



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2021-096

Official Plan Amendment Number 37

A by-law to further modify the text of the Livable Oakville Plan, as amended by Official Plan Amendment Number 34, to establish area-specific parking and cultural heritage policies for the expanded Palermo Village growth area

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 Council passed By-law 2021-043 on April 12, 2021 to repeal the 1984 Oakville Official Plan as it applies to the North Oakville West Secondary Pan Area (excluding the Hospital District and the lands excluded by deferral of Council on March 22, 2021) and adopt Official Plan Amendment Number 34 (OPA 34) to the Livable Oakville Plan to incorporate new policies for that same area and an expanded Palermo Village growth area as modified by Council resolution on March 22, 2021; and,

WHEREAS it is deemed necessary to pass a by-law to modify the text of the Livable Oakville Plan to establish area-specific cultural heritage and parking policies for the expanded Palermo Village growth area as originally proposed by OPA 34 prior to its modification by Council resolution on March 22, 2021;

COUNCIL ENACTS AS FOLLOWS:

1. Official Plan Amendment Number 37 to the Livable Oakville Plan, attached as **Appendix "A"** to this by-law, is hereby adopted.
2. The Regional Municipality of Halton, being the Approval Authority, having declared this Official Plan Amendment to be not exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Official Plan Amendment Number 37.
3. Notwithstanding Sections 1 of this by-law, the amendments to the Livable Oakville Plan described in Part 2 of the amendment attached as **Appendix "A"** to this by-law shall not come into force in respect of lands subject to this amendment until and unless both this amendment and OPA 34, as adopted or

subsequently modified, receive approval under Section 17 of the *Planning Act* with respect to such lands.

PASSED this __ day of _____, 2021

MAYOR

CLERK

APPENDIX “A” to By-law 2021-096
Official Plan Amendment Number 37 (OPA 37)
to the Town of Oakville’s Livable Oakville Plan

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Official Plan Amendment Number 37 to the Livable Oakville Plan.

Part 1 – Preamble

A. Subject Lands

The proposed OPA relates to the lands identified in **Attachment 1** to this OPA, being the expanded Palermo Village growth area established through OPA 34 to the Livable Oakville Plan.

B. Purpose and Effect

The purpose and effect of the proposed OPA is to establish area-specific parking and cultural heritage policies for the expanded Palermo Village growth area as originally proposed by OPA 34 prior to its modification by Council on March 22, 2021.

C. Background and Basis

- On March 22, 2021, Council passed the following resolution with respect to Item 2, “Recommendation Report - Town-initiated Official Plan Amendment - The North West Area and Palermo Village, Excluding the Hospital District (File 42.24.23) - By-law 2021-043”:
 1. That the proposed town-initiated Official Plan Amendment Number 34 (OPA34) (North West Area and Palermo Village, Excluding the Hospital District, File 42.24.23) be adopted on the basis that it is consistent with the Provincial Policy Statement, conforms or does not conflict with applicable Provincial Plans, the Region of Halton Official Plan and the Livable Oakville Plan, has regard for matters of Provincial interest, and represents good planning for the reasons set out in the report from the Planning Services department save and except the following policies:
 - i. Items 7a. “Extending the Growth Area North to the 407 Corridor” and 7b. “Shifting the proposed NHS linkage North” be deferred and staff provide further information and research to Council for consideration;

- ii. Section 22.4.2 be deferred and staff be directed to report back to Council with enhanced policies on cultural heritage; and
 - iii. Section 22.4.1(r) Parking be deferred and staff be directed to return the policy upon the completion of the Parking Strategy.
- 2. Staff to report back in June with an update on items i), ii) and iii).
- 3. That notice of Council's decision reflect that Council has fully considered all written and oral submissions relating to this matter and that those comments have been appropriately addressed.
- A by-law to adopt OPA 34 as modified by Council was not passed on March 22, 2021. As such, a follow-up report and revised adopting by-law were prepared for Planning and Development Council's consideration on April 12, 2021. At that meeting, Council passed By-law 2021-043 to adopt OPA 34 as modified by Council resolution on March 22, 2021. The deferred area-specific parking and cultural heritage policies for the expanded Palermo Village growth area were crossed out and shaded in OPA 34 and identified as not forming part of the OPA.
- OPA 34 was subsequently forwarded to Halton Region for approval.
- Staff addressed the deferred items from OPA 34, and provided the basis for this Amendment, in the "Public Meeting and Recommendation Report – Deferred Items from OPA 34, North West Area and Palermo Village – OPA 37 and OPA 38 – By-law 2021-096 and By-law 2021-097 – July 5, 2021."
- The area-specific parking and cultural heritage policies for the expanded Palermo Village growth area are included in this Amendment as originally proposed. Notice of these proposed policies was provided through both the original notice regarding OPA 34, and the specific notice with respect to this Amendment, in accordance with the *Planning Act*.

Part 2 – The Amendment

The amendment includes changes to the text of the Livable Oakville Plan, as previously amended by OPA 34, as described the following table. In the “Description of Change” column, text that is underlined is text to be inserted into the Livable Oakville Plan.

Item No.	Section	Description of Change
PART E: GROWTH AREAS, SPECIAL POLICY AREAS AND EXCEPTIONS		
1.	22 PALERMO VILLAGE, Functional Policies, Parking	<p>Insert a new Section 22.4.1(r), Palermo Village parking policies, as originally proposed in OPA 34 prior to its modification by Council:</p> <p><u>r) Parking</u></p> <ul style="list-style-type: none"> i) <u>Within the Urban Centre and High Density Residential designations, structured parking should be provided. Limited surface parking for commercial and visitor parking may be considered when appropriately sited and screened to minimize the view of the surface parking from the street.</u> ii) <u>The maximum portion of a lot that may be used for surface parking should be approximately 30 percent, except:</u> <ul style="list-style-type: none"> ▪ <u>a maximum of approximately 50 percent of a lot used for community uses may be occupied by surface parking; and,</u> ▪ <u>a maximum of approximately 75 percent of a lot used primarily for the provision of parking, such as public parking facilities, may be occupied by surface parking.</u> iii) <u>Aboveground parking structures should be integrated with development. The maximum portion of a lot that may be used for a freestanding aboveground parking structure should be 50 percent. Aboveground parking structures shall be appropriately sited and screened, and include appropriate landscaping, to the satisfaction of the Town. Aboveground parking structures that abut a public street shall contain active uses at grade facing the street.</u> iv) <u>Required commercial parking may include on-street parking and the use of public parking facilities, where possible and appropriate, to the satisfaction of the Town.</u>

Item No.	Section	Description of Change
2.	22 PALERMO VILLAGE, Functional Policies, Cultural Heritage	<p>Insert a new Section 22.4.2, Palermo Village cultural heritage policies, as originally proposed in OPA 34, prior to its modification by Council:</p> <p><u>22.4.2 Cultural Heritage</u></p> <p>a) <u>New development shall conserve Palermo Village’s cultural heritage resources by:</u></p> <p>i) <u>maintaining and integrating cultural heritage resources;</u></p> <p>ii) <u>ensuring the prominence of cultural heritage resources, particularly in the area northeast of Dundas Street West and Old Bronte Road;</u></p> <p>iii) <u>employing a combination of measures including but not limited to building setbacks, stepbacks in the built form, and the use of appropriate building materials.</u></p> <p>b) <u>Where all options to conserve a cultural heritage resource on its existing site have been exhausted, it shall be relocated to a suitable location within Palermo Village.</u></p> <p>c) <u>The heritage character of Palermo Village should be documented and commemorated through the development process.</u></p>

ATTACHMENT 1 to OPA 37 – Subject Lands

