

## Draft Proposed

#### Midtown Oakville OPA

Released May 3, 2023 for Review and Discussion

#### THE CORPORATION OF THE TOWN OF OAKVILLE

#### **BY-LAW NUMBER 2023-###**

Official Plan Amendment No. XX

A by-law to amend the Livable Oakville Official Plan to incorporate new policies for the Midtown Oakville Urban Growth Centre

WHEREAS subsection 21(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, states that a council of a municipality that is within a planning area may initiate an amendment to any official plan that applies to the municipality, and section 17 applies to any such amendment; and,

WHEREAS it is deemed necessary to pass an amendment to amend the Livable Oakville Official Plan to implement the findings of the Midtown Oakville Growth Area Review;

#### COUNCIL ENACTS AS FOLLOWS:

- 1. For the purposes of this by-law:
  - a. "Livable Oakville Official Plan" and "Livable Oakville Plan" mean the Official Plan for the Oakville Planning Area that currently applies to the lands south of Dundas Street and the lands north of Highway 407, and was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011, and as subsequently amended.
  - b. "OPA 4" means Official Plan Amendment 4, inZone Conformity, as adopted by Council on February 26, 2014 and modified and approved by the Local Planning Appeal Tribunal in LPAT file # PL140317 (now OLT-22-003280), except for an outstanding appeal of OPA 4 as it applies to 420 and 468 South Service Road East (General Electric Canada Property Inc.), and as it proposes to modify three policies pertaining to Midtown Oakville (OPA 4, Items 38, 39 and 40).
- 2. By-law 2014-013, a by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number 4 (inZone conformity and housekeeping matters), is hereby repealed as it applies to the properties municipally known as 420 and 468 South Service Road and Items 38, 39 and 40, of OPA 4.



- 3. Official Plan Amendment Number **XX** to the Livable Oakville Official Plan, attached as Appendix "A" to this by-law, is hereby adopted.
- 4. This Official Plan Amendment is subject to appeal rights set out in section 17 of the *Planning Act*, R.S.O. 1990, c. P.13, and shall come into effect once the deadline for filing appeals has passed or all appeals have been withdrawn or finally disposed of.
- 5. If the Regional Municipality of Halton, being the Approval Authority, does not exempt this Official Plan Amendment from its approval, the Clerk is hereby authorized and directed to apply to the Approval Authority for approval of this Official Plan Amendment.

PASSED this	_ day of	, 2023		
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		MAYOR		CLERK

## Appendix "A" to By-law 2023-###

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

## **Constitutional Statement**

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

## Part 1 - Preamble

## A. Subject Lands

The proposed amendment applies to the land located south of the QEW/Highway 403 and north of Cornwall Road, between Sixteen Mile Creek and Chartwell Road as shown in **Attachment 1**.

## B. Purpose and Effect

The purpose of the proposed official plan amendment (OPA) is to update the land use policies applying to the Midtown Oakville Urban Growth Centre (UGC), as a Protected Major Transit Station Area (MTSA), in the Livable Oakville Plan (Official Plan) to the year 2051.

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

- 1. Replace Section 20, Midtown Oakville, in its entirety, to provide new and updated area-specific policies to support the creation of a transit-supportive and complete community with the town's highest density mix of residential, commercial, institutional and community uses. The policies:
  - are being updated to conform with the latest Provincial legislation, plans and policies, and the Halton Regional Official Plan, as amended;
  - advance the Town's Housing pledge for 33,000 new housing units by 2032;
  - set out the area, introduction, goal, objectives and development concept for Midtown Oakville, including overall minimum resident and job density targets;
  - provide for a high quality built environment and public realm, including parks and open spaces, to develop Midtown Oakville as a vibrant urban community and destination;

- address land uses, densities, provision of educational facilities, community amenities, transportation, parking, and stormwater management;
- eliminate the existing bonusing permissions in response to provincial changes to section 37 of the *Planning Act*; and,
- provide for phasing/transition for interim and long-term functionality, area design plans, the acquisition of land for future roads and parks, density transfers, and an implementation strategy and monitoring.
- 2. Update and revise all schedules (maps) identifying the Midtown Oakville Urban Growth Centre boundary and area to match the urban growth centre boundary established by Halton Region through Regional Official Plan Amendment 48, which excludes 564 Lyons Lane and the valleyland between Cross Ave. and Cornwall Rd., and to show the existing land use designations applying to those lands (being "Parks and Open Space" and "Natural Area") on Schedule G (South East Land Use) instead of Schedule L1 (Midtown Oakville Land Use).
- 3. Replace Schedules L1, L2 and L3 for Midtown Oakville, which would set out revised land uses, new density ranges (instead of building heights) and a revised multi-modal transportation network to reflect and support the proposed policy changes, including the expansion of the "Urban Core" and "Urban Centre" mixed-use designations and the elimination of the "Lands Eligible for Bonusing" overlay designation.
- 4. Introduce a new Schedule L4 relating to Midtown Oakville's public realm to support the proposed policy changes.

## C. Background and Basis

- Since 2006, Midtown Oakville has been one of 25 urban growth centres identified in the Province's Growth Plan for the Greater Golden Horseshoe (the Growth Plan). Urban growth centres are strategic growth areas and are to be transit-supportive regional focal areas that accommodate a significant portion of future population and employment growth in the Greater Golden Horseshoe.
- The Growth Plan requires that Midtown Oakville be planned to achieve a minimum density target of 200 residents and jobs combined by 2031.
   Ultimately, Midtown Oakville will accommodate a significant portion of the Town's and Halton Region's required intensification to 2051 and beyond.

- On November 4, 2022, the Minister of Municipal Affairs and Housing approved Regional Official Plan Amendment No. 49 (ROPA 49) with forty-five modifications as part of Halton Region's Municipal Comprehensive Review.
- The purpose of ROPA 49 was to implement the results of the Region's Integrated Growth Management Strategy (IGMS), determining how to accommodate forecasted population and employment growth in the region to 2051.
- The allocation of forecasted growth to Strategic Growth Areas, including Urban Growth Centres, continues to be an important component of the Region's overall growth management strategy.
- Regional Official Plan Amendment Number 48 (ROPA 48) to the Region of Halton Official Plan identified the Midtown Oakville Major Transit Station Area, which is also an Urban Growth Centre, as a Protected Major Transit Station Area in accordance with Section 16(16) of the Planning Act.
- ROPA 48 to the Region of Halton Official Plan also refined the boundary of the Midtown Oakville urban growth centre to exclude lands in the vicinity of the QEW/Highway 403 ramps at Trafalgar Road, as well as 564 Lyons Lane and valleylands along the east side of Sixteen Mile Creek. The gross area of the urban growth centre, including the railway and utility corridor lands, is 103 hectares. Applying the required minimum density of 200 residents and jobs combined to this gross area results in a minimum of 20,600 residents and jobs.
- Bill 23, More Homes Built Faster Act, 2022, was introduced at the Provincial Legislature for First Reading on October 25, 2022. Bill 23 was passed on November 28, 2022 and received Royal Assent the same day. Bill 23 proposed extensive changes to Acts and regulations including the Development Charges Act, Planning Act, Municipal Act, and others. Not all proposed changes are in force; some are still to be confirmed by the Provincial government.
- Several areas of land use planning have changed or are proposed to change through Bill 23, including:
  - the role of urban design in the site plan process;
  - Inclusionary Zoning (IZ) in Protected Major Transit Station Areas (PMTS);
  - treatment of affordable, attainable, and IZ units with regard to Development Charges and discounts to Community Benefits and Parkland Dedication; and,

- rules around maximum parkland dedication caps and eligibility of privately-owned parkland (stratified and encumbered lands) for parkland credit.
- 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.
- On March 22, 2021, Planning and Development Council hosted a statutory public meeting (via videoconference) about a previous draft proposed OPA for Midtown Oakville based on the findings of the Midtown Oakville Growth Area Review to that point.
- Further to the statutory public meeting, two Council Workshops (via videoconference) were held to provide Council with additional information regarding Midtown Oakville. The workshop on May 31, 2021 focused on transportation and mobility, including connections to and from the rest of Oakville. The workshop on June 22, 2021 was about urban design for Midtown.
- On June 28, 2021, staff hosted a virtual public information session, "Advancing Midtown Oakville," to present the material from the Council Workshops.
- On May 12, 2022 a revised draft Midtown OPA was released for public comment.
- On June 12, 2022, Planning and Development Council hosted a second statutory public meeting about the revised draft proposed OPA for Midtown Oakville release on May 12, 2022.

## Part 2 - The Amendment

## A. Text Changes – General

This Official Plan Amendment includes the following changes to the text of the Livable Oakville Plan:

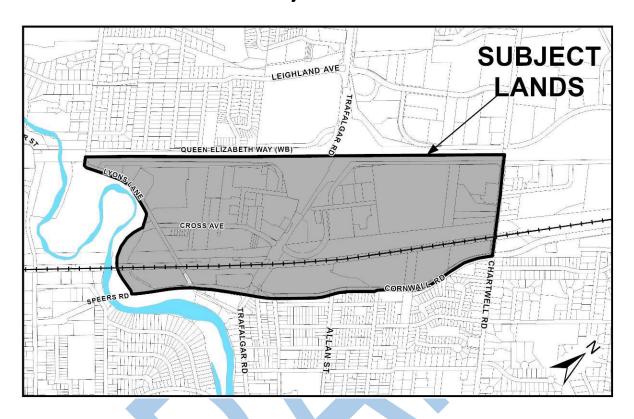
- 1. Delete Part E, Section 20, Midtown Oakville, of the Livable Oakville Plan and replace it with the new Section 20 provided in **Attachment 2**.
- 2. Adjust the policy numbering and policy references throughout the Livable Oakville Plan in accordance with the modifications in Attachment 2.
- 3. Italicize any defined terms from Part F, Section 29.5, Glossary, of the Livable Oakville Plan within the new text added to the Plan through Attachment 2.

## B. Schedule Changes

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

- 1. Delete the following schedules to the Livable Oakville Plan and replace them with the schedules provided in **Attachment 3**.
  - Schedule G, South East Land Use
  - Schedule L1, Midtown Oakville Land Use
  - Schedule L2, Midtown Oakville Building Heights (to become Midtown Oakville Density)
  - Schedule L3, Midtown Oakville Transportation Network
- 2. Insert a new Schedule L4, Midtown Oakville Public Realm, into the Livable Oakville Plan, as provided in **Attachment 3**.

# Attachment 1 to OPA XX Subject Lands



## Attachment 2 to OPA XX New Midtown Oakville Policies

#### 20. MIDTOWN OAKVILLE

Midtown Oakville is the Town's primary *strategic growth area* and is planned to accommodate a significant portion of the Town and Region's required *intensification* to the year 2051 and beyond. It comprises an area of approximately 103 hectares bounded by the QEW/Highway 403 to the north, Chartwell Road to the east, Cornwall Road to the south and the Sixteen Mile Creek valley to the west.

This urban growth centre and protected major transit station area is located on the Lakeshore West GO provincial priority transit corridor. It is anchored by the Oakville GO/VIA Station, which is the Town's primary hub for current and planned transit. Regional and inter-regional rail and local and inter-regional bus systems currently service the area (Via Rail, GO Transit, Oakville Transit). In the future, bus rapid transit (BRT) systems will connect Midtown Oakville with the broader Greater Toronto and Hamilton Area (GTHA) transportation network.

The Oakville GO/VIA Station and the interchange of Trafalgar Road and the QEW/Highway 403 are major entry points to the Town. That accessibility, combined with a large amount of vacant and underutilized land, distinguish Midtown Oakville as a strategic location to accommodate both population and employment growth.

Since 2006, Midtown Oakville has been one of 25 urban growth centres identified in the Province's Growth Plan for the Greater Golden Horseshoe (the Growth Plan). Urban growth centres are strategic growth areas and are to be transit-supportive regional focal areas that accommodate a significant portion of future population and employment growth. The Growth Plan requires that Midtown Oakville be planned to achieve a minimum density target of 200 residents and jobs combined by 2031.

The Town will work with its regional and provincial partners, to implement the plan for Midtown Oakville to provide the necessary *infrastructure*, programs, services, and incentives for *development*.

The transformation of this *urban growth centre* and *major transit station* area will be incremental as individual private sector *development* proposals and public sector capital budget projects are constructed over time.

#### 20.1 Goal

Midtown Oakville is being planned and designed to become an urban community and destination for residents and visitors.

The Midtown Oakville *urban growth centre* shall be designed with a compact urban form, complete with tall and midrise buildings framing a pedestrian-oriented public realm that prioritizes walking, *active transportation*, and transit use. Midtown Oakville will be a *complete community* that will focus on people and where they can live, work and play in walkable, mixed-use neighbourhoods. New *developments* and public realm improvements shall support this direction.

## 20.2 Objectives

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

- 20.2.1 To create a vibrant, people-oriented, *transit-supportive* and *complete community* by:
  - a) providing a mix of high density and compact residential, commercial and employment uses, *educational facilities* and *public service facilities*, complemented by publicly accessible open spaces and public art, to attract different users throughout the day and year-round;
  - b) creating a continuous, well-connected, and robust public realm focussed on human interactions, and active uses at-grade;
  - ensuring a high standard of urban design and architectural quality for development and the public realm;
  - facilitating public investment in transit, infrastructure and public service facilities to support growth by matching density with required infrastructure through the town's planning approval process;
  - e) Requiring that the provision of future roads and other transportation infrastructure shall be coordinated as development progresses to ensure that transportation infrastructure is provided for new residents and employees in a timely manner;
  - f) promoting the use of *district energy* and sustainable building practices, in alignment with the Oakville Community Energy Strategy; and,
  - g) directing *major office* and appropriate large scale institutional *development* to Midtown Oakville.

- 20.2.2 To create *transit-supportive communities* by:
  - a) ensuring the entire area is developed as a place that prioritizes people, active transportation and transit;
  - b) improving connections to and through Midtown Oakville for *active* transportation and public transit;
  - c) reducing parking standards over time to promote transit ridership and facilitate mixed-use *development*;
  - d) ensuring a *compact urban form* with high density and high intensity land uses while providing a high-quality, *active transportation*-focused public realm; and,
  - e) aligning the planning and implementation of *transit-supportive infrastructure*, transit services and operations with new and existing *development*.
- 20.2.3 To enable the evolution of Midtown Oakville as an *urban growth centre* and the Town's primary growth area by:
  - a) planning for a minimum gross density of 200 residents and jobs combined per hectare a minimum of 20,600 residents and jobs by 2031 in accordance with the *Growth Plan*:
  - b) ensuring that *development* occurs in a comprehensive and progressive manner by monitoring key *development* indicators at regular intervals; and.
  - c) ensuring future population growth, beyond 2051, is accommodated through sufficient *infrastructure* planning.
- 20.2.4 To attract new investment, and retain and grow existing businesses to enhance the economic *development* of Midtown Oakville by:
  - a) promoting the economic function of the Midtown Oakville area by providing a mix of office and other uses to support employment;
  - b) promoting partnerships with existing post-secondary institutions, economic *development* and innovation organizations, and local businesses to support new and emerging companies; and,
  - c) introducing an incentive strategy, policies and zoning regulations, informed by an economic *development* strategy, that will promote and support business and talent attraction goals.

## **20.3** Midtown Community Framework

In addition to the policies in Parts C and D of this Plan, the following policies apply specifically to Midtown Oakville. They set out the framework of components required to build the community envisioned by this Plan.

20.3.1 Midtown Oakville shall be designed as a regional destination and urban community with a compact form, complete with a mix of building forms and types, that will include tall and midrise buildings, framing a public realm that prioritizes active transportation and transit use. New developments and public realm improvements shall support this direction.

## 20.3.2 Population and Employment

- a) In accordance with the *Growth Plan*, Midtown Oakville has been planned to achieve a minimum gross density of 200 residents and jobs combined per hectare by 2031. Based on its gross area of 103 hectares, this translates to a minimum of 20,600 residents and jobs.
- b) An overall mix of at least 7,875 residential units and a gross floor area ranging from 165,000 to 510,000 square metres of retail, service commercial and employment space should be accommodated to provide for a minimum of approximately 13,390 residents and 7,210 jobs.

#### 20.3.3 Public Realm

A major feature of Midtown Oakville will be its public realm – comprised of a "campus of parks", public streets, as well as privately-owned publicly accessible open spaces (POPS) – designed to create a desirable place for residents, workers, and visitors alike.

As a compact urban community and destination, the planning, design, and implementation of the public realm in Midtown Oakville will be influenced by the Urban Park Hierarchy for *strategic growth areas*, outlined in the Town's Parks Plan. Urban park spaces are diverse, flexible and connected, contain a mixture of green and hardscape design components, and are inherently connected to the public realm.

The urban parkland system includes primarily public spaces but can also include semi-public spaces and private components that form an interconnected network, animated by people who walk from place to place. Key components of the urban parkland system that will influence the Midtown Oakville public realm include the following:

 Public commons, which are large social and recreational focal points that meet the needs of the local community, support a balance of active and passive uses, and shall be coordinated with urban school sites, where possible. Public commons accommodate special features that contribute to placemaking, including locations for public art.

- Promenades are substantial linear spaces, located between adjacent building facades and the adjacent road right-of-way, used to enhance the pedestrian experience together with highly activated at-grade retail spaces. Promenades may include public art, small outdoor game areas, seating, places to eat and relax, as well as street-related activities such as vendors and exhibit spaces.
- Urban squares support community-oriented social opportunities, as well as town-wide entertainment and cultural events depending on their size and location. Urban squares may include many of the same uses and amenities as promenades.
- a) The public realm shall incorporate networks of accessible, interconnected and predictable pedestrian-oriented spaces and routes that enhance walkability and other *active transportation* year-round, reinforce the surroundings, and provide quality spaces for public life.
- A network of urban parkland, including public parks and open spaces of varying types and sizes should be provided throughout Midtown Oakville to support the needs of residents, employees, and visitors.
- c) The locations and delivery of urban parkland, including public parks and open spaces shall be coordinated as *development* progresses to ensure that parks and open spaces are provided for new residents and employees in a timely manner.
- d) Urban parkland, including public commons, promenades, urban squares, connectors, and other open spaces, whether public or privately-owned publicly accessible open spaces, shall be designed, maintained, and operated as:
  - flexible spaces that are passive in programming and oriented to urban activities that occur throughout the day and year-round;
  - ii) places designed to complement the built form and public realm and incorporate hardscapes, softscapes, tree plantings, furnishings, context-sensitive lighting and other urban amenities; and,
  - iii) an integral part of the public realm by providing convenient *active* transportation routes and places to gather and facilitate public

- activity. The location of servicing and back of house should not be located along public frontages.
- e) The public realm shall include trees and landscaping, lighting, furnishings, urban amenities, wayfinding, and public art that enhance the local context and create a sense of identity.
- f) A streetscape and/or public realm master plan shall be developed for Midtown Oakville in alignment with the Town of Oakville Streetscape Strategy, as amended.
- g) Streetscapes shall reinforce the *active transportation*-oriented and urban environment and provide a seamless interface between the public and private realms.
- h) As the Town's *urban growth centre*, Midtown Oakville will draw residents, workers, and visitors from local and regional origins daily. Gateway elements are intended to provide a sense of arrival through well-designed built form, public art, landscaping, and streetscape treatments that together, promote a distinctive identity and establish points of reference. Gateway elements should be positioned at the following locations, in general accordance with Schedule L4:
  - i) the intersection of Trafalgar Road and Cornwall Road;
  - ii) the intersection of Trafalgar Road and the QEW/Highway 403 east-bound off-ramp;
  - iii) at the eastern and western edges of Midtown Oakville along the QEW/Highway 403.
- i) Parkland dedication should be provided as land for promenades, public commons, urban squares and connectors located in general accordance with Schedule L4, which identifies public realm elements, and may be refined through the planning approval process. Changes to the location of elements on Schedule L4, as refined through the planning approval process, can be made without amendment to this Plan.
- j) The promenades identified on Schedule L4 should generally have the following minimum depth, measured from the ultimate edge of the public street right-of-way to the property line of the adjacent net development parcel:
  - i) Cross Avenue, west of Trafalgar Road: 13 metres;
  - ii) Cross Avenue, east of Trafalgar Road: 8 metres; and,

- iii) Davis Road: 8 metres.
- k) The depth of the promenades identified on Schedule L4 may be reduced below the minimum depths identified in subsection (j) to enable building articulation and other variability to enhance the public realm, provided that the resulting promenade:
  - i) provides a depth of no less than 10 metres along Cross Avenue, west of Trafalgar Road;
  - ii) provides a depth of no less than 5 metres along Cross Avenue, east of Trafalgar Road;
  - iii) provides a depth of no less than 5 metres along Davis Road;
  - iv) has an overall area on a site that is not less than the area that would have been provided at the minimum depth identified in subsection (j) without the building articulation or variability; and,
  - v) continues to provide connection to adjacent promenades.
- In addition to the parkland identified on Schedule L4, privately-owned publicly accessible open space at grade that is connected and integrated with the public realm should be provided through development.

## 20.3.4 Midtown's Main Street (Cross Avenue)

a) Cross Avenue shall be an active urbanized main street that forms the social spine of Midtown Oakville and emphasizes the movement of pedestrians, other active transportation users, and transit vehicles while continuing to accommodate goods transport and automobiles.

This main street shall be an attractive, *active transportation*-oriented street animated by ground floor retail and service commercial uses tied together by an enhanced pedestrian streetscape and promenade with priority given to transit ridership, landscaping, and open spaces which enhance the public realm.

#### 20.3.5 Transportation

Streets and streetscapes facilitate multi-modal movement year-round, provide valuable frontage for *development*, and provide the setting for the range of uses and activities that define Midtown Oakville. A grid of streets is fundamental to encouraging *active transportation* and creating a positive pedestrian experience, which in turn promotes transit use.

- a) Significant *active transportation*, transit, and road *infrastructure*, as shown on Schedules C, D, and L3, is necessary to support growth. Certain existing roads or road segments shall be abandoned, realigned, widened, extended, or replaced in accordance with this Plan.
- b) The Town may secure rights-of-way on alignments as shown on Schedules C, D, and L3 through the planning approval process or through a public land expropriation process. Final rights-of-way shall be consistent with Schedules C, D, and L3, or otherwise be determined through detailed transportation studies, environmental assessments where required, and the planning approval process.
- c) The provision of future roads and other transportation *infrastructure* shall be coordinated as *development* progresses to ensure that transportation *infrastructure* is provided for new residents and employees in a timely manner.
- d) Subject to section 8.2.3, changes to the requirements, location or alignment of new transit services, roads, and active transportation facilities, as shown on Schedules C, D, L3 and L4, will not require an amendment to this Plan provided that the general intent and purpose of this Plan is maintained.
- e) The rights-of-way of future roads shall be required to achieve the widths identified on Schedule L3 unless otherwise determined by the Town through future study and/or confirmed through detailed design.
- f) The design and operation of existing and new streets in Midtown Oakville shall prioritize year-round active transportation and transit use.
- g) The town may require the early conveyance of rights-of-way, prior to development, to complete the street network.
- h) *Development* shall not preclude the following as contemplated in this Plan:
  - i) the realignment and extension of Cross Avenue as a multi-purpose street;
  - ii) a new multi-purpose arterial road the North-South Crossing across the QEW/Highway 403 to link to the extensions of Davis Road and Cross Avenue;
  - iii) the future local road network as identified on Schedule L3;

- iv) a grade separation of the railway at Chartwell Road or an alternate location east of Trafalgar Road as determined through an environmental assessment; and,
- v) grade separated *active transportation* facilities to be located across:
  - the QEW/Highway 403, east and west of Trafalgar Road; and,
  - the railway, east of Trafalgar Road.
- f) The Town will work with Halton Region and Metrolinx to:
  - i) implement the extension of the rail platform east of Trafalgar Road and improve transit passenger access from the east side of Trafalgar Road; and
  - ii) implement relocation of the shared bus terminal to east of Trafalgar Road.

## 20.3.6 Block Design

To facilitate appropriate block design and coordinated *development* within Midtown Oakville, the following policies shall apply:

- a) Development blocks are formed by the planned transportation network and shall be designed comprehensively.
- b) Where properties within a block cannot be consolidated so that development may be coordinated, development on a portion of a block shall not preclude the development of the remainder of the block in accordance with this Plan.
- c) Blocks should be designed using the perimeter block concept whereby buildings are situated along the street edges to support a vibrant public realm, and service spaces and private outdoor amenity areas are located interior to the block, accessed through strategic breaks in the street walls of the blocks to facilitate access to service and amenity space.
- d) Development shall promote safe, convenient, and predictable active transportation circulation routes and mid-block connections, shown conceptually on Schedule L4, to increase the permeability of blocks and to maintain physical and visual connections to community destinations, landmarks, and amenities without boundaries. The location of mid-block connections should relate to the placement of the buildings, align with existing or planned active transportation

- circulation routes, and be sized in alignment with human-scaled architecture and design. Potential barriers along these routes, such as boundary fences or retaining walls, shall be avoided.
- e) Mid-block connections shown conceptually on Schedule L4, shall be provided as publicly accessible *active transportation* connections, open space and/or mews which can be accessed by the general public 24 hours a day, year-round. It is the intent that privately-owned publicly accessible spaces (POPS) provided by *development* will create the mid-block network identified on Schedule L4.
- f) Active transportation circulation routes and mid-block connections will be established through the planning approval process and should improve and consolidate access to development and enhance connections and mobility within and through the area.
- g) Vehicular access to parking, service facilities and loading areas shall be planned from local roads. Temporary or interim vehicular access from an existing road may be permitted as a condition of the planning approval process, or through an agreement with the Town, until such time that a new local road and access are constructed.
- h) Shared vehicular access, and shared service facilities internal to a block, with regards to where service facilities are contemplated, are preferred and shall be pursued through landowner agreements, and implemented through the planning approval process.
- i) Utility vaults, meters, and similar infrastructure shall be located internal to a development block and/or the buildings, or underground to ensure a clear and unobstructed public realm.
- j) 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* progress.

#### 20.3.7 Built Form

The tallest buildings in Oakville will be located in Midtown Oakville. The highest densities are intended north of the railway, with lower densities south of the railway as a transition to existing residential areas. Buildings and public spaces will be designed to ensure that the objectives for creating the community envisioned by this Plan are achieved.

In addition to the policies in Section 6, Urban Design, of this Plan, the following policies apply specifically to Midtown Oakville. They provide direction to ensure that the cumulative effective of multiple tall and midrise

buildings in Midtown Oakville contribute to building a strong, livable community, and incorporate distinctive architecture and built form that contributes to a unified sense of identity and character for the area.

- a) Tall buildings shall be designed to the highest architectural quality and detail, and shall ensure a pedestrian-oriented built form, provide active façades oriented to public streets, and contribute to a distinctive skyline.
- b) Buildings shall be designed and sited to maximize solar energy, ensure adequate sunlight and skyviews, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows on the public realm.
- c) Multiple towers within a block, *development* site, or within close proximity to each other on abutting sites should vary in height from one another generally by a minimum of 20 metres in order to create variation in building height and a distinctive skyline for Midtown Oakville. Exceptions may be permitted for *development sites* where two or more towers of the same height is an important design feature. Building height variation will be reviewed on a site-by-site basis and implemented through the planning approval process.
- d) The distance between the facing walls of towers shall generally be a minimum of 30 metres.
- e) Building setbacks adjacent to public streets are intended to be landscaped spaces or, where appropriate, extensions of the public sidewalk that contribute to the character of an area.
- f) 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.
- g) For tall buildings along public streets or publicly accessible amenity space, a stepback between the podium base and tower portion should be provided that is generally no less than 5 metres to reinforce the character of the public realm.
- h) For tall buildings, the floorplate of each tower (the portion of the building above the base or podium) shall generally be no more than 750 square metres to ensure a slender tower profile to minimize adverse shadowing, maximize sun exposure and enhance the skyline.

- i) Green roofs and/or amenity space should be provided on the roof of any building base or above-grade parking structure where the rooftop will be visible from nearby tall buildings.
- j) Retail and service commercial uses shall be provided on the ground floor of mixed-use buildings that directly front onto an arterial or collector road, as reflected on Schedule L3, with the exception of Chartwell Road. These uses may be extended to other floors.
- k) Where provided, ground floor retail and service commercial uses shall be continuous along a frontage, interrupted only by building lobbies, transit station entrances, or other public or institutional uses. A minimum of 70% of the frontage along the ground floor of the building shall be devoted to retail, service commercial or public uses, unless it can be demonstrated that there are functional or operational constraints that warrant relief, as determined through the planning approval process.

## 20.3.8 Development Density

- a) Minimum and maximum density, expressed as *floor space indices* (FSI), shall be permitted in accordance with Schedule L2 and the policies of this Plan, which may permit additional density.
- b) Smaller sites are encouraged to consolidate with adjacent lands to enable a comprehensively designed *development* that comprises most of the associated block. As such, notwithstanding subsection (a), sites less than 2500 square metres in gross area shall be permitted a maximum density of no more than 0.25 *floor space index* greater than the minimum density shown on Schedule L2.
- c) The gross floor area calculated by using the maximum floor space index, as shown on Schedule L2, for a portion of a lot that is to be dedicated to the Town for a public road, public park, or other public open space, may be transferred to the retained lot or block and accommodated on the lot or block as increased density above the maximum density, as shown on Schedule L2, subject to all other policies of this Plan. Privately-owned publicly accessible spaces (POPS) do not qualify.
- d) Notwithstanding subsection 20.3.8 (a), on lands designated Urban Core north of the railway, the following floor areas may be exempt from the calculation of *floor space index* when determining compliance with the density maximums shown on Schedule L2 and when provided within a residential mixed-use building, to be implemented through the planning approval process:

- i) the net floor area of
  - affordable housing;
  - educational facilities;
  - community facilities, including daycares;
  - urban-format grocery stores with a net floor area greater than 2000 square metres;
- ii) the net leasable floor area of office space provided above the ground floor;
- iii) up to 50 percent of the net floor area of:
  - 2-bedroom or 3-bedroom units, when provided in developments where more than 25 per cent of the total residential units are provided as 2-bedroom or 3-bedroom units; and
  - hotels.
- e) Required minimum densities are provided on Schedule L2. Notwithstanding the minimum densities shown on Schedule L2, minimum densities shall not apply to:
  - i) lands required for public parks and open spaces;
  - ii) educational facilities;
  - iii) community uses operated by a public authority; and,
  - iv) above ground parking structures operated by a public authority.
- f) Reductions to the minimum density required by Schedule L2 may be considered as part of a comprehensive *development* application to provide flexibility in building and site design. Such consideration shall only be given where it can be demonstrated that the policies of sections 20.2 and 20.3 of the Plan are met and the planned *intensification* for the site(s) can still be achieved.
- g) Notwithstanding the minimum 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 re*development* of the property as set out in this Plan.

#### 20.3.9 Housing

- a) Within Midtown Oakville, residential *development* should include:
  - a range of housing options in terms of building types, unit types and sizes, and tenure to accommodate a variety of households, including those with children;
  - ii) amenities designed specifically for households with children;
  - iii) affordable housing; and,
  - iv) purpose-built rental housing.

#### 20.3.10 Educational Facilities

Midtown Oakville provides a unique opportunity to accommodate a growing urban community and provide educational facilities in a high density, mixed-use, urban community. The policies establish a framework by which school boards can identify the need for *educational facilities* and engage the *development* community to acquire *educational facility* space within a proposed mixed-use *development*.

The policies contained within this Plan are intended to support the Midtown Oakville urban community secure access to *educational facilities* and shared use of public park space. These policies are representative of a shift from a suburban greenfield-focused school model to an integrated urban school model. This Plan recognizes the importance of planning at the outset for school boards to have the ability to acquire school space within a mixed-use *development*, as it is required.

- a) A public school board may determine that real property, or a lease, is required for an *educational facility* as *development* proceeds and projected demand aligns with student population. As such:
  - i) Any landowner proposing to develop or redevelop a mixed-use building within the Urban Core designation in Midtown Oakville shall be required to notify all of the public school boards of proposed *development* plans as part of a complete planning application, to provide the school boards with an opportunity to determine a need for an *educational facility* space within the proposed *development*; and,
  - ii) The Town may require, as part of a complete application, written confirmation from the school boards that the developer has provided them the opportunity to determine a need for *education* facility space within the proposed *development*.

- b) Educational facilities should be planned and designed to meet the requirements of public school boards for an urban, higher-density community, and should:
  - i) be incorporated into mixed-use *developments* and are encouraged to provide outdoor space through a combination of space on building podiums, at-grade and/or through shared use of nearby public park space through an appropriate shared use agreement with the Town:
  - ii) have floor area distributed vertically to minimize floor plates and make efficient use of land;
  - iii) have prominent pedestrian entrances on the main building façade fronting onto a public street which are clearly visible and directly accessible from a sidewalk on a public street;
  - iv) be co-located in mixed-used buildings, where possible, and provide for integrated pick-up and drop-off areas, as applicable;
  - v) be located adjacent to parks and open spaces, specifically Public Commons, where possible, to enable synergies between facilities and potential shared use of public park space, where appropriate and applicable;
  - vi) be designed to enable local community use outside of school hours; and,
  - vii) when entering into a shared use agreement with the Town to use public park space, limit obstructions or physical buffers that inhibit access to and movement through public parks, such as fences within or enclosing public parks, to allow for a holistic and flexible park design which enables community activity in the park during and outside of school hours.

#### 20.3.11 Public Service Facilities

- a) The Town shall monitor *public service facility* needs as Midtown Oakville develops, and work with Halton Region and public agencies to enable the *development* of required facilities as they are identified.
- b) New *public service facilities* shall be provided in a timely manner to support growth.
- c) Public service facilities should be planned and designed to meet the requirements of the Town and/or public agencies, and should:

- be provided in visible locations with strong pedestrian, other active transportation and transit connections;
- ii) be co-located in mixed-used buildings, where possible, and provide for integrated pick-up and drop-off areas, as applicable;
- iii) be located adjacent to parks and open spaces to enable synergies between facilities, where appropriate and applicable; and,
- iv) provide for multi-functionality through flexible, accessible, multipurpose spaces that can be programmed in different ways and can adapt over time to meet the evolving needs of the community.
- d) Development may be required to contribute to the delivery of community service facility, through contributions to a community benefits charge, needs identified through the planning approval process or other Town master plan or strategy by providing:
  - i) new space for on-site community facilities;
  - ii) new space for off-site community facilities within an appropriate distance; and/or,
  - iii) a contribution towards a specific community service facility that meets identified needs.
- e) Landowners, public agencies, and/or non-profit community service providers are encouraged enter into partnerships to support the provision, improvement and expansion of *public service facilities*.

#### 20.3.12 Rail

It is recognized that while transit-oriented communities like Midtown Oakville support sustainable transit, areas in proximity to railway operations can be challenging settings for new *development*, particularly residential *development*.

- a) Development in proximity to the railway right-of-way or the railway freight yard east of Chartwell Road shall include measures to mitigate related safety, security, noise, vibration and trespass issues in consultation with the owner of the railway.
- b) Conditions of *development* or warning clauses may be implemented, where appropriate, in consultation with the owner of the railway to:
  - i) ensure that property owners and tenants are notified of the existence and nature of the rail operations, the potential for

- increased rail activities, and the potential for annoyance and disruption; and,
- ii) provide for the long-term maintenance of railway mitigation infrastructure.
- c) Minimum building setbacks from railway property shall be as follows, or as determined in consultation with the owner of the railway:
  - 30 metres from the nearest property line of the railway right-ofway; and,
  - ii) 300 metres from the nearest property line of a railway freight yard
- d) Uses within a required setback from railway property may include public and private roads, parks and open space, outdoor amenity space, parking, and storage buildings.

## 20.3.13 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 relevant studies or updates to mitigate urban flooding and spill flooding hazards. Development within Midtown Oakville should incorporate stormwater management on site.
- b) Parks and open space areas should incorporate green *infrastructure* that enhances the ecological function of the area and supports stormwater management, including subsurface stormwater facilities where appropriate.

## 20.3.14 Parking

- a) Reduced minimum parking standards, and the use of maximum parking standards, shall be considered in the implementing zoning and through the planning approval process. It is the intent that the requirement and/or need to supply parking associated with development will progressively diminish as access to higher-order, frequent transit and active transportation facilities increases as Midtown Oakville becomes a complete community over time.
- b) North of the railway, structured parking above grade that abuts a public street shall incorporate permitted commercial, office and/or residential uses between the exterior wall facing the public street and the area designated for parking.

- c) Surface parking should generally not be provided as part of redevelopment in Midtown. Where surface parking is provided:
  - Surface parking shall primarily be visitor parking and/or short-term, temporary parking.
  - Surface parking shall be located in the side or rear yard and the visual impact shall be mitigated by a combination of setbacks and screening.
- d) Shared parking facilities shall be encouraged.
- e) Existing surface parking lots should be redeveloped over time to achieve the objectives of this Plan. Screening is encouraged to be incorporated into existing surface parking lots.

#### 20.4 Land Use Policies

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 specifically to Midtown Oakville.

- 20.4.1 On lands designated Urban Core or Urban Centre:
  - Redevelopment for retail and service commercial should maintain floor space to provide for a similar number of jobs to remain accommodated on-site; and,
  - b) 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.
- 20.4.2 On lands designated Urban Core or Urban Centre that do not have frontage on an arterial or collector road, as identified on Schedule L3, stand-alone *major office*, major institutional or residential buildings may be permitted.
- 20.4.3 On lands designated Urban Core or Urban Centre, the following uses may also be permitted:
  - a) public service facilities;
  - b) a creative centre to provide studio, office, exhibition, performance and retail space for the cultural community; and,
  - c) municipal parking facilities.

- 20.4.4 On lands designated Urban Core adjacent to lands designated Utility, transit-supportive uses and facilities may also be permitted, including bus terminals, passenger pick-up and drop-off (PUDO) areas, structured parking and limited surface parking.
- 20.4.5 On lands designated Utility, transit-related and *transit-supportive* uses and facilities may also be permitted, subject to the protection of underground and above-ground *utilities*, including:
  - a) station buildings and related office uses;
  - b) bus terminals;
  - c) passenger amenity areas and public open spaces;
  - d) passenger pick-up and drop-off (PUDO) areas; and,
  - e) surface and structured parking.
- 20.4.6 On the lands designated Parks and Open Space along the north side of the railway, passive park uses and landscaping that provide for the protection of underground *utilities* may be implemented subject to the necessary approvals by the Town and Province.
- 20.4.7 On lands designated Office Employment, uses should provide for high employment densities to ensure that the planned function and *intensification* of the site(s) can be achieved through the planning approval process.
- 20.4.8 New drive-through facilities and motor vehicle related uses, including motor vehicle sales and motor vehicle service stations, shall not be permitted.
- 20.5 Midtown Oakville Exceptions Schedules L1, L2, L3
  - The following additional policies apply to certain lands as identified on Schedule L1 (Midtown Oakville Land Use), Schedule L2 (Midtown Oakville Density), and Schedule L3 (Midtown Oakville Transportation Network).
- 20.5.1 The lands designated High Density Residential at the northwest corner of Cornwall Road and Old Mill Road are subject to the following additional policies:
  - a) A maximum residential density of 300 units per site hectare is permitted.

- b) A maximum building height of 12 storeys, excluding one interior mezzanine level, may be permitted at 70 Old Mill Road.
- c) A maximum of 155 square metres of net leasable commercial floor area may also be permitted at 70 Old Mill Road.
- 20.5.2 The lands designated High Density Residential and known as 599 Lyons Lane are subject to the following additional policy:
  - a) Underground structures, and above-ground architectural features, utilities and driveways, may encroach into the 15 metre setback, up to the nearest limit of the municipal right-of-way, subject to compliance with Conservation Halton requirements and regulations.
- 20.5.3 The lands designated Urban Core at the northeast corner of Cross Avenue and Lyons Lane, and known collectively as the Trafalgar Village Mall, are subject to the following additional policies:
  - a) Redevelopment will occur in a phased manner.
  - b) Unless expropriated, the proposed roads, as shown on Schedule L3, shall only be required as part of a comprehensive site redevelopment.
  - c) New large format retail and retail warehouse uses may also be permitted provided that they are located within mixed-use buildings developed in conformity with this Plan.
- 20.5.4 On the lands designated Urban Core and known as 570 Trafalgar Road, motor vehicle sales and service uses may continue as part of a comprehensive mixed-use redevelopment.
- 20.5.5 The lands designated Urban Core and known as 354 Davis Road, are recognized as permitting the existing 6-storey office building and associated existing surface parking and are subject to the following additional policy:
  - a) access shall be provided to the existing property at the time of construction of the future Davis Road and future ramp as identified on Schedule L3, or as determined through an approved environmental assessment.
- 20.5.6 The lands designated Urban Centre at the northeast corner of Cornwall Road and Trafalgar Road are recognized as permitting the existing commercial centre and are subject to the following additional policies:
  - a) Redevelopment in this location may occur gradually in a phased manner and should:

- Provide an attractive gateway to Midtown Oakville and a transition to the established residential neighborhood to the south; and,
- ii) Be a collection of buildings, diverse in design and character, that complement each other.
- b) Notwithstanding Schedule L2, Midtown Oakville Density, the maximum building heights for the towers municipally known as 281 Cornwall Road and 291 Cornwall Road shall be 14 storeys and 19 storeys, respectively.

## 20.6 Implementation Policies

In addition to the policies in Part F of this Plan, the following implementation policies apply specifically to Midtown Oakville.

## 20.6.1 Implementation Strategy

- a) The Town shall develop, in conjunction with the Region, the Province, Metrolinx, and relevant agencies, implementation strategies to address:
  - i) parkland and a parks strategy for Midtown Oakville, including a parkland acquisition strategy;
  - ii) transportation, including active transportation and transit initiatives;
  - iii) streetscape and/or public realm master plans;
  - iv) parking demand management and a municipal parking strategy to implement the Midtown Oakville Parking Strategy;
  - v) the extension and improvement of the Oakville GO rail platform, and re-location of the bus terminal, in coordination with Metrolinx;
  - vi) emergency services provision in Midtown Oakville;
  - vii) community improvements through a community improvement plan;
  - viii) economic *development* strategy for Midtown Oakville;
  - ix) a coordinated approach to development and infrastructure phasing, including monitoring key development indicators at regular intervals;
  - x) sustainability initiatives and environmental standards, including district energy, in alignment with the Oakville Community Energy Strategy:

- xi) public sector partnerships and programs; and,
- xii) 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 a high density urban area and optimize environmental sustainability and life cycle costs shall be encouraged and 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.

## 20.6.2 Phasing/Transition

Development will occur gradually over the medium and long-term. This may include interim conditions, phased zoning regulations (including holding provisions), master plan coordination, capital funding and incremental implementation until full build-out.

- a) Development shall be coordinated with the provision of infrastructure including:
  - i) pedestrian and other active transportation facilities;
  - ii) transit;
  - iii) parks and open space;
  - iv) streetscape improvements;
  - v) phased parking reductions;
  - vi) road network capacity;
  - vii) water and wastewater services;
  - viii) stormwater management facilities; and,
  - ix) utilities.

- b) Further to subsection (a) above, the timing of *development* will be subject to the availability of required *infrastructure*, including but not limited to future transportation network improvements and water and wastewater services.
- c) Initial phases of *development* shall not preclude the achievement of a compact, *active transportation*-oriented and *transit-supportive* urban form, or the transportation network identified on Schedule L3.
- d) The uses and buildings that legally existed 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.

## 20.6.3 Landowners' Agreement / Cost-Sharing

- a) Development shall only be permitted when a landowners' group has been established for Midtown Oakville for the purposes of administering a cost sharing agreement among landowners to ensure that the costs associated with development, including but not limited to the provision of parkland, parking, infrastructure and servicing, are distributed in a fair and equitable manner among landowners.
- b) Individual *developments* in Midtown Oakville shall generally not be approved until the subject landowner has become a party to the landowners' cost sharing agreement.

#### 20.6.4 Area Design Plans

- a) As part of any development application in Midtown Oakville, an area design may be required as part of a development application, solely at the Town's discretion, in order to address coordination issues between landowners and phasing of development(s). The area design plan shall:
  - be prepared in accordance with terms of reference approved by the Town;
  - ii) provide a comprehensive *development* scheme for the entirety of the block in which the subject lands are located;
  - iii) demonstrate how the proposed *development* will not preclude *development* on adjacent properties in accordance with the policies of this Plan;
  - iv) outline how *development* may be coordinated between the subject lands and adjacent properties, including properties across any public streets from the subject lands;

- v) identify the specific location and boundaries of land uses and designations;
- vi) identify the density and distribution of built form, building heights, mixture of uses, and housing types including *affordable housing*;
- vii) identify the detailed street pattern including active transportation, transit facilities, streetscape/public realm enhancements, and onstreet parking;
- viii) identify the size and location of parks and open spaces;
- ix) identify the size and location of *public service facilities*, if any;
- x) identify the size, location, and general configuration of stormwater management facilities, if any;
- xi) address coordination with land uses, street patterns, and conceptual redevelopment of lands outside, but adjacent to, the lands which are the subject of the area design plan, and;
- xii) demonstrate compliance with this Plan and the Livable by Design Manual, which includes the Designing Midtown document, as amended or its successor.

## 20.6.5 Affordable Housing

- a. An inclusionary zoning framework should be established for the Midtown Oakville *protected major transit station area*.
- b. An inclusionary zoning framework shall be informed by an assessment report prepared in coordination with Halton Region.
- c. The assessment report may inform the *development* of a Town-initiated official plan amendment for Midtown Oakville.

#### 20.6.6 Monitoring

- a) The Town will monitor the level of *development* within Midtown Oakville.
- b) In order 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:

- traffic characteristics on key routes and at key intersections, in accordance with the Town and 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 facilities;
- v) population and employment generated by development; and,
- vi) indicators of sustainability to be determined by the Town.
- c) The Town will monitor the provision of community amenities and services. To support Midtown residents and businesses, the town may require new *development* to provide additional amenities, land uses, or services, where deficiencies are identified, as part of a planning approval.

# Attachment 3 to OPA XX Schedule Changes



