*, this OPA provides requisite permitted use and minimum built form policies and schedules.
- Furthermore, this OPA updates policies and schedules relevant to Midtown Oakville to better align with in effect Provincial and Regional legislation, policies, and programs as well as Regional and Town led master plans to ensure that planning in Midtown Oakville continues to be contextually sensitive and responsive to current and emerging trends related to intensification areas that are well served by transit. These updates include changes to the *Livable Oakville Plan* that would apply on a townwide basis,

including policies that enable the use of a Community Planning Permit System.

- Consideration of implementing a community planning permit system (CPPS) in Oakville was first contemplated in December 2022 through a request for reports (See [item 17.3 of the Council meeting minutes](#).) This report request was satisfied through the preparation of a comprehensive study associated with the Town's preparation of a Housing Strategy and Action Plan, the White Paper entitled: [Planning Act Tools to Facilitate Development of Affordable Housing](#) (updated in September 2024). The White Paper was first presented to Planning and Development Council on March 18, 2024, following that Council meeting, a presentation was made to Council specifically with respect to the CPPS on April 8, 2024.
- During a Special Council Meeting on June 3, 2024, Council requested that staff expedite the preparation of policies to enable the use of the CPPS within the town, and particularly in Midtown Oakville.
- As noted in the [staff report](#) prepared for the October 29, 2024 Special Council Meeting this OPA:
 - Has regard for matters of Provincial interest under section 2 of the *Planning Act*.
 - Provides required policies regarding permitted land use and density in accordance with section 16 of the *Planning Act* as it relates to protected major transit station areas.
 - Provides required enabling Community Planning Permit System policies in accordance with Ontario Regulation 173/16 Community Planning Permits.
 - Is consistent with the Provincial Planning Statement, 2024 as it relates to major transit station areas, strategic growth areas, provision of compact complete communities and transit supportive development, mitigation and adaptation to climate change, protection of natural and cultural heritage, land use compatibility, protection of public health and safety, and efficient use of existing and planned infrastructure, among others.
 - Implements policies and schedules of the Halton Region Official Plan regarding the Midtown Oakville Protected Major Transit Station Area and planning for strategic growth areas in a manner that implements the Regional urban structure and efficiently uses land, resources, and infrastructure.
- As noted in the [staff report](#) prepared for the January 20, 2025 Planning and Development Council, this OPA supports the Minister of Infrastructure's five objectives for Transit Oriented Communities, which are:
 - Increase transit ridership and reduce traffic congestion;
 - Increase housing supply (including affordable housing);
 - Create jobs and stimulate the economy through major projects;

- Build complete communities, including bringing retail and amenities within a short walking distance of transit stations, and,
 - Offset the cost of new station infrastructure.
- Furthermore, the policies and schedules prepared for this Official Plan are informed by policies, studies, and plans as listed in [Appendix H](#) to the staff report prepared for the January 20, 2025 Planning and Development Council meeting.
- As noted in staff reports provided to Council and Committee of the Whole since 2018, which are all available through the [Midtown Oakville Growth Area Review](#) webpage, the development of this OPA has undergone considerable public consultation and agency review, including engagement with the Mississaugas of the Credit First Nation, and Six Nations of the Grand River.
- On July 1, 2024, provisions of [Bill 185, Cutting Red Tape to Build More Homes Act, 2024](#), came into effect which now make the Minister of Municipal Affairs and Housing the approval authority for the Town's Official Plan. While most amendments to the Official Plan are exempt from the Minister's approval by way of [Ontario Regulation 525/97](#), Section 16 (18) of the *Planning Act* requires that the Minister retain approval of Official Plan amendments that pertain to protected major transit station area permitted uses and minimum density. As such, and in accordance with Section 17(17.1), the Town provided a copy of the draft OPA on September 26, 2024 to the Ministry of Municipal Affairs and Housing for their review.
- A copy of the [draft OPA](#) was also made available to the public, prescribed bodies and the Mississaugas of the Credit First Nation, Six Nations of the Grand River, and the Haudenosaunee Confederacy for their review and comment.
- A Committee of the Whole workshop regarding the draft OPA was held on [October 10, 2024](#), followed by a Special Council meeting on [October 29, 2024](#) wherein oral and written submissions were provided to Council.
- A statutory public open house (as required for the Community Planning Permit System enabling policies) was held on November 27, 2024. [Notice of this open house](#) was issued on November 12, 2024.
- A copy of the [proposed OPA](#) and [notice of statutory public meeting](#) for it was issued on December 23, 2024.
- The statutory public meeting was held on [January 20, 2025](#) wherein oral and written submissions were provided to Council.
- A recommendation report to adopt this Official Plan Amendment was presented to Council at the February 18, 2025 Planning and Development Council meeting.

Part 2 – The Amendment

A. Text Changes

The amendment includes the changes to the text of the *Livable Oakville Plan* as described in the following table. In the “Description of Change” column, text that is bolded and underlined is new text to be inserted into the Livable Oakville Plan.

Item	Section	Description of Change
1.	8.11 TRANSPORTATION Rail	The following new policies are added: <u>8. 11.4 Rail yard(s) and rail influence areas are depicted on Appendix 5.</u> <u>a) New or expanded residential or other sensitive land uses shall not be permitted within 300 metres of a rail yard.</u> <u>b) Proposed residential development or other sensitive land use located between 300m and 1000m of a rail yard shall be required to undertake land use compatibility studies to the satisfaction of both the Town and rail operator to support the feasibility of the proposed development and, if feasible, to include appropriate mitigation measures.</u> <u>8. 11.5 Proposed residential or other sensitive use development within 300 metres of a railway right-of-way shall be required to:</u> <u>a) undertake noise studies, in consultation with the appropriate railway operator</u> <u>b) undertake appropriate measures to mitigate any adverse effects from noise that were identified, and</u> <u>c) investigate and implement available options, including alternative site layouts and/or attenuation measures</u>

		<u>to ensure appropriate sound levels are achieved.</u> <u>8.11.6 Any development within 300 metres of the Metrolinx Rail Corridor shall:</u> a) <u>demonstrate that it aligns with the “Metrolinx Adjacent Development Guidelines - GO Transit Heavy Rail Corridors” and “Metrolinx Overbuild Development Guidelines - GO Transit Heavy Rail Corridors.”</u> b) <u>be supported by an acoustical study to the satisfaction of the Town and Metrolinx, and</u> c) <u>where requested by Metrolinx, register an Environmental/Operational Easement in favour of Metrolinx over the subject lands.</u> <u>8.11.7 Any development within 75 metres of the Metrolinx Rail Corridor shall provide a vibration study to the satisfaction of the Town and Metrolinx.</u> <u>8.11.8 Development, including site alteration, adjacent to the Metrolinx Rail Corridor shall be subject to the review of Metrolinx and may be subject to conditions issued by Metrolinx, including the execution of agreements with and/or permits from Metrolinx.</u>
2.	8.12 TRANSPORTATION Integrating Land Use and Transportation	The following new policy is added: <u>8.12.4 Development within 800m of a provincial highway shall be reviewed in consultation with the Ministry of Transportation.</u>

		<u>8.12.5 Development in and adjacent to the Ministry of Transportation right-of-way may be required to provide a setback per Ministry policy and to obtain necessary Ministry of Transportation permits prior to the commencement of construction.</u>
3.	10.13 SUSTAINABILITY Hazard Lands	Section 10.13 is amended by adding the text shown below to policies 10.13.1 and 10.13.2: 10.13.1 The delineation and regulation of hazard lands are administered by the Conservation Authorities. The general location of floodplain limits and shoreline hazard lands are conceptually shown on Schedule B. The limits of hazard lands on Schedule B may be updated without a Plan amendment. <u>Technical studies, prepared by qualified professionals, may be required to delineate and/or refine the limit of hazardous lands, and demonstrate that the policies of this plan have been met, to the satisfaction of the Town and Conservation Authority.</u> 10.13.2 No new <i>development</i> or site alteration is permitted within or adjacent to hazard lands without the approval of the Conservation Authority, <u>in accordance with the Conservation Authorities Act and associated regulations and policies. Appendix 6 provides the approximate Regulation Limit of the Conservation Authorities. The text of the Conservation Authorities Act and associated regulations prevail over any mapping. The regulation limit does not represent a development limit.</u>
4.	20 MIDTOWN OAKVILLE	Section 20, Midtown Oakville of the <i>Livable Oakville Plan</i> is deleted and replaced with the new Section

		20, including new figures E1 Precinct Areas and E2 Active Frontages provided in Attachment 1 .
5.	28.15 IMPLEMENTATION Development Permits	Section 28.15 Development Permits is deleted and replaced with a new Section 28.15 Community Planning Permit System as provided in Attachment 2 .
6.	28.16 IMPLEMENTATION Community Improvement	Policy 28.16.2 is amended by adding a new item (k) as shown below. 28.16.2 The designation of a <i>community improvement</i> project area shall be based on one or more of the following criteria: a) deficiencies in the physical <i>infrastructure</i> of the area, including water, sanitary sewers, storm sewers, roads, sidewalks, curbs, street lighting, traffic control and electrical facilities; b) deficiencies in the provision or design of off-street parking areas; c) inadequate parks, open space, landscaping and community or recreation facilities; d) evidence of economic decline in commercial areas, such as unstable uses or high vacancy rates; e) problems with incompatible land uses; f) buildings and structures in need of maintenance and repair; g) need to improve streetscape amenities on public and/or private property; h) need for heritage resource conservation; i) opportunities for infilling and <i>development</i> of under-utilized sites; j) existing or probable soil or water contamination, <u>and/or</u> <u>k) need for affordable housing and/or additional needs housing.</u>
7.	28.19 IMPLEMENTATION Pre-Consultation and Complete Application	a) Section 28.19 is amended by inserting the words “development permit” to the preamble of policies 28.19.3 and 28.19.19 as follows:

	Submission Requirements	28.19.3 Unless an exemption is granted under section 28.19.5, the following information and materials shall be required to be submitted as part of any application for Official Plan amendment, zoning by-law amendment, site plan, <u>development permit</u>, draft plan of subdivision or draft plan of condominium, and shall be requested as applicable for other applications: ... 28.19.19 An application for Official Plan amendment, zoning by-law amendment, site plan, <u>development permit</u>, draft plan of subdivision or draft plan of condominium shall be considered complete under the <i>Planning Act</i> only when all of the following items have been provided to the Town:... b) Section 28.19.3 is further modified by inserting new policies (i) Area Design Considerations, and (j) Transportation Demand Management Considerations as follows: 28.19.3 (i) <u>Area Design Considerations</u> <u>To address co-ordination issues between landowners and phasing of development, the area design plan shall:</u> i. <u>be prepared in accordance with terms of reference approved by the Town;</u> ii. <u>provide a comprehensive development scheme for the entirety of the block in which the subject lands are located;</u> iii. <u>demonstrate how the proposed development shall not preclude development on adjacent properties in</u>
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		<u>accordance with the policies of this Plan;</u> iv. <u>outline how <i>development</i> may be phased and co-ordinated between the subject lands and adjacent properties, including properties across any public streets from the subject lands;</u> v. <u>identify the specific location and boundaries of land uses and designations;</u> vi. <u>identify the density and distribution of built form, building heights, mixture of uses, and housing types including <i>affordable housing</i>;</u> vii. <u>identify the detailed street pattern including <i>active transportation</i>, transit facilities, streetscape/public realm enhancements, and on street parking;</u> viii. <u>identify the size and location of parks and open spaces;</u> ix. <u>identify the size and location of <i>public service facilities</i> and <i>educational facilities</i>; and</u> x. <u>identify the size, location, and general configuration of stormwater management facilities.</u> <u>(i) Transportation Demand Management Considerations</u> i. <u>A <i>Transportation Demand Management (TDM)</i> Options Report shall demonstrate how the proposed <i>development</i> will promote a shift to more sustainable travel modes and support transit initiatives. A TDM Options Report and its implementation</u>
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		<u>may include, but is not limited to the following:</u> • <u>Secure bicycle parking, including publicly accessible bicycle parking rooms;</u> • <u>Cycling infrastructure and end-of-trip infrastructure, such as bike repair station/stand and shower and change room facilities, located in an accessible location;</u> • <u>Micromobility options including scooter share, bike share and electric scooter/bike charging stations; Dedicated cycling routes internal to the site to and from key destinations;</u> • <u>New or improved connections to the existing or planned Town cycling network;</u> • <u>Pedestrian supportive features such soft landscaping, shade trees, street furniture such as benches, and marked safety crossings;</u> • <u>Cyclist amenities such as bike racks, bike lockers, and showering facilities;</u> • <u>Continuous pedestrian linkages;</u> • <u>Functional building entrances oriented to locations where pedestrians, cyclists, and transit users arrive;</u> • <u>Weather protection, such as protective awnings or wind screening, along street frontages adjacent to transit stops;</u> • <u>Subsidized transit passes or pre-loaded transit cards for residents, students and/or employees;</u> • <u>Real-time technology that displays transit route and time information and technology that supports other</u>
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		<u>modes of sustainable transportation;</u> • <u>Publicly accessible car-share or ride-share services, pick-up drop-off areas, and parking spots;</u> • <u>Preferential carpool parking;</u> • <u>Paid parking for non-residential uses;</u> • <u>Shuttle services;</u> • <u>Varying hours of work to reduce peak-hour loads;</u> • <u>Shared parking agreements; and,</u> • <u>Other sustainable transportation measures that may be identified.</u> <u>ii. The development of site-specific <i>Transportation Demand Management (TDM)</i> strategies shall consider relevant parking strategies that the Town and/or Halton Region are a party to, and relevant by-laws that may authorize, permit or preclude proposed strategies.</u>
8.	29.5 INTERPRETATION Glossary	a) The following new terms and definitions are inserted in alphabetical order into the Glossary: <u><i>Additional needs housing</i> means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of additional needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, housing for persons with disabilities such as physical, sensory or mental health disabilities, housing for older persons, group homes, emergency shelter, housing for homeless, and independent permanent living arrangements where support services</u>

	<u>such as meal preparation grocery shopping laundry, housekeeping, respite care and attendant services are provided. It does not include households that receive community based support services in their own home.</u> <u><i>Gross Density</i> means the product of total proposed building floor area (excluding sub-surface and mechanical areas) divided by land area of a site (excluding lands where <i>development</i> is prohibited and prior to lands being dedicated for public use), and as may be further defined in the implementing by-law.</u> <u><i>Gross leasable floor area</i> means the total floor area occupied by a commercial, retail or office facility for its exclusive use (excluding areas devoted to storage or refuse collection) and as may be further defined in the implementing by-law.</u> <u><i>Non-residential Needs Analysis</i> means a study prepared in support of a development application that proposes to not meet the minimum requirements for non-residential <i>gross leasable floor area</i>. This study shall demonstrate how the minimum equivalent job creation and complete community objectives and policies of the Official Plan will be achieved within the proposed development plan.</u> <u><i>Spill</i> means where <i>flood</i> waters leave the valley and floodplain of a <i>watercourse</i> and “spill” into surrounding lands, either rejoining the <i>watercourse</i> at a distance downstream, flowing into an adjacent watershed, or remaining within the <i>spill</i> area (if there is no outlet). <i>Spills</i> typically flow in multiple directions, often in complete patterns, and generally do not follow the <i>watercourse</i>.</u>
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		<u>Spill Flood Hazard means a spill or portion of a spill that could be unsafe for development activity.</u> <u>Universally Accessible means the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability.</u> b) The definition for Public Service Facility is modified by inserting “and including <i>educational facilities</i>” to the definition of Public Service Facility, as shown below. <i>Public service facilities</i> means lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services, <u>and including educational facilities</u>. <i>Public service facilities</i> do not include <i>infrastructure</i>.
9.	All	a) Adjust the policy numbering and policy references throughout the <i>Livable Oakville Plan</i> in accordance with the above modifications. b) Add and italicize any defined terms from Part F, Section 29.5, Glossary, of the <i>Livable Oakville Plan</i> within the new text added to the Plan.

B. Schedule Changes

This Official Plan Amendment includes the following modifications to the schedules to the Livable Oakville Plan:

1.	POLICY SCHEDULES	<i>Livable Oakville Plan</i> Policy Schedules are amended as follows: a) Schedule A1 Urban Structure is modified by updating the Midtown “Nodes and Corridors” boundary in accordance with the “Protected Major Transit Station Area/Growth Area Boundary” depicted on Schedule L1 provided in Attachment 3. b) Schedule B Natural Features & Hazard Lands is modified by identifying floodplain, valleyland, and woodland within the Midtown Oakville area in accordance with lands designated “Natural Heritage” in Schedule L1 provided in Attachment 3. c) Schedule C Transportation Plan is modified by updating future roads and busway within the Midtown Oakville area in accordance with Schedule L5 provided in Attachment 3. d) Schedule D Active Transportation Plan is modified by adding a box around the Midtown area of the Schedule which refers the reader Schedule L6: Midtown Active Transportation Network.
2.	LAND USE SCHEDULES	Schedule G South East Land Use is modified by updating the Midtown Growth Area boundary in accordance with the “Protected Major Transit Station Area/Growth Area Boundary” and expanding the Sixteen Mile Creek “Natural Area” boundary on lands that are no longer within the Midtown Growth Area Boundary as identified on Schedule L1 provided in Attachment 3.
3.	GROWTH AREA SCHEDULES	Livable Oakville Growth Area Schedules are amended as follows:

		a) The following schedules are deleted: i. Schedule L1, Midtown Oakville Land Use ii. Schedule L2, Midtown Oakville Building Heights iii. Schedule L3, Midtown Oakville Transportation Network b) The following new schedules in Attachment 3 are inserted: i. Schedule L1, Midtown Oakville Land Use ii. Schedule L2, Midtown Oakville Minimum Density iii. Schedule L3, Midtown Oakville Maximum Density iv. Schedule L4, Midtown Oakville Building Height Thresholds v. Schedule L5, Midtown Oakville Transportation Network vi. Schedule L6, Midtown Oakville Active Transportation
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Attachment 1 to OPA 70

NEW Section 20, Midtown Oakville

20. MIDTOWN OAKVILLE

The interchange of Trafalgar Road and the QEW and the Oakville GO and VIA stations are major entry points to the Town and distinguish Midtown Oakville as a strategic location to accommodate both population and employment growth. Additionally, this area has unique Indigenous, railway and industrial history that have contributed to the growth of Oakville.

Access by major roads and local and inter-regional transit, combined with a large amount of vacant and underutilized land, provide the *infrastructure* and *development* opportunity for this area to continue to evolve and create a complete urban community comprised of a mix of residential, retail and employment uses. This mix of use fosters living, working, learning and recreating in Midtown Oakville.

Midtown Oakville is a Protected *Major Transit Station Area* (PMTSA) in accordance with the *Planning Act*. This area benefits from greater planning certainty in relation to density of development, building height, and *inclusionary zoning* provisions.

Midtown Oakville is the Town's primary *strategic growth area*. It is approximately 103 hectares in size and bounded by the QEW to the north, Chartwell Road to the east, Cornwall Road to the south and the Sixteen Mile Creek valley to the west. Within these boundaries, there are areas precluded from development, such as the rail and hydroelectric *utility* corridors and the natural heritage system. These areas contribute to Midtown Oakville by facilitating goods and people movement and providing passive open space. New development will be located on the balance of lands within Midtown Oakville.

The Oakville GO and VIA Rail Stations anchor this *major transit station area* and are the Town's primary hub for existing and planned transit. Rail and bus connections service the area and major improvements to the local and inter-regional transit network are planned. In addition to improvements to the local bus network, there will be expansions to express commuter rail service and bus rapid transit corridors within the area. The bus rapid transit systems that originate in Midtown Oakville will connect with the broader Greater Toronto and Hamilton Area (GTHA) transportation network.

The Town will work with the Province, the Region and the development community to realize the goals and objectives established for Midtown Oakville. The transformation of this area will occur incrementally and will require on-going co-ordination and partnership among these sectors. Partnerships may be facilitated using *Planning Act* tools including the community planning permit system, *community improvement plans*, and other master plan exercises.

20.1 GOAL

Midtown Oakville is the primary *strategic growth area* within the Town's urban structure. Midtown Oakville will accommodate significant residential and employment growth in a dynamic urban setting where people live, work, and play in a vibrant, walkable, mixed-use

neighbourhood, connected to the rest of Oakville by pedestrian, cycling, transit and street networks.

Within this compact urban community, residents and business will benefit from inter-regional transportation systems, enjoy access to the natural heritage system, and have access to regional-scale commercial, institutional, recreational, and office facilities.

Midtown Oakville will foster a community where pedestrians and cyclists feel safe, and public transit predominates over the use of single occupant vehicles.

20.2 OBJECTIVES

As Midtown Oakville develops, the Town will, through public actions and in the process of reviewing planning applications, use the following objectives to guide decisions.

20.2.1 Create a transit-supportive community by:

- a) ensuring the entire area is designed and developed in a pedestrian oriented manner;
- b) providing a transportation network that connects to, and through, Midtown Oakville for public transit, pedestrians, cyclists and vehicles; and,
- c) promoting a *compact urban form* with high density and high intensity land uses.

20.2.2 Create a vibrant and *complete community* by:

- a) providing a mix of residential, commercial, employment, civic, institutional, cultural and recreational uses, complemented by public open spaces and public art;
- b) directing *major office* and appropriate large scale institutional *development* to Midtown Oakville as key economic generators;
- c) ensuring high quality human-scaled design that complements and contributes to the vitality of both Midtown Oakville and the Town, based on the vision for each of the precinct areas described in section 20.3;
- d) promoting a high calibre of architecture and urban design through *development* and the public realm;
- e) providing a transition among the concentration, mix and massing of uses and buildings in Midtown Oakville and neighbouring areas and properties;
- f) co-ordinating public investment in transit, *infrastructure* and civic facilities to support future growth in accordance with town master plans;
- g) promoting *district energy* facilities and sustainable building practices in alignment with Town strategies; and
- h) protecting and maintaining natural heritage system, including lands along Sixteen Mile Creek.

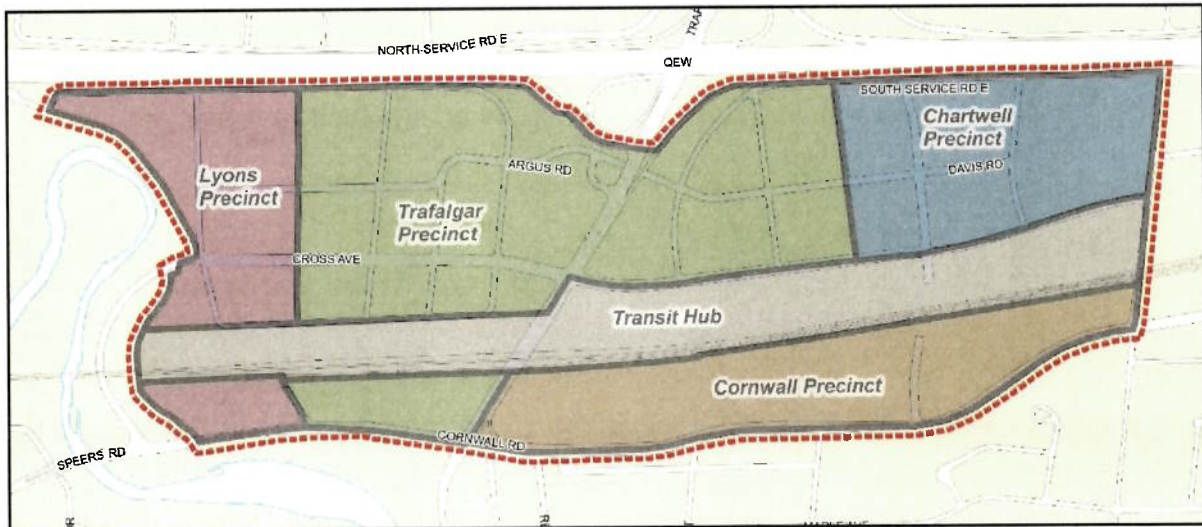
20.2.3 Achieve Midtown Oakville goals by:

- a) identifying Midtown Oakville as a Community Planning Permit Area in accordance with section 28.15 of this Plan;
- b) continuously promoting and enabling the evolution of Midtown Oakville as the Town's primary *strategic growth area*;
- c) ensuring a minimum gross density of 200 residents and jobs combined per hectare— a combined total of approximately 20,000 residents and jobs – by 2031; and

- d) ensuring that *development* occurs in a comprehensive and progressive manner by monitoring key *development* indicators at regular intervals in accordance with the Town's Official Plan review and relevant master plan work, ensuring future population and job growth is accommodated through efficient use of *infrastructure* and capital planning on an on-going basis.

20.3 DEVELOPMENT CONCEPT

Midtown Oakville is comprised of five precincts as shown on Figure E1 Precinct Areas.



PRECINCT BOUNDARY

Figure E 1 Precinct Areas

20.3.1 Transit Hub Precinct

The Transit Hub Precinct includes the transit-related and transit-supportive uses and facilities that define Midtown Oakville as a *major transit station area*. The Precinct includes the train platform, station buildings, bus terminal and parking areas, as well as adjacent lands within the rail and hydro corridors.

The Town will work with:

- Metrolinx to develop an eastward extension of the train platform across Trafalgar Road in order to enhance access to the station, and
- the Province to provide multi-use trail connections to the transit hub.

20.3.2 Trafalgar Precinct

The Trafalgar Precinct will develop with a mix of land uses in a highly walkable community of Midtown Oakville. This Precinct will accommodate a mix of office, civic, cultural, residential, and recreational uses and public spaces.

- Major civic and post-secondary institutional investment that benefits from this area's *multi-modal* transportation system is strongly encouraged.
- Civic and community uses, complemented by public open spaces, are intended to become landmark features of the community.

- c) At-grade retail space is intended to be located along local streets to serve the needs of users, and provide active street life.
- d) Office uses should be located close to the Oakville GO/Via Rail Station and transit terminal, providing easy and convenient connections for commuters.
- e) An event centre is particularly encouraged to locate in this Precinct.
- f) Trafalgar Road will be improved through landscaping treatments and building frontages that create an environment that supports and promotes walking.
- g) A public multi-use trail, which includes an overpass north of Cross Avenue, will provide a new connection west and east of Trafalgar Road.
- h) *Development* shall be provided in a form that supports frequent transit service along Cross Avenue to provide reliable access to and from the transit hub.

20.3.3 Lyons Precinct

The Lyons Precinct will evolve into a highly compact mixed-use and transit-oriented community.

- a) Local roads shall be framed by active at-grade frontages and strategic building setbacks to encourage and support pedestrian activities and movement.
- b) *Development* shall support frequent transit services along Cross Avenue to provide reliable access to and from the transit stations.
- c) *Development* shall protect views of and provide safe access to Sixteen Mile Creek.

20.3.4 Chartwell Precinct

The Chartwell Precinct provides transition from urban mixed-use *development* to less intense *development* and a business campus area.

- a) This Precinct supports a vibrant live-work community where a high proportion of *development* contributes to non-residential uses and reflects on the origins of Midtown Oakville as an area of employment.
- b) The employment only area of this Precinct provides space for employment activities that do not typically locate in mixed-use areas. A diverse range of employment opportunities will be provided.
- c) This area will be connected to the larger Midtown Oakville area through a network of streets and multi-use trails that provide pedestrian and transit access to and from the transit hub.

20.3.5 Cornwall Precinct

The Cornwall Precinct shall include a mix of uses that define the southern edge of Midtown Oakville.

- a) *Development* shall be *compatible* with the residential neighbourhood south of Cornwall Road.
- b) Commercial areas and active parkland will serve the needs of residents and workers in Midtown Oakville and the surrounding area.

20.4 LAND USE POLICIES

The entirety of Midtown Oakville is a Protected Major Transit Stations Area (PMTSA) in accordance with the *Planning Act*. The boundary of the PMTSA is identified on Schedule L1 and delineated as “Growth Area Boundary.”

Land use designations are provided on Schedule L1. In addition to the policies in Parts C and D of this Plan, the following policies apply to Midtown Oakville.

20.4.1 General

The predominant use of land within Midtown Oakville shall be mixed-use, transit-supportive *development*.

a) Public Service Facilities

- i. All *public service facilities*, including transit-supportive facilities such as bus terminals, passenger pick-up and drop-off (PUDO) areas, are permitted in all land use designations where *development* is permitted.
- ii. New *public service facilities* shall be provided in accordance with the policies of this plan and town or public agency master plans.
- iii. Landowners, public agencies, and/or non-profit community service providers are encouraged to enter into partnerships to support the provision, improvement, and expansion of *public service facilities*.
- iv. *Development* shall, in accordance with Town By-laws, contribute to the delivery of *public service facility* needs identified through the planning application process or other Town master plans by providing:
 - new space for on-site *public service facilities*; and/or
 - a contribution towards a specific *public service facility* that meets identified needs, in lieu of providing a facility on-site;
- v. *Public service facilities*, which include *education facilities*, shall be planned and designed to meet the requirements of the Town and public agencies, and should, as applicable and appropriate for the use:
 - be provided in visible locations with strong pedestrian, cycling and transit connections;
 - be co-located in mixed-use buildings, where possible, and provide for integrated pick-up and drop-off areas;
 - be located adjacent to parks and open spaces to enable synergies between facilities; and
 - provide for multi-functionality through flexible, accessible, multi-purpose spaces that can be programmed in different ways and can adapt over time to meet the varied needs of the community.

b) Educational Facilities

- i. Schedule L1 to this Plan identifies priority locations for schools.

- ii. Additional school areas beyond those identified in Schedule L1 may be identified as this Plan is implemented, without amendment to this Plan.
- iii. The precise location, size and phasing of any *educational facility* site shall be determined in consultation with the School Boards.
- iv. *Educational facilities* shall be built to an urban standard that optimizes the use of land, promotes walking and cycling, and is connected to the broader transportation network.
- v. *Educational facilities* should optimize the use of land, as recommended in Town guidelines.
- vi. Any landowner or developer proposing residential *development* shall consult with School Boards during the *development* pre-application process to determine the need for *educational facility* space within the proposed *development*.

c) Housing

- i. Where residential uses are permitted, such *development* should include:
 - Mid-rise and tall building types, and unit sizes that can accommodate a variety of households, including those with children and residents at different stages of life;
 - Amenities designed for households with children as well as older adults;
 - Non-market housing, including emergency, transitional, supportive housing, *additional needs housing*, and *affordable housing*; and,
 - purpose-built rental housing.
- ii. When and where in effect, *development* shall provide *affordable housing* in accordance with the Town's *inclusionary zoning* policies and provisions.
- iii. Multi-unit *development* shall provide, at a minimum, 35% of the units with two or more bedrooms.
- iv. *Additional needs housing* is exempt from policy 20.4.1 (c) (iii).

d) Non-residential uses

- i. A mix of commercial uses, including large and small-scale retail, service and community-serving uses, is encouraged within the Urban Core, Community Commercial, and Office Employment land use designated areas and should be located at-grade and designed to complement pedestrian-oriented access and street character.
- ii. New *major retail*, such as grocery stores, are permitted where they are integrated with *development*. Such uses should be located in the podium or base of mixed-use buildings with pedestrian access from the public realm.
- iii. Redevelopment on sites with existing non-residential uses shall provide for the replacement of all existing non-residential *gross leasable floor area*.
- iv. The replacement of all existing non-residential *gross leasable floor area* may be modified on a case-by-case basis, without an amendment to this Plan, provided a

Non-Residential Needs Analysis demonstrates that an alternative amount of non-residential use within the relevant Precinct can support the long-term employment objectives of this Plan.

e) Automobile Related Uses

- i. New stand alone automobile related uses, including automobile dealerships and service stations, are not permitted.
- ii. Existing automobile dealerships and related uses, including automobile service stations, may be permitted to redevelop provided they are in a compact, urban form, and do not preclude the long-term *development* of lands as set out in this Plan.
- iii. New drive-through facilities are not permitted.

f) Active Frontages

- i. Buildings required to have active frontages as identified in Figure E2 Active Frontages shall be pedestrian-oriented and human-scaled at grade.
- ii. Buildings with active frontages identified in Figure E2 Active Frontages should provide deeper setbacks to the public realm, and be designed in accordance with *Designing Midtown*.
- iii. A minimum of 70% of the public realm frontage along the ground floor of the building shall be devoted to active at-grade uses, such as: commercial, recreational, entertainment, retail, office, community services and facilities, and institutional uses.
- iv. The minimum at-grade activation requirement may be modified on a case by-case basis, without an amendment to this Plan, provided a *Non-Residential Needs Analysis* demonstrates that an alternative amount of non-residential active at-grade use on a Precinct-level basis can support the long-term employment objectives of this Plan, and a design brief demonstrates how the proposed *development* encourages walkability along the public realm.
- v. Vehicular access to the site from roads with Active Frontages should be avoided.

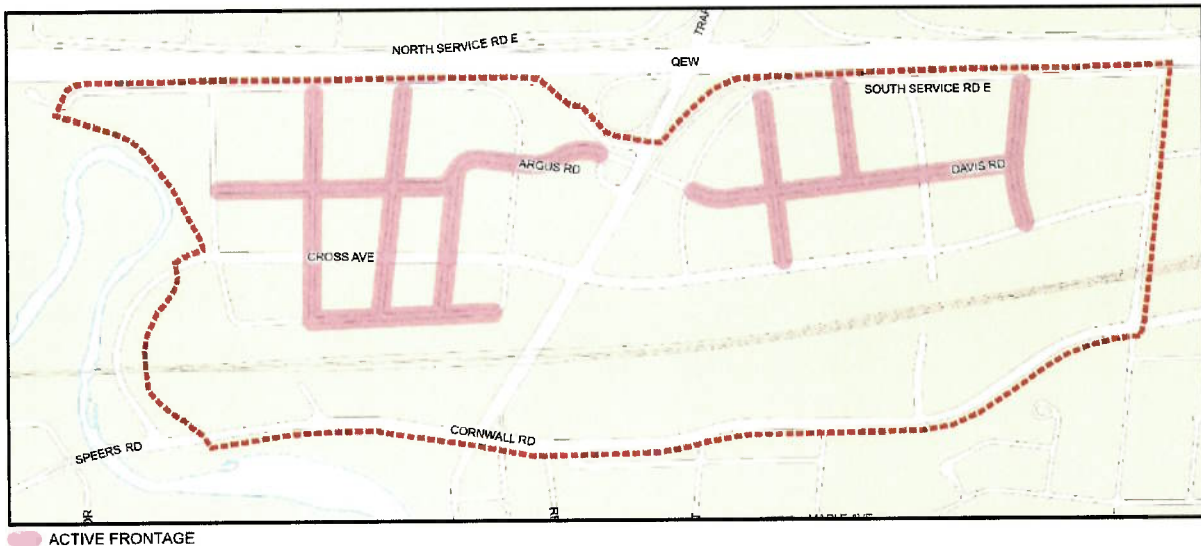


Figure E 2 Active Frontages

20.4.2 Designation Specific

a) Urban Core

In addition to permitted uses provided in Part D Sub-Section 12.5.1 of this Plan, lands designated Urban Core are subject to the following policies which are provided to ensure that employment objectives and targets, along with the *transit supportive*, walkable community, and social cohesion goals of this Plan are met:

- i. New *development* shall provide a minimum of 12 percent of the total proposed gross floor area as non-residential uses, such as cultural, community, retail, commercial, and/or office, integrated within a mixed-use building or as a stand-alone building.
- ii. The minimum non-residential requirement may be modified on a case-by case basis, without an amendment to this Plan, provided a *Non-Residential Needs Analysis* demonstrates that an alternative amount of non-residential use within the applicable Precinct can support the long-term employment objectives of this Plan; and,
- iii. On sites where more than one building is proposed on a phased-in basis, and the non-residential GFA is proposed after the first phase, the Town shall secure commitments to establish the non-residential *development* at a subsequent phase through holding provisions, agreements registered on title, and/or other means to the satisfaction of the Town.

b) Community Commercial

In addition to permitted uses provide in Part D Sub-Section 13.4.1 of this Plan, on lands designated Community Commercial the following uses may be permitted:

- i. Offices, including *major office*,
- ii. Urban agriculture, in the form of a greenhouse or vertical farming facility.

c) Parks and Open Space

In addition to Part D Section 17.1 of this Plan, lands designated Parks and Open Space are subject to the following policies

- i. Lands designated Parks and Open Space are conceptually shown on Schedule L1 Land Use. The size and configuration of these lands shall be determined via site plan, development permit, consent and/or draft plan of subdivision process(es), without an amendment to this Plan.
- ii. Schedule L1 shall be updated to show the actual parkland size and configuration, after being established as noted in policy 20.4.2 (c) (i) above, without an amendment to this Plan.
- iii. These parkland parcels are intended to function as Public Common or Urban Square to serve the needs of Midtown Oakville residents, businesses and visitors.
- iv. The Town will work with School Boards to co-locate park and school sites to optimize co-benefits, where and when possible.
- v. The Town shall work with the applicable school board to determine park configuration and programming where parkland is intended to be co-located with school-sites.

d) Office Employment

In addition to Part D Sub-Section 14.3 of this Plan, lands designated Office Employment are subject to the following:

- i. Policy 14.1.1 (a) as amended by OPA 68 does not apply.
- ii. The following is also permitted:
 1. Urban agriculture, in the form of a greenhouse or vertical farming facility.

e) Utility

In addition to Part D Section 18.0 of this Plan, lands designated Utility are subject to the following policies:

- i. Transit-related uses and facilities, subject to the protection of underground and above-ground *utilities*, are permitted, including:
 - station buildings and related office uses;
 - transit terminals;
 - passenger amenity areas and public open spaces;
 - passenger pick-up and drop-off (PUDO) areas; and,
 - surface and structured parking.
- ii. Passive recreational uses, such as off-leash dog areas, community gardens, multi-use trail systems, and naturalized areas, are permitted, subject to the protection of the function of *utilities* and approval from relevant agencies.

20.5 FUNCTIONAL POLICIES

In addition to the policies in Parts C and D of this Plan, the following functional policies apply.

20.5.1 Urban Design and Built Form

In addition to the Urban Design policies in Section 6.0, the following policies apply.

a) Design Guidelines

- i. *Development* and the public realm shall address the urban design direction provided in the Town's applicable guidelines.
- ii. Standards established in Town by-laws and *development* approvals shall be informed by these guidelines.

b) Public Realm

The public realm is comprised of public streets, parks and open spaces, including privately-owned publicly accessible spaces. The public realm includes trees and landscaping, lighting, furnishings, urban amenities, gateway treatments, wayfinding and public art that enhance the local context and create a sense of identity and support pedestrian comfort. These elements collectively expand the tree canopy, provide opportunities for social connections, and promote environmental sustainability.

- i. *Development* shall contribute to the creation of a high-quality public realm that is safe and comfortable, *universally accessible*, encourages *active transportation*, and contributes to a distinct *character*.
- ii. Buildings shall be oriented to, and have their main entrance(s) facing, the public realm.
- iii. Buildings located along all Active Frontage streets shown on Figure E2 shall provide strategic setbacks, and step-backs to achieve appropriate streetwalls designed to frame the street and provide a comfortable pedestrian-oriented environment
- iv. Streetscapes shall reinforce the *active transportation*-oriented and urban environment and provide a seamless interface between the public and private realms.
- v. Landscaping, preferably with native species, should be incorporated into private *development* to enhance the pedestrian experience and contribute to the area's identity.
- vi. Public art is encouraged in strategic locations that create view termini, as well as animate the public realm.
- vii. Service access points, loading and any visible waste collection/management areas shall be located and designed to minimize physical and visual impact on sidewalks and publicly accessible open spaces.

c) Parks and Open Space

The parks and open space system is shown conceptually on Schedule L1 Land Use of this Plan.

- i. The parks depicted in Schedule L1 shall implement the Town's Parks Plan.
 - ii. The parks system shall be further complemented by:
 - *active transportation* connections,
 - privately-owned publicly-accessible spaces (POPS) which may be delivered through future *development* applications,
 - Natural Areas that contain natural features as described by Part D Section 16 of this Plan,
 - open space located within the Utility land use designation,
 - landscaped space associated with highway and street rights-of-way, and
 - open space associated with *educational facilities*.
 - iii. The location and construction of public parks and open spaces shall be co-ordinated as *development* progresses to ensure that parks and open spaces are provided for new residents and employees.
- d) **Utilities**
- i. *Utility* vaults, meters, and similar infrastructure shall be located internal to a building or development block, within mid-block connections, or underground to ensure a clear and unobstructed public realm.
 - ii. Hydro and other *utility* transmission lines, where located within a public right-of-way, should be provided, or relocated, underground, where feasible, as *infrastructure* improvements and *development* progresses.
- e) **Site Density**
- The minimum overall density of *development* within Midtown Oakville is 200 residents and jobs per hectare. To achieve and exceed this target, ensure *transit supportive* development, and implement the vision for Midtown Oakville, the permitted gross floor area within buildings shall be as follows:
- i. Minimum *gross floor area* shall be provided on a development site in accordance with *floor spaces indices* provided in Schedule L2: Minimum Density, unless exempt per the policies of this Plan.
 - ii. The maximum *gross floor area* that may be permitted on a development site shall be in accordance with *floor spaces indices* provided on Schedule L3: Maximum Density and the policies of this Plan.
 - iii. Smaller sites are encouraged to consolidate with adjacent lands to enable a comprehensively designed *development* that comprises most of the associated block.
 - iv. Notwithstanding the minimum densities shown on Schedule L2, minimum site densities shall not apply to:
 - lands required for public parks and open spaces;
 - *educational facilities*; and

- *public service facilities* operated by a public authority, including transit facilities;
- v. Notwithstanding the minimum site density shown on Schedule L2, building additions, alterations and/or replacements to existing *development* may be permitted, where they can be demonstrated not to preclude the long-term redevelopment of the property as set out in this Plan.
- vi. Where a development site is located within two or more density blocks shown on Schedule L3, the maximum permitted gross floor area (GFA) shall be calculated by applying the land area of the site (as described in the definition of *gross density*) within each density block multiplied by the allocated FSI for that block. The total permitted GFA will be based on the sum of the products calculated for each density block or portion thereof.

f) Building Height

- i. Building height thresholds are shown on Schedule L4. Additional height beyond the threshold may be permitted through a development permit application or through a rezoning application, subject to:
 - 1. the maximum density allocation for the site is not exceeded, and
 - 2. community benefits or cash-in lieu of benefits, which are listed in Section 28.15.12 and Section 20.6.6, are provided in accordance with town by-laws.
- ii. Portions of a building may be less than the minimum height shown on Schedule L4, provided the overall average of building height achieves the minimum.
- iii. Notwithstanding the minimum height shown on Schedule L4, minimum height shall not apply to:
 - lands required for public parks and open spaces;
 - *educational facilities*;
 - *public service facilities* operated by a public authority, including transit facilities, and
 - expansions to existing uses in accordance with policy 20.5.1 (e) (v).

g) Tall Buildings

- i. Tall buildings are those taller than 12 storeys in height. They shall be designed to the highest architectural quality and detail, and shall ensure a pedestrian-oriented built form and environment, provide active façades oriented to the public realm, and contribute to a distinctive skyline.
- ii. Multiple towers within a block, development site, or within close proximity to each other on abutting sites should vary in height from one another in order to create a distinctive skyline for Midtown Oakville.
- iii. The height of the building base (podium) for tall buildings should generally be equivalent to the building-to-building distance across the adjacent right-of-way, up to a maximum of 25 metres in height, in order to frame the street and enhance pedestrian comfort.

- iv. Tall buildings facing the public realm should provide a step back between the podium base and tower portion to reinforce the character of the public realm.
- v. The floorplate of tall building towers (the portion of the building above the base or podium) shall provide a slender profile to minimize adverse shadowing, maximize sun exposure and enhance the skyline.
- vi. The distance between the facing walls of towers should be a minimum of 30 metres at the tower base, and be a minimum of 35 metres above the 25th storey, as applicable.
- vii. The distance between facing walls of podiums, where there are windows on both building faces, should be a minimum of 15 metres.

h) Mid-rise Buildings

Mid-rise buildings are taller than the streetwall height and up to 12-storeys. Midrise buildings should:

- i. incorporate a step-back in the main building wall for storeys located above the established streetwall height; and,
- ii. provide a minimum building separation distance of 15 metres to another building.

i) Building Setbacks

Setbacks from a building to public streets should be landscaped spaces or extensions of the public boulevard that contributes to the *character* of an area.

j) Building Orientation

Buildings should be designed and sited to maximize solar gain, ensure adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows on the public realm.

k) Green Roofs

Green roofs and/or amenity space should, and where required by by-law shall, be provided on the roof of any building, including the roof of the podium.

l) Block Design

- i. Development blocks are formed by the planned transportation street network and each development block shall be designed comprehensively.
- ii. Where properties within a block cannot be consolidated so that *development* may be co-ordinated, *development* on a portion of a block shall not preclude the *development* of the remainder of the block in accordance with this Plan.
- iii. Mid-block connections, as conceptionally shown on Schedule L6, should be provided within large blocks.

20.5.2 Mobility

a) Transportation

Streets and streetscapes facilitate *multi-modal* movement year-round, provide valuable frontage for *development*, and provide the setting for a range of uses and activities. The

modified street network is designed for ease of pedestrian movement, and fundamental to encouraging *active transportation*.

Schedule L5 establishes a street network that recognizes the function and character of roads and Precincts. It creates a fine-grained pattern of streets and connections to support convenient transit, pedestrian, cyclist and other forms of *active transportation* movement and circulation.

- i. The design and operation of existing and new streets shall prioritize year-round *active transportation* and transit use.
- ii. *Active transportation*, transit, and street *infrastructure*, as shown on Schedules C, D, L5 and L6, is necessary to support the movement of people and goods. Certain existing street or street segments shall be abandoned, realigned, widened, extended, or replaced in accordance with this Plan.
- iii. The Town and/or Halton Region may require the early conveyance of rights-of-way, prior to *development*, to complete the street network.
- iv. The Town and/or Halton Region may secure rights-of-way on alignments as shown on Schedules C, D, L5 and L6 through the *development* approval process, through purchase and sales agreements, or through a public land expropriation process. Final rights-of-way shall be consistent with Schedules C, D, L5 and L6, or otherwise be determined through detailed transportation studies, transit plans, environmental assessments, and the *development* approval process.
- v. The provision of future streets and other transportation *infrastructure*, including bridges and underpasses, shall be subject to studies to determine final alignment and to ensure no negative environmental impact. Their implementation shall be co-ordinated as *development* progresses to ensure that transportation *infrastructure* is provided for new residents and employees. The timing of the delivery of such *infrastructure* shall be in accordance with the policies of this Plan and town or public agency master plans.
- vi. Subject to section 8.2.3, changes to the requirements, location or alignment of new transit services, streets, and *active transportation* facilities, as shown on Schedules C, D, L5 and L6, will not require an amendment to this Plan, provided that the general intent and purpose of this Plan is maintained.
- vii. *Development* shall not preclude the provision of the planned transit and transportation network.
- viii. *Development* shall contribute to the creation of a connected public street and mobility network as shown on Schedules L5 and L6 and through the following measures:
 - Connecting internal streets and site access points to contribute to a continuous street grid;
 - Creating opportunities for shared access for loading, parking and servicing, and

- Developing privately or publicly-owned mid-block connections in accordance with the policies of this Plan to minimize interruption of streets, pedestrian and cycling *infrastructure*.
- ix. Cross Avenue and the new north-south street connecting Cornwall Road to South Service Road east of Trafalgar Road will serve as a transit route for transit services including higher-order transit (BRT/LRT) to and from the Midtown Oakville transit hub. Lands and services required for transit amenities, including stops, will be determined through future study.
- x. The Town will work with Halton Region and Metrolinx to:
 - implement the extension of the rail platform east of Trafalgar Road and improve transit passenger access from the east side of Trafalgar Road; and
 - implement relocation of the shared transit terminal to east of Trafalgar Road.

b) Active Transportation

Active Transportation routes are conceptually shown on Schedule L6.

- i. Midtown Oakville streets shall provide pedestrian facilities on both sides.
- ii. *Active Transportation* routes, including underpasses and bridges, shall be designed for pedestrian and cyclist comfort and safety, and limit motor vehicle speeds and volumes consistent with Town safety standards and programs.
- iii. The exact location, design, facility type, and alignment of the *Active Transportation* connections shown on Schedule L6 may be refined without amendment to this Plan, provided that the overall intent and connectivity is maintained.
- iv. Pedestrian and cycling *infrastructure* should contribute to a continuous and comprehensive network and connect with the broader townwide and provincewide networks.
- v. Street furniture, bike parking, active mobility sharing facilities, and transit shelters and seating shall be provided to encourage *active transportation* and transit ridership at appropriate locations.
- vi. *Development* in the vicinity of a future pedestrian bridge or underpass shall have consideration for the location and connectivity objectives of these connections and shall not preclude their realization.

c) Mid-Block Connections

Mid-block connections are shown conceptually on Schedule L6 as part of the “off-road *active transportation* connections.”

- i. *Development* shall promote safe, barrier-free, convenient, and predictable mid-block connections.
- ii. The location of mid-block connections should relate to the placement of the buildings, and align with existing or planned transportation (including *active transportation*) circulation routes.

- iii. Mid-block connections may be publicly or privately owned and shall be publicly accessible.
- iv. Mid-block connections may be used to support site servicing or site access.
- v. Mid-block connections should:
 - form uninterrupted connections through a block to allow for continuous transportation opportunities throughout Midtown Oakville;
 - be designed to be *universally accessible*;
 - include appropriate pedestrian-scaled lighting;
 - incorporate *active transportation infrastructure* including bicycle parking; and,
 - have appropriate and clear signage and wayfinding.
- vi. Shared vehicular access and service facilities should be provided internal to a block.

d) **Parking**

- i. The use of maximum parking standards shall be considered in the implementing by-law and through the *development* approval process. The requirement to supply parking associated with *development* will progressively diminish as access to higher-order, *frequent transit* and *active transportation* facilities increases.
- ii. *Development* shall provide structured parking, preferably below-grade.
- iii. Where above-grade structured parking is included in a *development*, the design of the structure shall incorporate active uses, such as commercial, office and/or residential uses, facing the public realm.
- iv. Above-grade structured parking should be designed with the flexibility to be repurposed for other uses, such as commercial, office and/or residential, as parking demand decreases over time due to shifts toward transit and *active transportation*.
- v. Surface parking shall only be permitted where:
 - 1. It is intended for visitor parking and/or short-term, temporary parking, including parking for vehicles that are associated with a ride-share program; and
 - 2. It is located in the side or rear yard and screened.
- vi. Shared parking facilities are encouraged.
- vii. All parking facilities shall be located and designed to minimize physical and visual impact on sidewalks and accessible open spaces.
- viii. *Development* should, and where enabled by by-law shall, include electric vehicle charging infrastructure and be designed to support the provision of additional electric vehicle charging facilities over time to facilitate the use of electrified vehicles and bicycles.
- ix. *Development* shall provide secure, covered, and accessible bicycle parking facilities to encourage *active transportation*. These facilities should be located conveniently near building entrances and integrated with the broader cycling *infrastructure* network.

- x. Opportunities for stratified parking arrangements may be considered on a case-by-case basis.

20.5.3 Stormwater Management

- a) *Development* within Midtown Oakville shall be required to implement stormwater management techniques in accordance with the policies of this Plan and the recommendations of the following studies and any other subsequent studies or updates:
 - Lower Morrison and Lower Wedgewood (LMLW) Creeks Flood Mitigation Study Report - 2024
 - Flood Mitigation Opportunities Study for Lower Morrison and Wedgewood Creek Systems;
 - The town's Consolidate Linear Infrastructure Environmental Compliance Approval number 314-S701;
 - Stormwater Master Plan, 2019; and,
 - Midtown Oakville Class Environmental Assessment, 2014.
- b) To mitigate stormwater impacts, on-site landscape amenity space, parks and open space areas should, and where required by by-law shall, incorporate green infrastructure that enhances the ecological function of the area, and supports stormwater management, including low impact development and subsurface stormwater facilities, where appropriate.

20.5.4 Spill Flood Hazard and Hazardous Lands

- a) *Development* and site alteration within *flood hazards* must implement the findings of the Flood Hazard Mapping Study: Sixteen Mile Creek to Lower Morrison Creek (as amended).
- b) *Development* shall be directed away from areas of *hazardous lands* where there is an unacceptable risk to public health or safety or of property damage and shall not create new or aggravate existing hazards.
- c) *Development* and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards* and/or *erosion hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard.
- d) Notwithstanding the policies above, *development* and site alteration may be permitted in those portions of *hazardous lands* where the effects and risk to public safety are minor, can be mitigated in accordance with provincial standards, and where it has been demonstrated that:
 - i. *development* and site alteration are carried out in accordance with floodproofing standards, protection works standards, and access standards;
 - ii. the site has safe access (ingress and egress) appropriate for the nature of the *development* and the natural hazard;
 - iii. new hazards are not created, and existing hazards are not aggravated; and
 - iv. no adverse environmental impacts will result.

- e) The following uses shall not be permitted to locate in *hazardous lands*, including *spill flood hazard areas*:
- i. institutional uses, including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - ii. essential emergency services, such as that provided by fire, police and ambulance stations and electrical substations; or
 - iii. uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

20.5.5 Sustainability

In addition to policies in Part C of the Official Plan addressing *sustainable development*, the following provisions apply:

- a) *Development* should, or where required by by-law shall:
- i. identify opportunities to implement renewable energy generation in proposed *development*, with a focus on reducing carbon emissions;
 - ii. incorporate bird-friendly design strategy elements;
 - iii. integrate on-site renewable electricity production (e.g. solar panels) to reduce electricity demand;
 - iv. reduce embodied carbon energy in building material (e.g. re-using materials, using lower-carbon materials, including encapsulated mass timber construction; sourcing materials locally); and,
 - v. target net-zero energy use and emissions.
- b) To increase the energy efficiency of buildings, *development* should, or where required by by-law shall, use passive design and/or renewable energy approaches, this may include any of the following:
- a green or blue roof;
 - solar capture equipment;
 - cooling roof materials;
 - suitable glazing ratio for energy efficiency;
 - urban tolerant trees and other vegetation to provide shade and additional tree canopy;
 - soft landscaping on the flat portion of rooftops (excluding the area required for mechanical equipment).
- c) Applications for *development* in Midtown Oakville may be required to submit a *sustainable development* report that describes how the applicant has endeavoured to incorporate the policies of this Plan, as deemed appropriate and applicable through the pre-application consultation process.

20.6 IMPLEMENTATION

In addition to the policies in Part F of this Plan, the following implementation policies also apply:

20.6.1 Community Planning Permit By-law

In accordance with Section 28.15, a Community Planning Permit (CPP) by-law shall be used to implement this Plan's goals, objectives, and policies within the Midtown Oakville community planning permit area, as identified on Schedules L1 – L6, which establish the criteria to be included in the Community Planning Permit by-law for decision making.

20.6.2 Monitoring

- a) The Town shall monitor the level of *development*.
- b) To track the pace of *development* and identify and plan for *infrastructure* improvements, including *active transportation* and transit, the monitoring program shall evaluate the following:
 - i. traffic characteristics on key routes and at key intersections, in accordance with the Town's and Halton Region's transportation study guidelines;
 - ii. existing, approved and proposed *development*, including the number of residential units and the amount of non-residential floor space;
 - iii. transit usage and *modal share*;
 - iv. usage of *active transportation* and *public service facilities*;
 - v. population and employment generated by *development*; and
 - vi. indicators of sustainability in accordance with the policies of this plan.
- c) The town shall monitor the provision of retail uses throughout Midtown. Where the needs of the community are not being met, the town may amend this Plan to require such retail opportunities as grocery stores in specific locations to be delivered through the *development* process.

20.6.3 Implementation Measures

- a) The Town shall develop, in conjunction with School Boards, Conservation Halton, Halton Region, the Province and Metrolinx, implementation measures to address:
 - i. parkland acquisition;
 - ii. transportation, including *active transportation* and transit initiatives;
 - iii. streetscape and/or public realm;
 - iv. parking demand management;
 - v. the extension and improvement of the Oakville GO rail platform, and re-location of the transit terminal;
 - vi. emergency services and *public service facility* provision;
 - vii. *community improvements* through a *community improvement plan*;
 - viii. economic development;
 - ix. a co-ordinated approach to *development* and *infrastructure* phasing, including monitoring key *development* indicators at regular intervals;
 - x. sustainability initiatives and environmental standards;
 - xi. opportunities for *flood hazard* mitigation in accordance with the Flood Hazard Mapping Study: Sixteen Mile Creek Lower Morrison Creek (as amended);
 - xii. public sector partnerships and programs; and,

- xiii. the municipal acquisition and disposition of lands.
- b) Town master plans and implementation documents shall be updated to support the planned growth and change in Midtown Oakville to 2051 and beyond.
- c) Innovative engineering and design solutions or alternate standards for *infrastructure*, parks and open spaces, that are appropriate for an *urban area* and optimize environmental sustainability and life cycle costs are encouraged and may be implemented through master plans, implementation documents, *development*, and *infrastructure* projects, subject to any necessary approvals.
- d) The Town shall work with Oakville Hydro and other *utility* providers to ensure services located within a public right-of-way are provided or relocated underground, where feasible, as *infrastructure* improvements and *development* progress.
- e) To share and commemorate Midtown Oakville's Indigenous, railway and industrial history, the Town may prepare a Heritage Commemoration Strategy that will be used to inform programming and placemaking within parks, open spaces and buildings.
- f) Site-specific applications and studies related to them shall take into consideration the relevant findings and recommendations of the studies, strategies, master plans noted above and in this Official Plan.
- g) Where conveyance of roads, parkland, or other *public service facilities* are required, *development* applications shall include a *land division* process.

20.6.4 Phasing/Transition

- a) *Development* shall occur over the long-term and may include interim conditions and incremental implementation.
- b) *Development* shall be co-ordinated with the provision of *infrastructure*, including:
 - i. transit;
 - ii. road network capacity;
 - iii. pedestrian and cycling facilities;
 - iv. parks and open space;
 - v. water and wastewater services and capacities;
 - vi. measures to mitigate potential *flood* risk in accordance with the Flood Hazard Mapping Study: Sixteen Mile Creek Lower Morrison Creek (as amended);
 - vii. *public service facilities*;
 - viii. stormwater management services and capacity;
 - ix. streetscape improvements; and,
 - x. *utilities*.
- c) The timing of *development* shall be subject to the availability of required *infrastructure*, including but not limited to future transportation network improvements, water and wastewater services, and stormwater management facilities.
- d) Initial phases of *development* shall not preclude the achievement of a compact, pedestrian-oriented and transit-supportive urban form, or the transportation network identified on the Schedules of this Plan.

- e) The uses and buildings that legally existed, or that were approved, prior to the adoption of this Plan shall be permitted to continue, however, they are ultimately intended to be redeveloped in conformity with this Plan.
- f) Private on-site controls and enhanced building design may be required to mitigate any increased demand that exceeds existing capacity, and will be determined on a case-by-case basis.

20.6.5 Landowner Agreements/Cost Sharing

- a) One or more landowners' group(s) shall be established for Midtown Oakville for the purposes of administering a cost sharing agreement(s) amongst Midtown landowners to ensure that the costs associated with *development*, including but not limited to the provision of parkland, school sites, parking, stormwater management services, local roads, other infrastructure, and servicing, are distributed in a fair and equitable manner.
- b) The Town shall determine through the development application process, whether the applicant is required to participate in a landowner group.
- c) Where a landowners' agreement is required, the landowner shall demonstrate they are in good standing with the relevant landowners' cost sharing agreement as a condition of draft plan of subdivision, and site plan approval or development permit issuance.
- d) Landowners are encouraged to enter into agreements to co-ordinate the provision of urban format grocery stores and/or other community serving facilities and services that are determined to be deficient, within mixed-use buildings.
- e) Landowners, public agencies, and non-profit community service providers may enter into partnerships to support the provision, improvement, and expansion of *public service facilities*.

20.6.6 Community Benefits

In accordance with policy 28.15.10 a condition of development permit approval may be the provision of specified facilities, services and matters. In addition to the benefits listed in policy 28.15.12, the following are benefits that may be provided:

- a) grade separated pedestrian and cycling facilities across the QEW, railway tracks or Trafalgar Road;
- b) community facilities such as:
 - a creative centre, including associated studio, office, exhibition, performance and retail space; and,
 - a public library;
- c) improved local transit facilities and transit user amenities; and
- d) contributions towards a district/renewable heating/cooling/energy system.

Attachment 2 to OPA 70
NEW Section 28.15 Community Planning Permit System

28.15 COMMUNITY PLANNING PERMIT SYSTEM

28.15.1 The Town may identify community planning permit areas in the Official Plan. Where identified, the town shall establish by-laws pursuant to the provisions of the *Planning Act*, and in compliance with applicable regulations.

- a) Midtown Oakville as delineated in schedules L1 – L6 of this Plan is a community planning permit area. The goals, objectives, and policies in proposing a community planning permit system in this area are set out in section 20: Midtown Oakville.

28.15.2 Notwithstanding policy section 28.3.1, the Town may use a community planning permit by-law, in lieu of a zoning by-law, for the purpose of implementing the objectives and policies of this Plan within areas identified as community planning permit areas under this Plan.

28.15.3 Any requirements, standards, conditions, criteria set out in the policies of this Plan that are related to site plan control or zoning are deemed to also apply in the context of a community planning permit by-law.

28.15.4 Identification of a community planning permit area and passing of a community planning permit by-law shall be subject to the following:

- a) vision, goals, objectives, and policies to achieve them, are established prior to or concurrently with the proposed by-law for the specified area through a consultative process;
- b) the area is identified as one that would benefit from the streamlined process that arises from implementing a community planning permit by-law;
- c) the area is identified as one that requires public facilities, services, and matters to be provided commensurate with the area's growth and *development* over time; and/or
- d) the area would benefit from having development permits issued in accordance with conditions and criteria provisions of a community planning permit by-law.

28.15.5 Within the community planning permit by-law, Council may delegate its decision-making authority as prescribed to a committee or staff. This authority may include approving or refusing development permit applications, entering into agreements, and issuing development permits with or without conditions. All such decisions shall be in compliance with the provisions of this Plan and the community planning permit (CPP) by-law.

28.15.6 Approval of development permit applications shall be in conformity with this Plan and the CPP by-law. Criteria for decision making shall be provided in the by-law in accordance with relevant general and specific policies in this Plan, including policies respecting the permission of uses that are intended to be temporary in accordance with policy 28.7.2, and any other criteria that more specifically provides necessary guidance to achieve the Official Plan goal(s) and objectives that are applicable to the CPP by-law area.

28.15.7 Approval of development permit applications may be subject to conditions that are to be met prior to, at the time of, or following issuance of a development permit.

28.15.8 The CPP by-law may include any of the types of conditions listed in O. Reg. 173/16, as well as:

- a) conditions that require payment in lieu of a matter that is otherwise required;
- b) conditions that provide the Town with an equivalent benefit that is otherwise gained through the implementation of the Town's community benefits charge by-law;
- c) any other type of condition that is required to ensure the safety and security of persons, property, and the natural environment;
- d) conditions that establish lapsing periods for development permit approval after which the approval is rescinded;
- e) conditions which establish a set time within which the development permit is in effect;
- f) conditions which put a development permit issuance on hold until a specified time or specified matter(s) has/have been addressed.

28.15.9 Any such condition may require an agreement which may be required to be registered on title.

28.15.10 Where the CPP by-law authorizes conditions that require the provision of specified facilities, services and matters in exchange for a specified height or density of *development*, the CPP by-law shall:

- a) include provisions establishing a proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height and/or density of *development* that may be allowed, and
- b) establish density and/or height thresholds in accordance with CPP Area policies of this Plan. For the subject sites to which these provisions would apply, the threshold height and/or density must be greater than the required minimum and lower than the maximum height and/or density permitted in this Plan.
 - i. In the case of Midtown Oakville, the building heights set out on Schedule L4: Threshold Heights are the applicable building height thresholds, and the minimum and maximum densities set out on Schedules L2: Minimum Density and L3: Maximum Density are the applicable minimum and maximum densities, respectively, referred to in policy 28.15.10 (b).

28.15.11 All facilities, services, and matters as well as cash-in-lieu of them shall be allocated to lands within the subject community planning permit area.

28.15.12 Benefits, All Areas

The facilities, services, and matters that may be provided by operation of these provisions include, but are not limited to, the following and may be further specified in the by-law.

- a) public transit *infrastructure*, facilities, services and improved pedestrian access to public transit;
- b) public parking;

- c) *affordable housing* for a wide array of socio-economic groups;
- d) conservation and preservation of *cultural heritage resources*;
- e) protection and/or enhancement of natural features and functions;
- f) *public service facilities* and improvements to such *facilities*;
- g) parkland and improvements to parks;
- h) day care centres;
- i) public art;
- j) integration of office uses in mixed-use developments;
- k) sustainable building initiatives; and,
- l) other local improvements that contribute to the achievement of the Town's building, landscape and urban form objectives as set out in this Plan and supporting documents.

Attachment 3 to OPA 70
Midtown Oakville Specific Schedules

