

THE CORPORATION OF THE TOWN OF OAKVILLE
BY-LAW NUMBER 20__-__
Official Plan Amendment __

A by-law to adopt an amendment to the Livable Oakville Official Plan,
Official Plan Amendment Number __
(Garden Residences Corporation, File No.: OPA. _____)

WHEREAS the owner of the lands currently known as 105 and 115-159 Garden Drive has requested that Council amend the Livable Oakville Plan to change the site-specific exception policies applying to the lands to allow for development of four (4) blocks of Multiple-attached dwellings, each four (4) storeys in height with commercial uses fronting onto Lakeshore Road West as a further permitted use in addition to the existing permitted uses.

WHEREAS it is deemed necessary to pass an amendment to the Livable Oakville Plan to incorporate certain modification to text pertaining to the lands known as 105 and 115-159 Garden Drive.

COUNCIL ENACTS AS FOLLOWS:

1. The attached Official Plan Amendment Number __ to the Livable Oakville Plan is hereby adopted.
2. This Official Plan Amendment is subject to appeal rights set out in the Planning Act, R.S.O. 1990,c. and shall come into effect once the deadline for filing appeals has passed or all appeals have been withdrawn or finally disposed of.

PASSED this day of _____, 20__

MAYOR

CLERK

Constitutional Statement

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

Part 1 – Preamble

A. Subject Lands

The subject lands are located at the northeast corner of Garden Drive and Lakeshore Road West and are known municipally as 105 and 115-159 Garden Drive.

B. Purpose and Effect

The purpose and effect of this official plan amendment (OPA) is to modify exception policies 23.7.6, as they apply to the subject lands, to permit four (4) blocks of multiple-attached dwelling, each four (4) storeys in height, with commercial uses fronting onto Lakeshore Road West as a further permitted use in addition to the existing permitted uses.

C. Background and Basis

- The subject lands are vacant, and they have an area of approximately ~4,988 metres squared (0.50 ha)
- On Schedule O1, Kerr Village Land Use, of the Livable Oakville Plan, the subject lands are currently designated “Main Street 1” and identified with bull’s eye symbol to indicate that they are subject to site-specific exception policies.
- The current policies would permit the subject lands to be redeveloped with a maximum of 18 three-storey townhouse units fronting onto Garden Drive (115-159 Garden Drive) and a four-storey mixed use (residential and commercial) building at the corner of Garden Drive and Lakeshore Road West (105 Garden Drive). Alternatively, they would also allow for development of a 5-storey retirement home and/or long term care home on the entirety of the Site including a minimum of 130 square metres of non residential floor area adjacent to Lakeshore Road West.
- The proposed amendment implements the policies of the Kerr Village Growth Area and provides an appropriate scale of development within the block bound by Dorval Drive, Rebecca Street, Maurice Drive and Lakeshore Road West.

Part 2 – The Amendment

A. Text Changes

The text of the Livable Oakville Plan is amended as indicated below. Text that is **underlined** is new text to be inserted into the Livable Oakville Plan. Text that is crossed out (“~~strikethrough~~”) is to be deleted from the Plan.

1. Part E, Section 23.7, Kerr Village Exceptions – Schedule O1, is amended by modifying policy 23.7.6 as follows:

On the lands designated Main Street 1 on the north side of Lakeshore Road, between Dorval Drive and Maurice Drive:

- a) Retail and service commercial uses, and ancillary residential uses, may be permitted on the ground floor.
- b) The maximum building height shall be four storeys
- c) Redevelopment of the lands between Garden Drive and Maurice Drive shall only occur at such time as all the lands within a *development* block have been acquired for *development* purposes. Lands fronting on to Garden Drive (105 and 115-159 Garden Drive) constitute one *development* block, while the remaining lands make up another *development* block.
- d) Redevelopment in accordance with c), above, shall be subject to the urban design guidelines for the Maurice Drive area.
- e) Notwithstanding subsections (a) through (d) above, the following uses are permitted on the development block fronting onto the east side of Garden Drive (105 and 115-159 Garden Drive):
 - i. a retirement home and/or long-term care home on the entirety of the *development* block subject to the additional policies in subsection (f) below; or,
 - ii. *multiple attached dwellings* on the northern portion of the *development* block (115-159 Garden Drive) subject to the additional policies in subsection (g) below, and the remainder of the development block (105 Garden Drive) developed in accordance with subsections (a) through (d) above; **or,**
 - iii. **multiple attached dwellings on the entirety of the development block subject to the additional policies in subsection (h) below.**
- f) The following additional policies apply to *development* in accordance with subsection (e)(i) above:
 - i. The maximum building height shall be five storeys.
 - ii. The fifth storey shall have a maximum floor area of 975 square metres and no retirement or long-term care dwelling units shall be permitted within it.

- iii. The ground floor adjacent to Lakeshore Road West shall include a minimum of 130 square metres of non-residential floor area for publicly accessible retail and/or service commercial uses.
 - iv. Vehicular access shall only be from Garden Drive
 - v. Redevelopment shall be in accordance with urban design guidelines approved by the Town.
- g) The following additional policies apply to the multiple attached dwellings permitted by subsection (e)(ii) above:
- i. A maximum of 18 units at a maximum density of 53 units per *site hectare* shall be permitted.
 - ii. The maximum building height shall be three storeys.
 - iii. Redevelopment shall only occur upon confirmation of adequate water and wastewater services, the suitability of the adjoining roads to accommodate traffic and the submission of a block plan indicating the integration of the proposed redevelopment within the overall area.
 - iv. Redevelopment shall be subject to urban design guidelines approved by the Town.
- h) The following additional policies apply to the multiple attached dwellings permitted by subsection (e)(iii) above:**
- i. A maximum of 48 residential units shall be permitted.**
 - ii. The maximum building height shall be four storeys.**
 - iii. The ground floor adjacent to Lakeshore Road West shall include a minimum of 130 square metres of non-residential floor area for publicly accessible retail and/or service commercial uses.**
 - iv. Vehicular access shall only be from Garden Drive.**
 - v. Redevelopment shall be in accordance with urban design guidelines approved by the Town.**