

# ZONING ORDER 02-2026 (Transit-Oriented Community Land)

For lands municipally known as  
157-165 Cross Avenue, Town of Oakville, Regional Municipality of Halton  
Ordered under section 47 of the Planning Act

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Whereas, pursuant to Order in Council 589/2025, the Minister of Infrastructure may exercise the powers and perform the duties, functions and responsibilities of the Minister of Municipal Affairs and Housing under section 47 of the *Planning Act* in respect of transit-oriented community land designated under subsection 2 (1) of the *Transit-Oriented Communities Act 2020*,

And whereas pursuant to Orders in Council 1499/2025, 1502/2025, 1503/2025, and 1504/2025 the lands as shown on Map 1, Map 2, and Map 3 have been designated as transit-oriented community lands under subsection 2(1) of the *Transit-Oriented Communities Act, 2020*;

As permitted by section 47 of the *Planning Act*, for lands in the Town of Oakville in the Province of Ontario, as shown on Map 1 and Map 2(the “subject lands”), and Map 3 (the “TOC Lands”), I hereby order as follows:

## 1. Definitions

(1) In this order,

“amenity space, indoor” means indoor space that is communal and available for use by the occupants of the building(s) on the subject lands for recreational or social activities.

“amenity space, outdoor” means an outdoor space that is communal and available for use by the occupants of the building(s) on the subject lands for recreational or social activities.

“bicycle parking space, long-term” means an area located at-, below-, or above-grade used only for parking and storing bicycles for the use by occupants or tenants of a building; and may be provided in a stacked bicycle parking space or in a vertical position on a wall or stand.

“bicycle parking space, short-term” means an area located at-, below-, or above-grade used only for the temporary parking of bicycles for the use by visitors to a building; and may be provided in a stacked bicycle parking space or in a vertical position on a wall or stand.

“bicycle parking space, oversized” means a horizontal bicycle parking space that is used for an extra-large bicycle or a bicycle with attachments.

“bicycle parking space, stacked” means a horizontal bicycle parking space that is positioned above or below another bicycle parking space.

“car-share” means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization .

“community amenity” means a physical structure or space on the TOC Lands that provides services or activities that are intended to benefit the health and well-being of the community such as, but not limited to, a health care facility, daycare, social services facility, library and/or community centre.

“community amenities, pooled” means community amenities that have been aggregated and located in one or more of the developments on the TOC Lands.

“community centre” means a multi-purpose facility or part of that facility or a building, which offers a variety of programs and uses of a recreational, social, cultural, community service, informational, or instructional nature, and other uses authorized through an agreement with the Town, that is owned and operated by a public authority or is owned by a private entity with community uses provided in partnership with a non-governmental organization.

“floor area, gross” means the total area of all of the floors in a building measured from the exterior faces of the exterior walls, but shall not include an attic, basement or any rooftop structures for mechanical penthouse or equipment.

“floor area, non-residential” means the aggregate non-residential gross floor area of a building, inclusive of any community amenity area or pooled community amenities, measured from the exterior of the outside walls or outside finished partitions of the wall, but shall not include basement elements, underground elements, or attic unless otherwise specified by this Order.

“floor area, residential” means the aggregate residential gross floor area of a building measured from the exterior of the outside walls, but shall not include basement elements, underground elements, or attic unless otherwise specified by this order.

“guest suite” means a residential suite, other than a dwelling unit, that is available for use on a temporary basis as overnight accommodation for persons visiting residents of the building. For clarity, a guest suite is not a hotel.

“medical office” means a premises designed and used for the diagnosis, examination, and treatment of human patients by a Provincially-recognized medical or health care professional, including pharmacies and dispensaries.

“mezzanine” means a floor area located between the first and the second storey. A mezzanine becomes a storey for the purposes of this order if: a) it is enclosed with walls and the area of the mezzanine is greater than 80 percent of the floor area of the first floor directly below it; or, b) it is open and unenclosed, and the area of the mezzanine is greater than 80 percent of the floor area of the first floor directly below it.

“parking area, commercial” means a parking area, other than a road or driveway, with or without a building or structure that is available for private and/or public use on a lot for the parking of motor vehicles where a charge may be levied to occupy any parking space.

“parking space” means an area used for the parking or storing of a motor vehicle.

“parking space, car-share” means a parking space that is reserved and actively used for car-sharing.

“podium” means the base or lower portion of a multi-storey building, below the tower.

“POPS” means privately-owned publicly accessible spaces such as plazas, pedestrian walkways, and green space within private developments that are accessible to the public, and may be provided above a parking garage.

“premises” means the whole or part of lands, buildings or structures, or any combination of these.

“retail store” means a premises in which goods and services are displayed, rented, or sold to the consumer or end user.

“retail store, accessory and showroom” means a use naturally or normally incidental to, subordinate to, and exclusively devoted to a retail store, which may be located on a different premises.

“separation distance, podium” means the separation distance between unconnected podium walls of buildings located on the same lot, as measured from the exterior faces of the exterior walls of the podium, measured at a 90-degree angle, exclusive of permitted encroachments.

“separation distance, tower” means, in relation to a tower, the separation distance between two or more towers located on the same lot, as measured from the exterior faces of the exterior walls of the towers, exclusive of permitted encroachments.

“storey” means that portion of a building, other than a basement, which is situated between the top of any floor and the top of the floor next above it and, if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include rooftop mechanical equipment or rooms or stairwell access, and does not include a mezzanine in a building.

“TOC Lands” means the four land parcels that comprise the transit-oriented community being the lands outlined on Map 3.

“terrace” means an open air flat platform either on a roof or attached to a building that may be used for outdoor amenity space.

“temporary sales office” means any building, structure, facility or trailer, or part thereof, used for the purposes of the sales and/or leasing of residential and/or non-residential units to be erected on the TOC Lands.

“tower” means portions of a building that are located above the podium.

“tower floorplate” means, in relation to a tower, the area of a floor within the tower measured between the exterior faces of the exterior main walls of the tower, excluding balconies and terraces.

“zoning by-law” means the Town of Oakville Zoning By-law No. 2014-014, as amended.

- (2) Words and expressions used in this order have the same meaning as the corresponding words and expressions used in the zoning by-law, except if otherwise defined in this order.

## **2. Permitted uses**

- (1) Every use of land and every erection, location or use of any building or structure is prohibited on the subject lands, except for the following uses:
  - (a) Apartment dwelling
  - (b) Live-work dwellings

- (c) Short-term accommodations
- (d) Art gallery
- (e) Business office
- (f) Commercial parking area
- (g) Commercial school
- (h) Community Centre
- (i) Conservation use
- (j) Day care
- (k) Dormitory
- (l) Dry cleaning depot / laundry
- (m) Dry cleaning / laundry establishment
- (n) Emergency service facility
- (o) Emergency shelter
- (p) Financial institution
- (q) Food bank
- (r) Food production
- (s) Funeral home
- (t) Home occupation
- (u) Hotel
- (v) Library
- (w) Long term care facility
- (x) Medical office
- (y) Motor vehicle rental facility
- (z) Museum
- (aa) Outside display and sales area
- (bb) Public park

- (cc) Pet care establishment
- (dd) Place of entertainment
- (ee) Place of worship
- (ff) Post-secondary school
- (gg) Private home day care
- (hh) Public hall
- (ii) Rental establishment
- (jj) Repair shop
- (kk) Restaurant
- (ll) Retail store
- (mm) Retail store, accessory and showroom
- (nn) Retirement home
- (oo) School, private
- (pp) School, public
- (qq) School, commercial
- (rr) Service commercial establishment
- (ss) Sports facility
- (tt) Stormwater management facility
- (uu) Temporary sales office
- (vv) Training facility
- (ww) Veterinary clinic

### **3. Zoning Requirements**

- (1) The following zoning requirements apply to the subject lands and, where indicated, to the TOC Lands:
  1. For the purposes of this order, the subject lands shall be considered a single lot, and despite any existing or future severance, partition or division of the subject lands, the provisions of this order apply to the whole of the subject lands as if no severance, partition or division had occurred.

2. The zoning requirements set out in Part 7 – Midtown Oakville Zones in the zoning by-law do not apply.
3. Within the subject lands, no new buildings or new structures may be erected or used, with the exception of a temporary sales office and/or temporary construction uses, until municipal water mains and municipal sewers are installed to a lot line of the lands. Notwithstanding this, below-ground structures and foundations may be erected but not used prior to municipal water mains and municipal sewers being installed to a lot line of the lands.
4. Despite subsection 5.1.8 of the zoning by-law, prior to the occupancy of any new buildings or structures, driveways, parking areas, loading spaces, new public or private roads/streets immediately adjacent to the lands and required for access shall be constructed with a surface treatment to a minimum of base curb and base asphalt or concrete, and the parking areas for a temporary sales office may be gravel.
5. Despite the definition of “sight triangle” and Sections 4.24.1 and 4.24.2 in the zoning by-law, for the purposes of this order a sight triangle includes a corner rounding and/or a daylighting triangle, within which no building or structure, fence, wall, driveway, vegetative planting or landscaping shall be located within an area that is greater than 1.0 metre and less than 2.4 metres above ground. At the intersections of new roads within the subject lands, the dimensions of any such corner rounding and/or daylighting triangle shall be as follows, as applicable:
  - (a) Local Road / Local Road intersection – 5m corner rounding
  - (b) Local Road / Collector Road intersection – 7.5m corner rounding
  - (c) Collector Road / Collector Road intersection – 7.5m corner rounding
  - (d) Local Road / Arterial Road intersection – 7.5m daylighting triangle
  - (e) Arterial Road / Arterial Road intersection – 7.5m daylighting triangle
6. A home occupation shall occupy a maximum of 50% of the floor area of the dwelling, with the following uses permitted: business office, repair shop, and a service commercial establishment.
7. An outside display, sales area, or patio associated with a restaurant may be permitted within any minimum yard.
8. Temporary sales offices for the subject lands may be located on any of the TOC Lands.
9. On any storey of the building, ancillary residential uses are not limited to a maximum area, width, depth or length of the main wall of the building.
10. On any storey of the building, business office or medical office uses are not limited to a cumulative maximum area, width, depth or length of the main wall of the building.

11. There are no maximum front yards or flankage yards required.
12. The maximum total gross floor area is 103,639 square metres
13. The minimum non-residential gross floor area (excluding the community amenity space or pooled community amenity space referenced in paragraph 14 below) is 3,300 square metres
14. The minimum community amenity space or pooled community amenity space to be provided is as follows:
  - (a) 537.23 square metres within a building located on the subject lands; or
  - (b) 2,787.09 square metres within a building or buildings located on the TOC Lands in accordance with an agreement entered into between the owner and the Minister of Infrastructure or their designate pursuant to section 4.1 of the *Transit-Oriented Communities Act, 2020*, as amended; or
  - (c) a cash-in-lieu payment to the Province of Ontario for the provision of the space required in subsection (a) above in accordance with an agreement entered into between the owner and the Minister of Infrastructure or their designate pursuant to section 4.1 of the *Transit-Oriented Communities Act, 2020*, as amended
15. The maximum number of towers is 2.
16. The minimum combined percentage of two- and three-bedroom dwelling units is 32 percent of the total dwelling units.
17. The minimum tower separation distance is 25.0 metres.
18. There are no minimum or maximum requirements for tower length, tower width and/or tower diameter.
19. The minimum podium separation distance is 10.0 metres.
20. The height provisions of this order shall not apply to: guard rails, railings, bollards, balustrades, eaves, fences, cornices, retaining walls, wheelchair ramps and ramps, stairs, stairwell enclosures, screens and dividers, features associated with an outdoor amenity space, landscape elements, pergolas, trellises, awnings, planters, green roof features and assemblies, parapets, roof drainage, thermal insulation, roof pavers, roof ballasts, recreational structures including pools and associated equipment, green roof elements, renewable energy facilities, lightning rods, telecommunications equipment, and ventilation structures and equipment.
21. The height provisions of this order shall not apply to rooftop mechanical equipment, safety and wind protection/mitigation features provided that these features do not project more than 5.5 metres above the maximum height.

22. The height provisions of this order shall not apply to building maintenance and storage elements, including window washing equipment, provided that these features do not project more than 7.0 metres above the maximum height.
23. No minimum setback is required for a rooftop mechanical penthouse which may cover 100 per cent of the roof of a building.
24. For terrace elements, there is no maximum encroachment into a required yard or minimum setback from a lot line.
25. The maximum encroachment of canopies, awnings, gutters, weather shielding structures, exterior stairs, wheelchair ramps, underground garage ramps, lighting fixtures, bicycle parking shelters, exoskeleton structures, fences and safety railings, landscaping features such as planters, balustrades, and bollards into a minimum yard is 3.0 metres
26. The maximum projection of balconies beyond the main wall is 2.8 metres.
27. The maximum encroachment of an architectural feature including, coves, belt courses, pilaster, windows, decorative columns, eaves, cornice, sill, and pipes into the minimum yards is 1.5 metres.
28. The minimum indoor amenity space rate is 1.7 square metres per dwelling unit, and may include a maximum of 4 guest suites.
29. The minimum outdoor amenity space rate is 1.2 square metres per dwelling unit.
30. A terrace located on a roof may include structures with walls and is limited to a maximum of 40% of the total area of the roof.
31. The minimum POPS area is 545 square metres. There is no minimum width of landscaping required along any lot line.
32. There is no minimum width of landscaping required along any lot line.
33. There is no minimum landscaping coverage or tree canopy coverage required.
34. There is no through-block pedestrian connection required.
35. There is no minimum number of parking spaces for dwelling units.
36. The maximum number of parking spaces for dwelling units is 1.25 spaces per dwelling unit.
37. There is no minimum or maximum number of parking spaces for residential visitors.
38. There is no minimum or maximum number of parking spaces for non-residential uses.
39. The minimum typical parking space dimensions are 5.7 metres (length) and 2.7 metres (width)

40. The minimum Type A barrier-free parking space dimensions are 3.4 m (width) by 5.7 m (length) with an adjacent minimum 1.5 m pedestrian aisle.
41. The minimum Type B barrier-free parking space dimensions are 2.4 m (width) by 5.7 m (length) with an adjacent minimum 1.5 m pedestrian aisle.
42. Obstructed parking spaces, where a wall, column or other obstruction abuts or is located within a parking space at a location more than 1.15 metres from either end of the stall, and projecting no more than 0.15 metres into the parking space, shall be permitted, up to a maximum of 15 percent of the total parking supply. No increase in parking space width shall be required for these obstructed spaces.
43. Where two parking spaces are provided in tandem, the minimum cumulative dimensions of the parking spaces are 2.7 metres in width and 11.4 metres in length.
44. The minimum dimensions of a parking space provided with the length parallel to the aisle or driveway are 2.7 metres in width and 6.7 metres in length.
45. The minimum ratio of long-term bicycle parking spaces for residents is 0.50 spaces per dwelling unit.
46. The minimum ratio of short-term bicycle parking spaces for residential visitors is 0.10 spaces per dwelling unit.
47. The minimum ratio of short-term bicycle parking spaces for non-residential visitors is 1.0 per 1,000 square metres of non-residential gross floor area.
48. The minimum number of short-term bicycle parking spaces for community amenity space or pooled community amenity space is 1.0 per 500 square metres of non-residential gross floor area.
49. Any bicycle parking spaces that would otherwise be required by this Order shall not be required if the Town enters into an agreement with the landowner respecting the payment of cash-in-lieu for such required bicycle parking spaces.
50. A bicycle parking space shall comply with the following minimum dimensions, as applicable:
  - (a) the minimum dimensions of a bicycle parking space that is not placed in a vertical position on a wall or stand are:
    - i. minimum length of 1.8 metres;
    - ii. minimum width of 0.6 metres; and
    - iii. minimum vertical clearance from the ground of 1.9 metres; and
  - (b) the minimum dimensions of a bicycle parking space if placed in a vertical position on a wall or stand are:
    - i. minimum length or vertical clearance of 1.9 metres;

- ii. minimum width of 0.6 metres; and
    - iii. minimum horizontal clearance from the wall of 1.2 metres;
  - (c) if a stacked bicycle parking space is provided, the minimum vertical clearance for each bicycle parking space is 1.2 metres; and
  - (d) if a bicycle parked in bicycle parking space has one wheel with a vertical clearance of at least 0.25 metres from that of an adjacent bicycle parking space (i.e., a staggered bicycle parking arrangement), the minimum width of each bicycle parking space is 0.4 metres.
51. The minimum dimensions of an oversized bicycle parking space are:
- (a) minimum length of 2.4 metres;
  - (b) minimum width of 1.0 metres; and
  - (c) minimum vertical clearance from the ground of 1.9 metres.
52. No oversized bicycle parking spaces are required.
53. Any oversized bicycle parking spaces provided shall comply with the following:
- (a) an oversized bicycle parking space must not be a stacked bicycle parking space; and
  - (b) an oversized bicycle parking shall not be placed in a vertical position on a wall or stand.
54. Within areas used for bicycle parking, access to bicycle parking spaces shall be provided via an unobstructed aisle that complies with the following:
- (a) a minimum width of 2.0 metres if it is a stacked bicycle parking space or an oversized bicycle parking space; and
  - (b) a minimum width of 1.8 metres in all other cases.
55. The minimum Refuse Collection Loading Space (for overhead refuse collection) vehicle loading space dimensions are 13.0 metres (length) and 4.0 metres (width) and 7.5 metres (height).
56. The minimum Small Moving/Delivery Loading Space dimensions are 6.0 metres (length) and 3.5 metres (width) and 3.5 metres (height).
57. The minimum Large Moving/Delivery Loading Space dimensions are 12.0 metres (length) and 3.5 metres (width) and 4.2 metres (height).
58. Loading spaces provided have no minimum dimensions for the approach or maneuvering space requirements.

59. The provision of a Refuse Collection Loading Space would satisfy the dimensional requirements of a Small Moving/Delivery Loading Space or a Large Moving/Delivery Loading Space.
60. The provision of a Large Moving/Delivery Loading Space would satisfy the dimensional requirements of a Small Moving/Delivery Loading Space.
61. A loading space is permitted in any minimum flankage, rear or side yard.
62. A loading space shall not be required to abut the building for which it serves.
63. Where provided, barrier-free parking spaces and electric vehicle ready parking spaces shall be included in the total number of parking spaces.
64. Where the development on the subject lands that is the subject of this order is built in phases, the following provisions in this order shall only apply when all buildings on the subject lands are fully built out: minimum indoor and outdoor amenity space, minimum non-residential gross floor area, minimum community amenity space gross floor area, minimum combined percentage of 2- and 3-bedroom units, minimum POPS area, maximum number of parking spaces, and minimum ratios of bicycle parking (long-term, short-term, and non-residential).

**Building 1** (shown on Map 2)

65. The maximum number of storeys of the building is 56-storeys.
66. The maximum building height is 196.7 metres.
67. The maximum number of storeys for a podium element, excluding mezzanines is 6-storeys.
68. The maximum podium height is 28.5 metres.
69. The maximum tower floor plate size is 850 square metres gross floor area.
70. The minimum setback of the tower from the interior lot line (west) is 12.5 metres.
71. A single minimum building stepback of 2.0 metres is required above the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> or 6<sup>th</sup> storey facing the front lot line.
72. There is no minimum stepback of the building required facing any interior or side lot line or (future) street.
73. The lot line abutting Cross Avenue is deemed the front lot line.
74. The minimum front yard is 1.8 metres.
75. The minimum flankage side yard abutting future north-south street (east) is 0.8 metres.
76. There is no minimum interior side yard.

- 77. There is no minimum rear yard.
- 78. There is no minimum setback from POPS.
- 79. There is no minimum yard dimension for all yards below grade.

**Building 2** (shown on Map 2)

- 80. The maximum number of storeys of the building is 52-storeys.
- 81. The maximum building height is 184.9 metres.
- 82. The maximum number of storeys for a podium, excluding mezzanines is 6-storeys.
- 83. The maximum podium height is 28.5 metres.
- 84. The maximum tower floor plate size is 850 square metres gross floor area.
- 85. The minimum setback of the tower from the interior lot line (west) is 12.5 metres.
- 86. A single minimum building stepback of 2.5 metres is required above the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> or 6<sup>th</sup> storey facing the front lot line.
- 87. There is no minimum stepback of the building facing any interior or side lot line or (future) street.
- 88. The northern lot line abutting the future east-west street is deemed the front lot line.
- 89. The minimum front yard is 1.0 metres.
- 90. The minimum flankage side yard abutting future north-south street (east) is 0.5 metres.
- 91. There is no minimum interior side yard.
- 92. There is no minimum rear yard.
- 93. There is no minimum setback from POPS.
- 94. There is no minimum yard dimension for all yards below grade.

**4. General**

- (1) The subject lands shall not be subject to any community planning permit by-law of the Town of Oakville.
- (2) Despite any provisions of any applicable municipal zoning by-law, there is no minimum requirement for affordable rental or ownership housing units on the subject lands.
- (3) Development that is in accordance with this order is subject to any applicable site plan control by-law of the Town of Oakville under section 41 of the *Planning Act*.
- (4) Development that is in accordance with this order shall be permitted despite anything in the zoning by-law.


**5. Terms of use**

- (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this order.
- (2) Nothing in this order prevents the use of any land, building or structure for any use prohibited by this order if the land, building or structure is lawfully so used on the day this order comes into force.
- (3) Nothing in this order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.
- (4) Nothing in this order prevents the strengthening or restoration to a safe condition of any building or structure.
- (5) Nothing in this Order is intended to derogate from the requirement to comply with any applicable federal legislation and/or regulations.

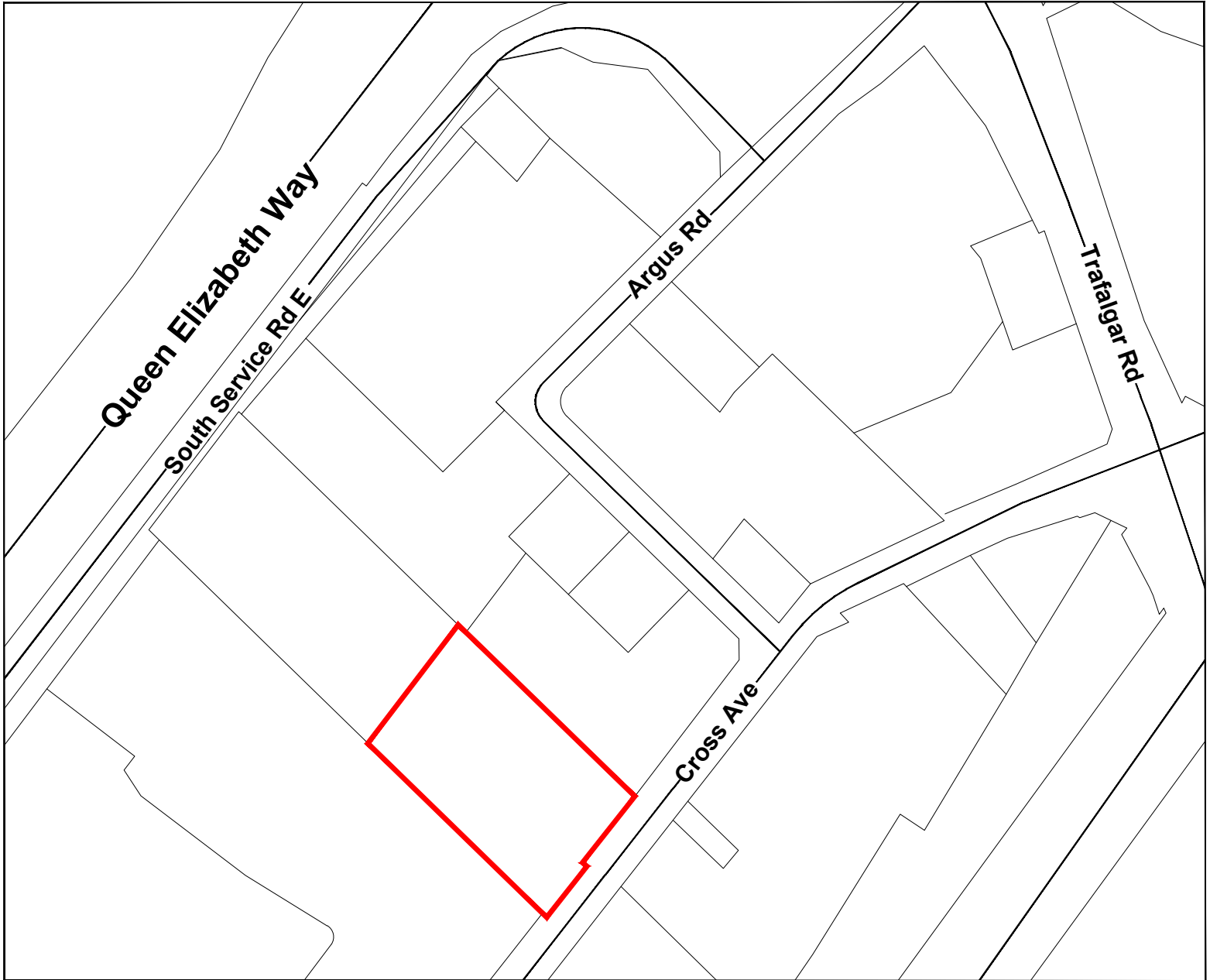
**6. Implementation provisions**

- (1) Policy Statements issued under subsection 3 (1) of the *Planning Act*, provincial plans, and official plans do not apply in respect of a license, permit, approval, permission or other matter required before a use permitted by this order may be established on the lands subject to this order.
- (2) This order comes into force on the day it is made.

Dated at Toronto on this 9th day of April 2026.

  
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Hon. Todd J. McCarthy  
Acting Minister of Infrastructure

# Map 1 to ZONING ORDER 02-2026 (Transit-Oriented Community Land)



## LEGEND

- ROADS
- PARCELS
- SUBJECT LANDS



Map North (Degrees): 0°



Scale 1:3000  
1cm equals 30 metres

PART OF LOT 14, CONCESSION 3, SOUTH OF DUNDAS STREET  
(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)  
TOWN OF OAKVILLE, REGIONAL MUNICIPALITY OF HALTON

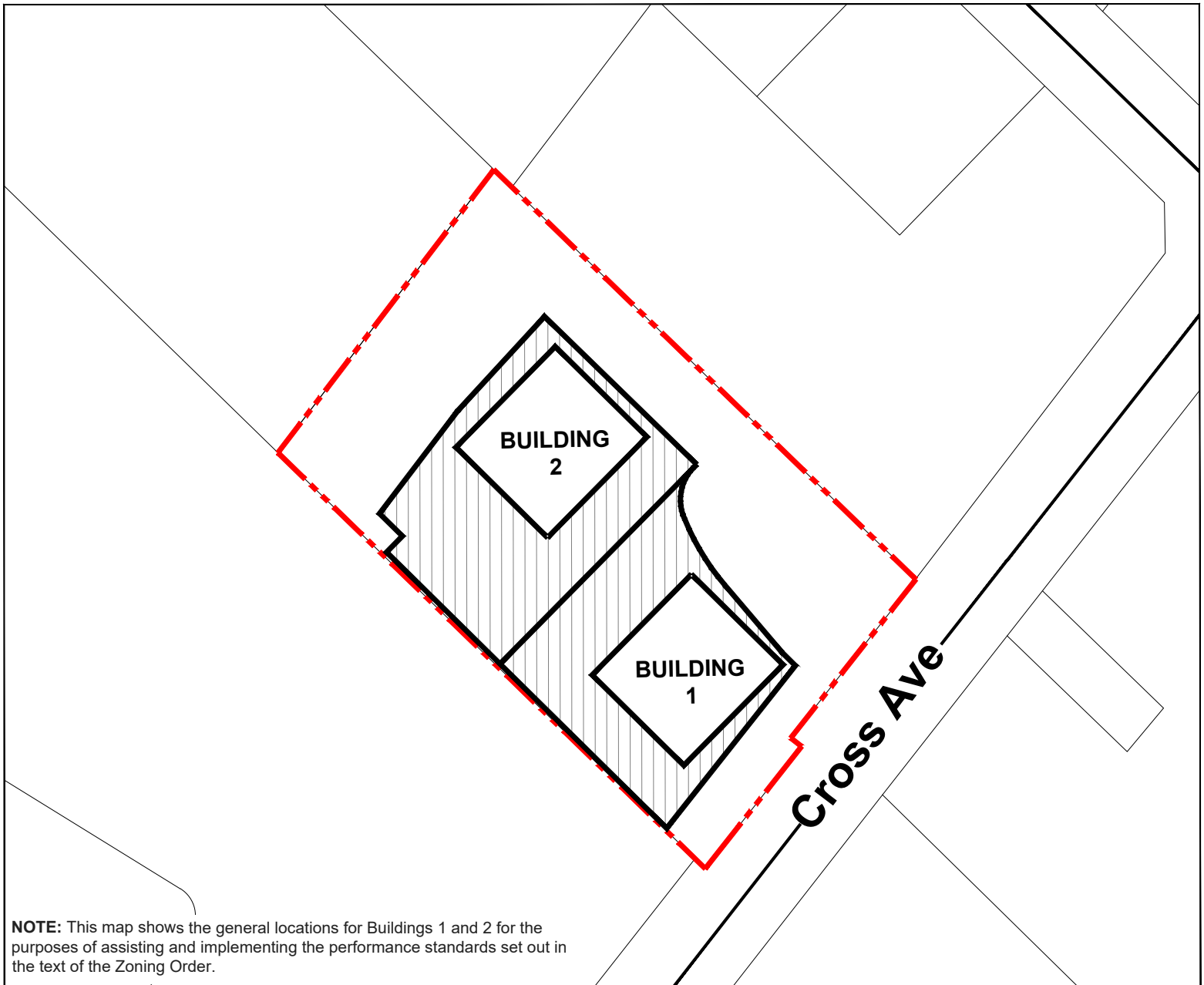
THIS IS NOT A PLAN OF SURVEY



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



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# Map 2 to ZONING ORDER 02-2026 (Transit-Oriented Community Land)



**NOTE:** This map shows the general locations for Buildings 1 and 2 for the purposes of assisting and implementing the performance standards set out in the text of the Zoning Order.

## LEGEND

-  ROADS
-  PARCELS
-  BUILDING
-  BUILDING PODIUM
-  SUBJECT LANDS

PART OF LOT 14, CONCESSION 3, SOUTH OF DUNDAS STREET  
(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)  
TOWN OF OAKVILLE, REGIONAL MUNICIPALITY OF HALTON



Map North (Degrees): 0°



Scale 1:1250  
1cm equals 12.5 metres

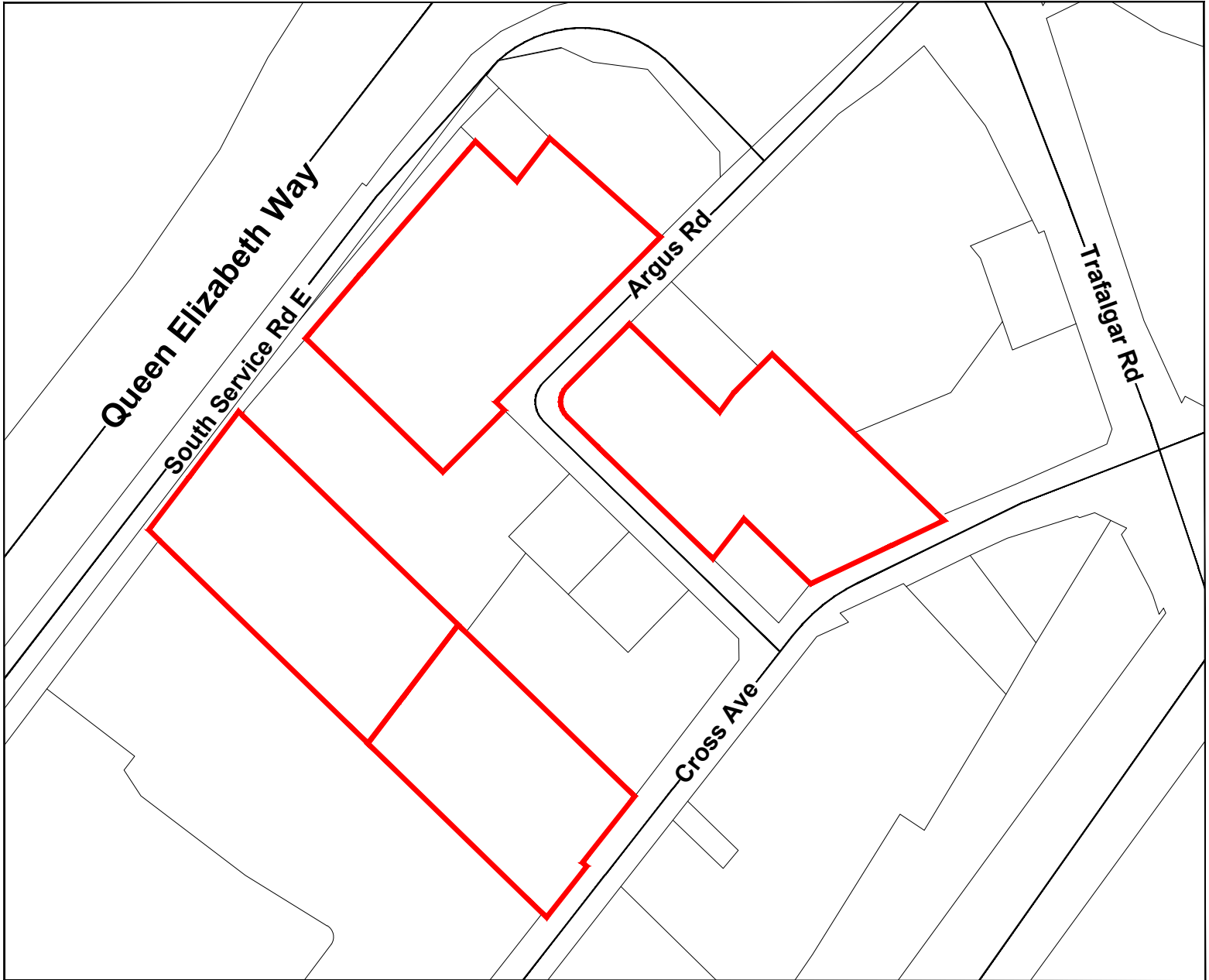
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# Map 3 to ZONING ORDER 02-2026 (Transit-Oriented Community Land)



## LEGEND

- ROADS
- PARCELS
- TOC LANDS



Map North (Degrees): 0°



Scale 1:3000  
1cm equals 30 metres

PARTS OF LOTS 13 AND 14, CONCESSION 3, SOUTH OF DUNDAS STREET  
(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)  
TOWN OF OAKVILLE, REGIONAL MUNICIPALITY OF HALTON

THIS IS NOT A PLAN OF SURVEY



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