

## 11. RESIDENTIAL

The lands identified as Residential Areas on Schedule A1, Urban Structure, represent the areas that provide for stable residential communities.

A variety of residential uses is accommodated through the three Residential land use designations: Low Density Residential, Medium Density Residential and High Density Residential. These designations provide for a full range of housing types, forms and densities.

The majority of *intensification* and *development* within the Town is to occur within the Growth Areas as described in Part E. *Intensification* outside of the Growth Areas within the stable residential communities will be subject to policies that are intended to maintain and protect the existing *character* of those communities.

*Special Policy Areas* may be defined on lands or areas which are designated Residential and which require further study and/or additional policies as set out in Part E.

The following objectives shall apply to all Residential Areas:

- a) maintain, protect and enhance the *character* of existing residential areas;
- b) encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;
- c) promote housing initiatives to facilitate revitalization, *compact urban form* and an increased variety of housing alternatives;
- d) promote innovative housing types and forms to ensure accessible, *affordable*, adequate and appropriate housing for all socio-economic groups;
- e) encourage the conservation and rehabilitation of older housing in order to maintain the stability and *character* of the existing stable residential communities; and,
- f) discourage the conversion of existing rental properties to condominiums or to other forms of ownership in order to maintain an adequate supply of rental housing.

### 11.1 General

- 11.1.1 The Town will continue to work directly with the Region to provide opportunities for housing for a wide array of socio-economic groups and those with differing physical needs using all available planning mechanisms and tools and to develop a housing strategy, including preparation of Municipal Housing Statements, which will establish and implement *affordable housing* targets.

- 11.1.2 The Town will seek a balance in housing tenure. Conversions of existing rental accommodation to condominium or other forms of ownership shall be discouraged.
- 11.1.3 The Town will provide for the creation of second units through regulations in the Zoning By-law. Second units shall not be considered as dwelling units for the purpose of calculating density.
- 11.1.4 *Development* shall conform with the policies relating to urban design and sustainability set out in Part C.
- 11.1.5 *Development* on private roads shall be discouraged. Where it is demonstrated that a public road is not warranted, to the satisfaction of the Town, *development* through plans of condominium on private roads may be permitted provided all required services are appropriately accommodated and all applicable policies of this Plan are satisfied.
- 11.1.6 *Special needs housing* may be permitted through a range of housing types in all residential land use designations in accordance with section 11.1.9 and where adequate residential amenities and services are provided.
- 11.1.7 Home occupations and bed and breakfast establishments may be permitted in accordance with section 11.1.9 and the Town's Zoning By-law and any other applicable by-laws or requirements.
- 11.1.8 *Intensification* within the stable residential communities shall be provided as follows:
- a) Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, *land division*, and/or the conversion of an existing building into one or more units, may be considered where it is *compatible* with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9 and all other applicable policies of this Plan;
  - b) Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non-residential uses, that have sufficient frontage and depth to accommodate appropriate *intensification* through *development* approvals. *Intensification* of these sites may occur with Low Density Residential uses in accordance with section 11.1.9 and all other applicable policies of this Plan; and,
  - c) Within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional *development* may be appropriate. *Intensification* of these lands may occur within the existing density permissions for the lands and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan.

- 11.1.9 *Development* within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood *character*:
- a) The built form of *development*, including scale, height, massing, architectural *character* and materials, is to be *compatible* with the surrounding neighbourhood.
  - b) *Development* should be *compatible* with the setbacks, orientation and separation distances within the surrounding neighbourhood.
  - c) Where a *development* represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent *development*.
  - d) Where applicable, the proposed lotting pattern of *development* shall be *compatible* with the predominant lotting pattern of the surrounding neighbourhood.
  - e) Roads and/or municipal *infrastructure* shall be adequate to provide water and wastewater service, waste management services and fire protection.
  - f) Surface parking shall be minimized on the site.
  - g) A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.
  - h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.
  - i) The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.
  - j) *Development* should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.
  - k) The transportation system should adequately accommodate anticipated traffic volumes.
  - l) *Utilities* shall be adequate to provide an appropriate level of service for new and existing residents.
- 11.1.10 *Special Policy Areas* that are designated for residential uses are also described in Part E and are also subject to policies set out in Part E.

11.1.11 Residential uses shall comply with the land use compatibility and appropriate mitigation measures, such as setbacks and buffers, defined by the Ministry of the Environment.

## **11.2 Low Density Residential**

### 11.2.1 Permitted Uses

The Low Density Residential land use designation may permit a range of low density housing types including detached dwellings, semi-detached dwellings and duplexes.

11.2.2 A density of up to 29 dwelling units per *site hectare* may be permitted in areas designated Residential Low Density.

## **11.3 Medium Density Residential**

### 11.3.1 Permitted Uses

The Medium Density Residential land use designation may permit a range of medium density housing types including *multiple-attached dwelling* units, apartments, retirement homes and long-term care homes. Existing detached and semi-detached dwellings are permitted.

11.3.2 The density range is to be between 30 to 50 dwelling units per *site hectare*.

## **11.4 High Density Residential**

### 11.4.1 Permitted Uses

The High Density Residential land use designation may permit a range of high density housing types including *multiple-attached dwelling* units, apartments, retirement homes and long-term care homes.

11.4.2 The density range is to be between 51 to 185 units per *site hectare*.

## 12. MIXED USE

The Mixed Use designations provide areas where residential, commercial and office uses are integrated in a *compact urban form* at higher *development* intensities. Mixed Use areas are to be pedestrian-oriented and *transit-supportive*.

### 12.1 General

- 12.1.1 The intent of the Mixed Use designations is to allow for a diversity of residential, commercial and office uses which are integrated in buildings to provide for the efficient use of municipal services and *infrastructure*.
- 12.1.2 Mixed use *development* will be focused on lands located within Oakville's Growth Areas and along identified corridors.
- 12.1.3 The Mixed Use designations are intended to create animated streets by providing retail and service commercial uses on the ground floor of mixed use buildings, fronting onto the street and other pedestrian environments. The location and size of any use on upper and/or lower floors within mixed use buildings will be determined through the *development* process and regulated by the implementing zoning.
- 12.1.4 All *development* within the Mixed Use designations shall be of a high quality design that considers the integration of new and existing buildings, as well as building façade treatment.
- 12.1.5 The uses listed in sections 11.1.6 and 11.1.7 may also be permitted in the Mixed Use designations.
- 12.1.6 Motor vehicle related uses, including motor vehicle sales and motor vehicle service stations, shall be prohibited in all of the Mixed Use designations.
- 12.1.7 Drive-through Facilities
- a) Drive-through facilities proposed within any of the Mixed Use designations within Bronte Village and Kerr Village will require an amendment to this Plan and the Town's Zoning By-law and be subject to the following:
    - i) justification for the proposed development that establishes how it conforms to the Official Plan;
    - ii) demonstration that the development of a drive-through facility does not preclude the planned function and intensification for a site;
    - iii) conformity with the urban design policies in section 6;
    - iv) the Town's Drive-through Urban Design Guidelines; and,

- v) demonstration that the proposed drive-through facility:
  - does not change the *character* of the existing and planned streetscape;
  - maintains the scale of the urban environment; and,
  - does not compromise the safe and efficient movement of pedestrians and cyclists.
  
- b) Drive-through facilities proposed within the Main Street 2 designation within Palermo Village and the Uptown Core will require an amendment to this Plan and the Town's Zoning By-law and be subject to the following:
  - i) justification for the proposed development that establishes how it conforms to the Official Plan;
  - ii) demonstration that the development of a drive-through facility does not preclude the planned function and intensification for a site;
  - iii) conformity with the urban design policies in section 6;
  - iv) the Town's Drive-through Urban Design Guidelines; and,
  - v) demonstration that the proposed drive-through facility:
    - does not change the *character* of the existing and planned streetscape;
    - maintains the scale of the urban environment; and
    - does not compromise the safe and efficient movement of pedestrians and cyclists.
  
- c) Drive-through facilities proposed within the Urban Core designation within the Uptown Core and within the Urban Centre designation within Palermo Village will require an amendment to the Town's Zoning By-law and be subject to the following:
  - i) demonstration that the development of a drive-through facility does not preclude the planned function and intensification for a site;
  - ii) conformity with the urban design policies in section 6;
  - iii) the Town's Drive-through Urban Design Guidelines; and,
  - iv) demonstration that the proposed drive-through facility:
    - does not change the *character* of the existing and planned streetscape;

- maintains the scale of the urban environment; and,
- does not compromise the safe and efficient movement of pedestrians and cyclists.

## 12.2 Main Street 1

The Main Street 1 designation represents small scale, mixed use *development* along main streets and is intended to reflect a pedestrian-oriented, historic main street *character*.

### 12.2.1 Permitted Uses

- a) A wide range of retail and service commercial uses, including restaurants, commercial schools, offices and residential uses, may be permitted in the Main Street 1 designation. The ground floor of buildings in the Main Street 1 designation shall be primarily occupied by retail and service commercial uses. Limited office uses, and ancillary residential uses, may also be permitted on the ground floor of mixed use buildings.
- b) The requirement for and the size and location of retail, service commercial and office uses on the ground floor of buildings shall be determined through the *development* process and regulated by the implementing zoning.

### 12.2.2 Building Heights

Buildings within the Main Street 1 designation shall be a minimum of 2 storeys in height and a maximum of 4 storeys in height.

### 12.2.3 Parking

Surface parking shall be provided only within a side and/or rear yard. Surface parking on corner lots shall only be permitted in the rear yard.

## 12.3 Main Street 2

The Main Street 2 designation shall provide for mixed use *development* characterized by high quality design standards and appropriately scaled pedestrian environment for emerging Growth Areas such as Kerr Village and the Uptown Core and the gateway areas within Bronte Village.

### 12.3.1 Permitted Uses

- a) A wide range of retail and service commercial uses, including restaurants, commercial schools, offices and residential uses, may be permitted in the Main Street 2 designation. The ground floor of buildings in the Main Street 2 designation shall be primarily occupied by retail and service commercial uses.

Limited office uses, and ancillary residential uses, may also be permitted on the ground floor of mixed use buildings.

- b) The requirement for and the size and location of retail, service commercial and office uses on the ground floor of buildings shall be determined through the *development* process and regulated by the implementing zoning.

#### 12.3.2 Building Heights

- a) Buildings within the Main Street 2 designation shall be a minimum of 4 storeys in height and a maximum of 6 storeys in height.
- b) Additional building height may be considered in accordance with the applicable bonusing policies in this Plan.

#### 12.3.3 Parking

Surface parking should be provided only within a side and/or rear yard or in areas that can be appropriately screened. Surface parking on corner lots should only be permitted in the rear yard or in areas that can be appropriately screened.

### 12.4 Urban Centre

The Urban Centre designation shall incorporate a mix of uses including retail and service commercial, office and residential uses. *Development* should be oriented to the street and shall contribute to a high quality pedestrian-oriented and *transit-supportive* environment.

#### 12.4.1 Permitted Uses

- a) A wide range of retail and service commercial uses, including restaurants, commercial schools, offices and residential uses may be permitted in the Urban Centre designation. Retail and service commercial uses shall be provided on the ground floor of mixed use buildings that directly front a public street. These uses may also extend to other floors. Entertainment facilities and hotels may also be permitted. Office uses and ancillary residential uses may be provided on the ground floor and/or above the ground floor.
- b) The size and location of uses shall be determined through the *development* process and regulated by the implementing zoning.

#### 12.4.2 Building Heights

- a) Buildings within the Urban Centre shall be a minimum of 6 storeys in height and a maximum of 8 storeys in height.



- b) Additional building height may be considered in accordance with the applicable bonusing policies in this Plan.

#### 12.4.3 Parking

- a) Underground and/or structured parking shall be encouraged.
- b) Surface parking shall not be permitted in front of or between buildings. However, consideration may be given to limited surface parking within these areas for the purpose of visitor or commercial parking.

### 12.5 Urban Core

The Urban Core designation is envisioned to have a strong urban focus and incorporate retail and service commercial, office and residential uses. *Development* should be oriented to the street and shall contribute to a high quality pedestrian-oriented and *transit-supportive* environment. Midtown Oakville and the Uptown Core are the primary locations for this designation.

#### 12.5.1 Permitted Uses

- a) A wide range of retail and service commercial uses, including restaurants, commercial schools, offices and residential uses may be permitted in the Urban Core designation. Retail and service commercial uses shall be provided on the ground floor of mixed use buildings that directly front a public street. These uses may also extend to other floors. Entertainment facilities and hotels may also be permitted. Office uses and ancillary residential uses may be provided on the ground floor and above the ground floor.
- b) The size and location of uses shall be determined through the *development* process and regulated by the implementing zoning.

#### 12.5.2 Building Heights

- a) Buildings within the Urban Core designation shall be a minimum of 8 storeys in height and a maximum of 12 storeys in height.
- b) Additional building height may be considered in accordance with the applicable bonusing policies in this Plan.

#### 12.5.3 Parking

- a) Underground and/or structured parking shall be encouraged.
- b) Surface parking should not be permitted between buildings and the adjoining streets. However, consideration may be given to limited surface parking within these areas for the purpose of visitor or commercial parking.

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## 13. COMMERCIAL

The Town has a range of locations designated and developed for concentrations of retail and service commercial uses. In general terms, these locations are sufficient in number, size and location to serve the existing and future population of Oakville. The policies of this Plan establish four commercial designations that recognize the form of *development* and the general function of commercial areas. While this Plan sets out the form and function in a hierarchical format, the application of the policies is intended to be general and the primary goal of the commercial policies is to ensure that an adequate range and variety of goods and services is available to the Town's residents.

### 13.1 General

- 13.1.1 The Town shall maintain a variety of commercial areas to provide a broad range of retail goods and services. The commercial areas are to be distributed throughout the Town to serve the needs of residents and shoppers.
- 13.1.2 The *intensification* and redevelopment of existing commercial centres is intended to be the primary means of accommodating additional retail uses to meet future growth needs. The Town may require a market impact study to support additional commercial *development*.
- 13.1.3 The Core Commercial and Central Business District areas shall be considered Major Commercial Areas as shown on Schedule A1.
- 13.1.4 Impacts from Commercial uses on surrounding residential communities shall be mitigated through a variety of measures, which will be implemented through zoning provisions and site plan design.
- 13.1.5 Drive-through facilities shall be considered service commercial uses and may be permitted where service commercial uses are permitted within the Commercial designations unless otherwise not permitted by specific policies in this Plan.

### 13.2 Central Business District

The Central Business District is intended to serve as a downtown centre with a main street function and, at the same time, provide community shopping facilities for the surrounding communities. The Central Business District should accommodate retail and service commercial *intensification* where consistent with the design objectives of this Plan. The mix of permitted uses is intended to maintain the viability and vitality of the downtown.

### 13.2.1 Permitted Uses

Uses in the Central Business District may include a range of retail and service commercial uses, including restaurants, appropriate to a main street, pedestrian-oriented function. Offices, hotels and convention centres, entertainment and recreation uses and similar functions may also be permitted. Residential uses may also be permitted and are encouraged in forms and at locations that support the primary function of the area.

### 13.2.2 Drive-through facilities proposed within the Central Business District will require an amendment to this Plan and the Town's Zoning By-law and be subject to the following:

- a) justification for the proposed development that establishes how it conforms to the Official Plan;
- b) demonstration that the development of a drive-through facility does not preclude the planned function and intensification for a site;
- c) conformity with the urban design policies in section 6;
- d) the Town's Drive-through Urban Design Guidelines; and,
- e) demonstration that the proposed drive-through facility:
  - i) does not change the *character* of the existing and planned streetscape;
  - ii) maintains the scale of the urban environment; and,
  - iii) does not compromise the safe and efficient movement of pedestrians and cyclists.

### 13.2.3 In the Central Business District, the minimum building height shall be two storeys and the maximum building height shall be four storeys.

### 13.2.4 Parking

- a) Parking facilities will be located in central parking lots. Such parking facilities, if uncovered, will be adequately landscaped. It is intended that such facilities be integrated with building structures and/or provide convenient pedestrian connections to shopping areas.
- b) Commercial uses within the Central Business District in Downtown Oakville shall be exempt from parking requirements.

### 13.2.5 Traffic generated by the Central Business District will be directed away from adjacent residential neighbourhoods. Measures to discourage through traffic, minimize road

speeds and control parking will be investigated as a Town-led initiative and will be reviewed as part of any proposal for substantial *development* within the Central Business District.

- 13.2.6 Existing residential uses should be provided with maximum privacy for private living spaces as well as adequate mitigation of impacts from commercial uses.
- 13.2.7 The *development* of residential uses shall be evaluated in accordance with the criteria set out in section 11.1.9.
- 13.2.8 Motor vehicle related uses, including motor vehicle sales and motor vehicle service stations, shall not be permitted.
- 13.2.9 The uses listed in sections 11.1.6 and 11.1.7 may also be permitted in the Central Business District designation.

### **13.3 Core Commercial**

Lands designated as Core Commercial provide major concentrations of commercial facilities serving the broader regional community. These areas are to be located at the intersection of major arterial roads with proximity to highway access.

#### **13.3.1 Permitted Uses**

Permitted uses may include a range of retail and service commercial uses including restaurants, food stores and motor vehicle service stations. Large format retail, retail warehouse, entertainment and recreational uses may also be permitted. Offices and motor vehicle repair facilities may be permitted provided they serve a secondary function within the Core Commercial designation and are small in scale.

- 13.3.2 The size and location of uses within the Core Commercial designation shall be regulated by the implementing zoning.
- 13.3.3 The retail and service commercial uses within the Core Commercial designation are to be accommodated within an enclosed shopping mall, large freestanding buildings or through groupings of buildings. These areas shall be developed in a nodal configuration to minimize traffic impacts on adjacent uses.
- 13.3.4 Core Commercial areas should be developed with integrated access, parking and loading as well as common landscaping and design features.

### **13.4 Community Commercial**

Lands designated Community Commercial are intended to provide a variety of retail and service commercial uses primarily servicing the local surrounding community. Community Commercial areas are to be located at the intersection of two arterial roads or at the intersection of an arterial road and a collector road.

#### 13.4.1 Permitted Uses

Permitted uses may include a range of retail and service commercial uses including restaurants, food stores and motor vehicle service stations. Recreational uses may also be permitted. Offices may be permitted provided they serve a secondary function and are small in scale.

13.4.2 The size and location of uses within the Community Commercial designation shall be regulated by the implementing zoning.

13.4.3 Community Commercial areas shall be developed in a nodal configuration and are encouraged to provide and maintain a food store as part of the node.

13.4.4 These areas are to be accessible to the community to be served and provide safe pedestrian access.

13.4.5 *Development* within the Community Commercial designation shall be provided as a grouping of retail and service commercial uses occupying a single site and/or functioning as a single site with shared access, design, parking and landscaping.

### 13.5 Neighbourhood Commercial

Neighbourhood Commercial areas are intended to provide for a range of retail and service commercial uses primarily to service local convenience needs of the adjacent neighbourhoods. Neighbourhood Commercial areas are to be located on collector roads or at the intersection of a collector road and an arterial road with accessibility to the local neighbourhood.

#### 13.5.1 Permitted Uses

Permitted uses may include a range of retail and service commercial uses including restaurants and food stores. Only existing motor vehicle service stations are permitted. Residential uses above ground floor retail and service commercial uses may also be permitted. Offices may be permitted provided they serve a secondary function within the Neighbourhood Commercial designation and are small in scale.

13.5.2 Neighbourhood Commercial areas shall not exceed a maximum of approximately 2,500 square metres of floor area in retail and service commercial uses.

13.5.3 *Development* should consist of a small grouping of retail and service commercial uses in one or more buildings. The maximum building height shall be two storeys.

13.5.4 Drive-through facilities may be permitted within the Neighbourhood Commercial designation where they are in conformity with the urban design policies in section 6 and the Town's Drive-through Urban Design Guidelines. The Town shall ensure that the design and function of the facility:

- a) does not change the *character* of the existing and planned streetscape;
- b) maintains the scale of the urban environment; and,
- c) does not compromise the safe and efficient movement of pedestrians and cyclists.

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## 14. EMPLOYMENT

*Employment areas* are intended to provide industrial, business and office activities, which will be the major source of employment opportunities in the Town. The *employment areas* permit a wide range of business and economic activities and are defined by four specific Employment land use designations: Office Employment, Business Employment, Industrial and Business Commercial. The Employment land use designations provide for *compatible* uses in appropriate locations with a variety of form, scale, and intensity of *development*. The Business Commercial designation is to provide service commercial uses for the surrounding *employment areas* or for the travelling public.

### 14.1 General

- 14.1.1 It is anticipated that all of the lands designated for employment purposes will be needed to make the Town a balanced and *complete community*.
- 14.1.2 It is a key policy of this Plan to provide a balance of population and employment in the Town in order to maximize the opportunity for residents to work in Oakville, to maintain a healthy tax base, and to achieve the goal of a balanced and *complete community*. The Town will monitor the rate of employment growth and the utilization of employment lands to ensure that sufficient employment land is designated to meet these objectives.
- 14.1.3 The Town will encourage the *development* of *employment areas* with *transit-supportive*, compact built form and minimized surface parking areas. All *development* shall be at a scale *compatible* with adjacent uses. Height and built form shall be regulated through the implementing zoning.
- 14.1.4 Buffering and landscaping shall be required to ensure visual and physical separation between employment uses and adjacent uses.
- 14.1.5 The Town shall place a priority on the early provision of services to employment lands to ensure that *development* opportunities exist to meet projected demand.
- 14.1.6 Large format retail and retail warehouse uses shall not be permitted.
- 14.1.7 The Oakville and Bronte GO Stations are *higher order transit* stations, and the surrounding areas are considered *major transit station areas* to which employment *intensification* including *major office* and appropriate major institutional uses are to be directed.
- 14.1.8 Drive-through facilities shall be considered service commercial uses and may be permitted where service commercial uses are permitted within the Employment designations unless otherwise not permitted by specific policies of this Plan.

## 14.2 Conversion of Employment Areas

- 14.2.1 It is the policy of the Town to protect and preserve *employment areas*.
- 14.2.2 *Employment areas* are defined by this Plan as all lands designated for employment uses under section 14.
- 14.2.3 The Town will only consider the conversion of lands within the *employment areas* to non-employment uses through a *municipal comprehensive review* where the following conditions have been satisfied:
- a) there is a need for the uses proposed by the conversion as established by the *municipal comprehensive review*;
  - b) the conversion will not prevent the ability of the Town to meet the employment forecasts established by the Region;
  - c) the conversion will not adversely affect the overall viability of the *employment area* and achievement of the *intensification* target of Table 3, density targets and other policies of this Plan, and will not impact the ability of adjacent lands or *development* to be used or continue to be used for employment purposes;
  - d) there is existing or planned *infrastructure* to accommodate the proposed conversion;
  - e) the lands are not required in the long-term for employment purposes; and,
  - f) cross-jurisdictional issues have been considered.

## 14.3 Office Employment

Office Employment areas are intended to provide primarily for prestige office uses. The majority of these areas are existing and are located adjacent to the QEW and Highway 403 corridors, providing high visibility and excellent accessibility. New *major office* buildings shall be developed primarily within Midtown Oakville, *major transit station areas*, and along *higher order transit* corridors.

### 14.3.1 Permitted Uses

- a) Uses permitted within the Office Employment designation may include *major offices* and offices, hotels, public halls, light industrial uses and training facilities and commercial schools. Limited convenience retail, accessory retail and service commercial uses, including restaurants, may be permitted in conjunction with the permitted uses.

- b) Motor vehicle related uses may also be permitted on the lands designated Office Employment on North Service Road West, between Third Line and McCraney Creek.
- c) Existing motor vehicle related uses are permitted on the lands designated Office Employment south of Speers Road and west of Third Line.

14.3.2 Uses permitted in the Office Employment designation shall be within enclosed buildings. No outside storage or processing shall be permitted.

14.3.3 Office Employment areas are generally to be located on arterial roadways and on the edge of concentrations of industrial and service commercial uses. These areas also serve as a transitional area providing a buffer between uses.

#### **14.4 Business Employment**

Business Employment areas are intended to provide for a wide range of business and industrial uses. The uses in the Business Employment areas are intended to be predominantly within enclosed buildings and provide for light and service industrial operations with minimal impacts on the surrounding areas.

##### **14.4.1 Permitted Uses**

- a) Uses permitted within the Business Employment designation may include offices and light industrial uses such as manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling. Hotels, public halls and training facilities and commercial schools may also be permitted.
- b) Existing service commercial uses, limited to restaurants, financial institutions and drive-through facilities, are permitted.
- c) New service commercial uses, limited to restaurants, financial institutions and drive-through facilities, may also be permitted on the same lot as uses listed in subsection a), above.
- d) Motor vehicle related uses may also be permitted on the lands designated Business Employment in the following areas:
  - i) between Bronte Creek and Kerr Street, south of the QEW;
  - ii) between Iroquois Shore Road (including the proposed extension) and North Service Road, west of Invicta Drive;
  - iii) east of Chartwell Road, between the QEW and the railway; and,
  - iv) between Ford Drive, Royal Windsor Drive, Winston Churchill Boulevard and the railway spur line.

14.4.2 Accessory uses may be permitted in conjunction with permitted light industrial uses. Accessory retail uses shall be on the same lot and clearly subordinate, and directly related, to the functioning of the permitted use.

14.4.3 Business Employment uses shall occur primarily within enclosed buildings.

14.4.4 Limited outdoor storage and display areas shall be adequately screened and may be permitted through the implementing zoning.

## 14.5 Industrial

Industrial areas are intended to provide for heavy industrial operations and are limited to well screened, highly accessible locations.

### 14.5.1 Permitted Uses

- a) Uses permitted within the Industrial designation may include light industrial, heavy industrial operations such as manufacturing, assembling, processing, fabricating, refining, repairing, warehousing, and wholesaling. Outdoor storage may be permitted. Training facilities and commercial schools, where they are related to and supportive of an Industrial use may be permitted. A waste processing station, waste transfer station and transportation terminal may also be permitted.
- b) *Major offices* and offices may also be permitted on the lands designated Industrial within 500 m of the Bronte GO Station.
- c) Offices may also be permitted on the lands designated Industrial within Bristol Circle.
- d) Motor vehicle related uses may also be permitted on the lands designated Industrial in the following areas:
  - i) between Bronte Creek and Kerr Street, south of the QEW; and,
  - ii) between Ford Drive and Winston Churchill Boulevard, south of the railway.

14.5.2 Outdoor storage and display areas should not be visible from lands designated residential or open space, or from major collector and arterial roads.

14.5.3 Industrial areas may include direct access to a transportation terminal and railway spur line.

14.5.4 Accessory uses may be permitted in conjunction with permitted Industrial uses. Accessory retail uses shall be on the same lot and clearly subordinate, and directly related, to the functioning of the permitted use.

## 14.6 Business Commercial

Business Commercial areas provide for service commercial and convenience retail uses to support the surrounding *employment areas* and the travelling public.

### 14.6.1 Permitted Uses

Uses permitted in the Business Commercial designation may include hotels, public halls, training facilities and commercial schools, motor vehicle related uses, convenience retail and service commercial uses, including restaurants. Offices may also be permitted.

14.6.2 The type and size of uses within the Business Commercial designation shall be regulated by the implementing zoning.

14.6.3 Convenience retail uses on sites designated Business Commercial shall not exceed 2,500 square metres in total floor area.

14.6.4 Outdoor storage and display areas will be restricted through implementing zoning.

14.6.5 Business Commercial areas shall apply primarily to existing service commercial uses located along major arterial roads.

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## 15. INSTITUTIONAL

The Institutional land use designation is intended to provide sufficient lands for large scale institutional and *educational facilities* that serve Town-wide and/or Region-wide functions.

### 15.1 General

#### 15.1.1 Permitted Uses

Uses permitted within the Institutional designation may include *educational facilities* with residential accommodations, colleges and universities, health care facilities and hospitals with ancillary uses, *places of worship* on sites greater than 2.5 hectares, government and cultural facilities, and residential accommodations associated with institutional uses.

#### 15.1.2 The following criteria shall apply when considering new areas to be designated Institutional:

- a) the *development* shall be located on a site with sufficient land to provide for adequate buffering, landscaping, drop-off and parking and other associated facilities;
- b) the site shall have access to an arterial or regional road; and,
- c) the site should have access to public transit and pedestrian linkages.

#### 15.1.3 Institutional uses in residential areas shall be designed to ensure that they are *compatible* with adjacent land uses and are of a high quality design and conform to the urban design policies in section 6.

#### 15.1.4 In addition to dedicated institutional uses, additional institutional *development* should be directed to Midtown Oakville, *major transit station areas* and along *higher order transit* corridors.

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## 16. NATURAL AREA

Oakville's rivers and streams, forests and natural areas will be protected and accessible for residents to enjoy their beauty. The purpose of the Natural Area designation is for the long-term preservation of natural features and functions. Therefore the diversity and connectivity of natural features in creating a system, and the long-term ecological function and biodiversity of natural heritage features, should be maintained, restored or, where possible, improved, recognizing links or corridors between and among natural heritage features and areas, surface water features and groundwater features. The features may also have some passive recreational amenity for paths, trails, and education, and contribute to a continuous open space system.

### 16.1 General

#### 16.1.1 Permitted Uses

- a) The following uses may be permitted within the Natural Area designation, subject to applicable Conservation Authority policies:
  - i) legally existing uses, buildings and structures including existing agricultural uses;
  - ii) fish, *wildlife* and conservation management including forestry management;
  - iii) essential public works including transportation, *utility*, watershed management, and *flood* and *erosion* control facilities; and,
  - iv) passive recreation features such as trails, walkways, and bicycle paths.
- b) Where planning applications to establish or expand a permitted use are not subject to the *Environmental Assessment Act*, an environmental impact statement (EIS) shall be required, to the satisfaction of the Town, to establish that the use will not negatively impact the natural features or ecological functions contained within the Natural Area designation.

#### 16.1.2 Lands designated Natural Area may contain one or more of the following natural features together with required buffers:

- a) significant habitat of endangered species and threatened species;
- b) wetlands;
- c) woodlands;
- d) valleylands;
- e) significant *wildlife* habitat;

- f) Environmentally Sensitive Areas;
  - g) areas of natural and scientific interest;
  - h) fish habitat; or,
  - i) natural corridors.
- 16.1.3 Schedule B, Natural Features and Hazard Lands, indicates the general locations of the known natural features which are located within the Natural Area designation. Schedule B may be updated by an Official Plan amendment as additional features are identified.
- 16.1.4 Lands designated Natural Areas where no *development* is permitted shall be zoned to prohibit the erection, location or use of any buildings or structures other than those which legally exist.
- 16.1.5 Existing agricultural activities may be permitted on lands adjacent to a Natural Area designation or a natural feature without an EIS.
- 16.1.6 Significant Habitat of Endangered Species and Threatened Species
- a) *Development* and site alteration shall not be permitted in the significant habitat of endangered or threatened species.
  - b) *Development* proposed on lands within 120 metres of a significant habitat of endangered species and threatened species shall require a satisfactory EIS to demonstrate that there will be no negative impact on the significant habitat of endangered species and threatened species or its ecological function.
  - c) The Town will work with the Conservation Authorities to implement the recommendations of any approved and final Recovery Strategies document regarding endangered and threatened species.
- 16.1.7 Wetlands
- a) *Development* and site alteration shall not be permitted within provincially, regionally or locally significant wetlands or within the required buffer width, which should be a minimum of 30 metres measured from the boundary of the wetland.
  - b) The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A greater buffer width may be required as a result of environmental impacts evaluated by the EIS or subwatershed study. Reduced buffers may only be considered by the Town based upon the existing context and the sensitivity of the wetland.

- c) Unless otherwise directed by the Conservation Authority, *development* proposed on lands within 120 metres of an individual wetland area, or on lands connecting individual wetland areas within a wetland complex, which was not considered during a subwatershed study, shall require a satisfactory EIS. Where *development* is proposed on lands within 120 metres of an individual wetland area, or on lands connecting individual wetland areas within a wetland complex, and a subwatershed study has been completed, the Town and Conservation Authority may require a site-specific EIS to demonstrate no negative impact to the features or ecological functions of the wetland.

#### 16.1.8 Woodlands

- a) *Development* or site alteration shall not be permitted within regionally significant woodlands or within the required buffer width, which should be a minimum of 10 metres measured from the drip line of the woodland.
- b) The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A greater buffer width may be required as a result of environmental impacts evaluated by the EIS or subwatershed study. Reduced buffers may only be considered by the Town based upon the existing context and the sensitivity of the woodland.
- c) Unless otherwise directed by the Conservation Authority, *development* proposed on lands within 120 metres of a significant woodland shall require a satisfactory EIS to demonstrate that there will be no negative impact on the woodland or its ecological function.
- d) The Town will pursue forest certification for Town-owned and/or managed woodlands.

#### 16.1.9 Valleylands

- a) Valleylands include lands within a defined setback from the limit of the valleyland as identified in subsections b) and c), and all lands within a valley, from *stable top-of-bank* to *stable top-of-bank* as determined through a geotechnical study completed to the satisfaction of the Town and Conservation Authority.
- b) The valleylands shown on Schedule B, which are subject to the policies of this section are:
  - i) the major valleys and tributaries known as:
    - Bronte Creek
    - Sixteen Mile Creek

- ii) the minor valleys and tributaries known as:
  - Fourteen Mile Creek
  - Glen Oak Creek
  - Joshua's Creek
  - McCraney Creek
  - Morrison Creek
  - West Morrison Creek
  - Munn's Creek
  - Osenego Creek
  - Shannon's Creek
  - Sheldon Creek
  - Sheridan Creek
  - Taplow Creek
  - Wedgewood Creek
  - Clearview Creek
  - Falgarwood Creek
- c) *Development* or site alteration shall not be permitted within the valley or within 15 metres of the *stable top-of-bank* of major valleys and tributaries, and 7.5 metres of the *stable top-of-bank* of minor valleys and tributaries, except for *compatible* permitted recreational uses, essential public works and *utilities* subject to the requirements of this Plan. Greater setbacks may be required as a result of environmental impacts evaluated through an approved EIS.
- d) Where feasible, the lands below the *stable top-of-bank* shall be maintained in a natural state. In cases where these lands have been impacted by agriculture or urban uses, the applicant may be required to rehabilitate and revegetate the valleylands, to the satisfaction of the Town and Conservation Authority, as a condition of *development* approval.
- e) No *development*, alterations to *watercourses*, or filling, except where permitted by the Conservation Authority, shall be permitted within the valleylands.

- f) Unless otherwise directed by the Conservation Authority, all *development* on lands within 120 metres of a major valley or directly abutting the top of bank of a minor valley must demonstrate through an EIS that *erosion* and any adverse impacts to water quality, slope stability, *wildlife* habitat, existing vegetation and drainage shall be minimized and existing valley slopes shall not be disturbed.
- g) Geotechnical studies to establish the limit of the *stable top-of-bank*, as required by subsection a), may also be required to provide recommendations to ensure long-term slope integrity, to the satisfaction of the Town and Conservation Authority. However, the setbacks shall not be less than those established in subsection c).
- h) Notwithstanding subsection a), the Town, in consultation with Conservation Halton, may undertake a comprehensive geotechnical study within the Downtown and Midtown Oakville Growth Areas to determine whether modification to the setbacks from Sixteen Mile Creek valley in these areas is appropriate and/or warranted given the location of existing *development* within and immediately adjacent to the valleylands.

#### 16.1.10 Significant Wildlife Habitat

- a) *Development* or site alteration shall not be permitted in significant *wildlife* habitat.
- b) Unless otherwise directed by the Conservation Authority, *development* proposed on land within 120 metres of significant *wildlife* habitat shall require a satisfactory EIS to demonstrate that there will be no negative impact on the significant *wildlife* habitat features or functions.

#### 16.1.11 Environmentally Sensitive Areas

- a) Environmentally Sensitive Areas (ESA) are identified by the Region as lands that meet one or more of the ESA criteria set out in the Region's Official Plan.
- b) *Development* and site alteration within, or adjacent to, an ESA shall be restricted in accordance with the *development* policies established in the Region's Official Plan.

#### 16.1.12 Areas of Natural and Scientific Interest

- a) Areas of Natural and Scientific Interest (ANSI) are defined as lands that contain natural landscapes or features which have been identified as having values related to natural heritage protection, scientific study, or education and contain representative earth science and/or natural processes.
- b) *Development* and site alteration shall not be permitted in a provincially or regionally significant ANSI unless it has been demonstrated through an EIS that such *development* will not have a negative impact on the feature or its ecological function.

- c) Unless otherwise directed by the Conservation Authority, *development* proposed on lands within 50 metres of an earth science ANSI, or within 120 metres of a life science ANSI, shall require a satisfactory EIS to demonstrate that there will be no negative impact on the ANSI or its ecological function.

#### 16.1.13 Fish Habitat

- a) *Development* and site alteration shall not be permitted in fish habitat or within the required buffer width, except in accordance with Provincial and Federal requirements. The buffer should be a minimum of 30 metres for coldwater creeks and 15 metres for warmwater creeks, measured from the edge of the bankfull channel or meander belt allowance.
- b) The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A greater buffer width may be required as a result of environmental impacts evaluated by the EIS or subwatershed study. Reduced setbacks may only be considered by the Town based upon the existing urban context and the sensitivity of the fish habitat.
- c) Unless otherwise directed by the Conservation Authority, *development* proposed on lands within 120 metres of fish habitat, shall require a satisfactory EIS to demonstrate that there will be no negative impact on the fish habitat or its ecological function.
- d) Where possible based on the surrounding land use context, the Town encourages the investigation of opportunities to daylight creeks that have been buried underground.

#### 16.1.14 Natural Corridors

*Development* proposed on lands abutting a natural corridor may be required, based on the significance of the natural corridor and existing *development*, to submit an EIS to demonstrate that there will be no negative impact on the natural corridor or its ecological function.

#### 16.1.15 Boundaries and Applications for Redesignation

- a) The specific boundaries of the Natural Area including appropriate buffers of any natural features shall be identified through an EIS, or on a site by site basis at the time of planning application through consultation with the Conservation Authority.
- b) An application to redesignate a Natural Area shall include a study to justify why the area does not meet the criteria for identification.

## 17. OPEN SPACE

Open space lands are a valuable resource to the community and contribute to the quality of life in Oakville. These lands shall provide for an open space system of parks and trails, and for a variety of recreational activity while having regard for the Town's natural areas.

### 17.1 General

17.1.1 The open space system consists of three land use designations that delineate areas of different function and permit varying intensity of use:

- a) The Parks and Open Space designation includes areas that provide public parkland and associated facilities.
- b) Waterfront Open Space includes lands in public and private ownership that provide for environmental protection of the Lake Ontario shoreline. The public portion of these lands may also provide recreational opportunities.
- c) Private Open Space includes lands in private ownership that provide recreational opportunities in addition to the Parks and Open Space lands.

17.1.2 The Town's open space system shall consist of parkettes, squares, community parks, neighbourhood parks, tableland woodlot parks, community link parks, major valley parks and minor valley parks. The function of each park type is defined through the Parks, Recreation, Culture and Library Master Plan and related programs.

17.1.3 The Town shall provide for the overall allocation, design, and management of the open space system through the Parks, Recreation, Culture and Library Master Plan and related programs.

### 17.2 Parks and Open Space

#### 17.2.1 Permitted Uses

Uses permitted within the Parks and Open Space designation may include: parks, parkettes, squares and open space linkages; active or passive indoor and outdoor recreational uses; trails; cultural heritage uses; cemeteries; conservation uses including fish, *wildlife* and forest management; essential public works including transportation, *utility*, watershed management and *flood* and *erosion hazard* control facilities; and, legally existing uses, buildings and structures.

### 17.3 Waterfront Open Space

#### 17.3.1 Permitted Uses

Uses permitted within the Waterfront Open Space designation may include: parks, parkettes, squares and open space linkages; active or passive outdoor recreational uses; minor structures related to recreational uses; trails; cultural heritage uses; conservation uses including fish, *wildlife* and forest management; essential public works including transportation, *utility*, watershed management and *flood* and *erosion hazard* control facilities; harbours; and, legally existing uses, buildings and structures.

#### 17.3.2 Lands designated Waterfront Open Space shall generally form a continuous band of public and private lands along the Lake Ontario waterfront including:

- a) natural features and *hazard lands* identified on Schedule B; and,
- b) lands back from the *stable top-of-bank* a minimum width of 15 metres.

#### 17.3.3 The delineation and regulation of *hazard lands*, including the *long-term stable top-of-bank*, is administered by the Conservation Authorities through the *Conservation Authorities Act* and their individual regulations as well as through the *hazard lands* policies in Part C of this Plan.

#### 17.3.4 The Town shall seek public ownership of portions of privately owned lands designated Waterfront Open Space through the land acquisition policies in Part F of this Plan.

#### 17.3.5 The Town may develop public lands designated Waterfront Open Space for purposes of achieving a continuous linear waterfront open space system along Lake Ontario.

#### 17.3.6 Harbours

- a) On the harbour lands within the Town, the following additional uses may be permitted:
  - i) specialized commercial and community uses serving the harbour and its users, including marine storage and service; and,
  - ii) marine and harbour facilities.
- b) All uses permitted on the harbour lands shall be subject to Conservation Authority regulations and policies.
- c) Harbour lands within the Town shall consist of Oakville Harbour at the mouth of Sixteen Mile Creek and Bronte Harbour at the mouth of Bronte Creek, as shown on the accompanying schedules.
- d) Harbour lands within the Town shall be designated Waterfront Open Space.



- e) Master plans shall be prepared for the Oakville and Bronte Harbours that consider, among other concerns and requirements:
  - i) compatibility with surrounding land uses;
  - ii) pedestrian connectivity and walkability;
  - iii) impacts on public safety and recreational opportunities;
  - iv) impacts on the natural environment;
  - v) landscaping and screening;
  - vi) transportation system impacts including parking;
  - vii) harbour operations including boat storage; and,
  - viii) impacts on servicing and other *infrastructure* requirements.
- f) In the case of Bronte Harbour, the Region, in cooperation with the Town and Conservation Halton, shall conduct the master planning process.

## **17.4 Private Open Space**

### **17.4.1 Permitted Uses**

Uses permitted within the Private Open Space designation may include: legally existing golf courses; legally existing recreational facilities; trails; existing cemeteries; conservation uses including fish, *wildlife* and forest management; and, essential public works including transportation, *utility*, watershed management and *flood* and *erosion hazard* control facilities.

### **17.4.2 Lands designated Private Open Space are not intended for public use.**

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**18. UTILITY**

Lands designated Utility permit larger above ground physical services and reservoirs.

**18.1 General**

## 18.1.1 Permitted Uses

Uses permitted within the Utility designation may include pumping stations, water and sewage treatment plants, electrical transformer and distributing stations, reservoirs, *cogeneration facilities* less than 25 MW and other *power generation facilities* less than 5 MW.

18.1.2 New *cogeneration facilities* less than 25 MW and new other *power generation facilities* less than 5 MW, as well as any changes to existing *power generation facilities* will require review by the Town through rezoning to determine appropriate land use compatibility. An Official Plan amendment shall be required for *cogeneration facilities* greater than or equal to 25 MW and other *power generation facilities* greater than or equal to 5 MW in accordance with the provisions of this Plan.

18.1.3 *Development* on lands designated Utility shall be in accordance with Provincial and Regional requirements and approvals.

18.1.4 *Development* on lands designated Utility shall incorporate appropriate buffers and setbacks.

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**19. PARKWAY BELT WEST**

The Parkway Belt West Plan, 1978, applies to lands designated as Parkway Belt West on the accompanying schedules.

**19.1 General**

19.1.1 The policies within the Parkway Belt West Plan, 1978, shall govern the use of land within the Parkway Belt West designations on the accompanying schedules.

19.1.2 Any *development* within Bronte Creek Provincial Park is subject to the policies of the Parkway Belt West Plan and the provisions of the *Provincial Parks Act*. Lands adjacent to Bronte Creek Provincial Park shall be planned and developed in consultation with the Province.

19.1.3 The Town will encourage the Province to continue to remove lands subject to the Parkway Belt West Plan from its jurisdiction. Any such lands will then be under the jurisdiction of the Town and this Plan, unless superseded by another Provincial plan.

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