



File Number: Oakville OPA 34 **Date of Decision:** March 13, 2023
Municipality: Town of Oakville **Date of Notice:** March 13, 2023
Subject Lands: North West Area and Palermo Village **Last Date of Appeal:** April 2, 2023

NOTICE OF DECISION
With respect to an Official Plan Amendment
Section 17(35) of the Planning Act

A decision was made by the Regional Municipality of Halton on the above-noted date to approve, with modifications, Amendment No. 34, "North West Area and Palermo Village, Excluding the Hospital District" to the Livable Oakville Plan.

Purpose and Effect of the Official Plan Amendment

The purpose of Official Plan Amendment No. 34 (OPA 34), adopted by Oakville Town Council through By-Law No. 2021-043 enacted and passed on April 12, 2021, is to move the North Oakville West Secondary Plan area (other than the Hospital District) from the 1984 Oakville Official Plan to the Livable Oakville Plan, incorporate policies for those lands, and establish modified policies for an expanded Palermo Village growth area. The effect of the amendment to the 1984 Oakville Official Plan is to repeal the plan and policies as they apply to the lands within the North Oakville West area. The effect of the amendment to the Livable Oakville Plan is to update area-specific policies and schedules for the North Oakville West area and to update policies, schedules, and the goal, objectives and development concept for Palermo Village to enable contextually appropriate redevelopment.

Effect of Written Submissions on Decision

The written submissions received by Halton Region regarding OPA 34 were considered as a part of the Region's review process. Area-specific policy modifications are proposed through the Region's decision.

When and How to File an Appeal

Any appeal to the Ontario Land Tribunal must be filed with Halton Region no later than 20 days from the date of this notice, shown above as the "Last Date of Appeal".

The notice of appeal should be sent to the attention of the Regional Clerk at the address shown below and it must:

- 1) set out the reasons for the appeal,
- 2) set out the specific part or parts of the proposed Official Plan Amendment to which the appeal applies, and
- 3) be accompanied by the fee required by the tribunal and as directed by the tribunal.

If the appellant intends to argue that the appealed decision is inconsistent with a policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan, or fails to conform with the Regional Official Plan, the notice of appeal must also explain how the decision is inconsistent with, fails to conform with or conflicts with the other document.

Address for Filing a Notice of Appeal

By Mail: Office of the Regional Clerk
Regional Municipality of Halton
1151 Bronte Road
Oakville ON L6M 3L1

Submit Notice of Appeal to the attention of:
Graham Milne, Regional Clerk

By E-mail: RegionalClerk@halton.ca

Who Can File an Appeal

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the official plan amendment was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

When the Decision is Final

The decision of the Regional Municipality of Halton is final if a notice of appeal is not received on or before the Last Date of Appeal.

Getting Additional Information

Additional information about the amendment and the decision is available for public inspection by appointment. The Office of the Regional Clerk can be contacted at RegionalClerk@halton.ca or by dialling 311.

Other Related Applications

- n/a



DECISION

**with respect to Official Plan Amendment No. 34
to the Town of Oakville Official Plan (Livable Oakville Plan)
Section 17(34) of the Planning Act**

Town of Oakville – Official Plan Amendment No. 34 (OPA 34)

Official Plan Amendment No. 34 – “North West Area and Palermo Village” to the Livable Oakville Plan is modified as set out in Schedule “A” to this Decision and approved with these modifications by the Director of Planning Services and Chief Planning Official for the Regional Municipality of Halton, pursuant to Section 17(2) of the *Planning Act*, R.S.O. 1990 as amended. If no notice of appeal is filed, OPA 34 will come into effect on April 3, 2023, being the day following the last day for filing a notice of appeal.

A handwritten signature in black ink, appearing to read "Curt Benson", is written over a horizontal line.

March 13, 2023

Curt Benson MCIP RPP
Director of Planning Services & Chief Planning Official

Date

Schedule “A” – Regional Municipality of Halton Modifications

Additions are shown in red underline and deletions are shown in ~~yellow strikethrough~~.

Region No.	Section No.	Modification	Explanation of Modification
LIVABLE OAKVILLE TOWN OF OAKVILLE OFFICIAL PLAN, 2009			
PART C: MAKING OAKVILLE LIVIBLE (GENERAL POLICIES)			
	8.	TRANSPORTATION	
	8.17 [New]	Roads North of Dundas Street	
1)	8.17.3 a)	Is modified to read as follows: “Lanes, hybrid roads, and service roads shall be permitted where direct driveway access from a roadway is inappropriate or in response to special design features such as a development <u>development</u> fronting directly onto open space.”	To italicize a defined term in the Livable Oakville Plan.
	10.	SUSTAINABILITY	
	10.11 [New]	Natural Heritage System North of Dundas Street	
2)	10.11.1	Is modified to read as follows: “The Natural Heritage System shall be implemented in accordance with the overall concept, and <u>and</u> objectives and directions of the applicable subwatershed study.”	Modified for consistency with the Regional Official Plan Natural Heritage System goals and objectives.
3)	10.11.2 a)	Is modified to read as follows: “Core Preserve Areas that include key natural features and areas, required buffers and adjacent lands intended to protect the function of natural features and to ensure the long term sustainability of the Natural Heritage System.”	Semi-colon added for formatting consistency.
4)	10.11.2 b)	Is modified to read as follows: “Linkage Preserve Areas that include areas which are designed to link the Core Preserve Areas together to maintain and enhance their environmental sustainability. They follow natural features whenever possible and are intended to be of sufficient size and character, including buffers, to ensure the functionality and sustainability of the Natural Heritage System.”	Semi-colon added for formatting consistency.
5)	10.11.2 c)	Is modified to read as follows: “Glenorchy Conservation Area includes an area which the Province of Ontario has identified for restoration and enhancement and which will be managed by Conservation Halton. This area provides a link between the 16 Mile Creek and the Core Preserve Area to the west of the Creek.”	Semi-colon added for formatting consistency.
6)	10.11.2 d)	Is modified to read as follows: “High Constraint Stream Corridor Areas that include certain watercourses and adjacent riparian lands, including buffers measured from the stable top-of-bank or meander belts. These areas are located primarily inside Core and Linkage Preserve Areas, but are also found outside such areas.”	Semi-colon added for formatting consistency.

Region No.	Section No.	Modification	Explanation of Modification
7)	10.11.2 e)	Is modified to read as follows: "Medium Constraint Stream Corridor Areas that include certain watercourses and adjacent riparian lands, including buffers measured from the stable top-of-bank or meander belts. These areas are located primarily inside Core and Linkage Preserve Areas, but are also found outside such areas."	Semi-colon added for formatting consistency.
8)	10.11.4	Is modified to read as follows: "The location and boundaries of the Medium Constraint Stream Corridor Area designations on Schedule B2 shall be determined in accordance with the directions established in the applicable subwatershed study and the required <u>Environmental Implementation Report (EIR) in accordance with the policies of this plan.</u> "	To add missing wording from the North Oakville West Secondary Plan (OPA 289).
9)	10.11.5 a)	Is modified to read as follows: "The other hydrological features identified on <u>Figure NOW3 Schedule B2</u> include Hydrologic Features A and B and watercourses, with associated riparian lands, and setbacks from top-of-bank and meander belts, located outside the Core and Linkage Preserve Areas and the High and Medium Constraint Stream Corridor Areas."	To update to reflect the appropriate Schedule.
10)	10.11.6	Is modified to read as follows: " <u>Essential transportation and utilities</u> <u>Roads and related utilities</u> permitted in the Natural Heritage System shall:"	Modified for consistency with the Regional Official Plan Natural Heritage System goals and objectives.
11)	10.11.6 d)	Is modified to read as follows: "be required as transit routes or <u>utility utility</u> corridors;"	To italicize a defined term in the Livable Oakville Plan.
12)	10.11 6. f)	Is modified to read as follows: "provide for the safe movement of species in accordance with the directions established in the applicable subwatershed study in the design and construction of any road or <u>utility utility</u> ;"	To italicize a defined term in the Livable Oakville Plan.
PART E: GROWTH AREAS, SPECIAL POLICY AREAS AND EXCEPTIONS			
	22.	PALERMO VILLAGE	
	22.2	Objectives	
13)	22.2.1	Is modified to read as follows: "To develop a balanced <u>Strategic Growth Area</u> <u>Growth Area</u> by:"	To update to reflect appropriate defined term in the Livable Oakville Plan, including italicization.
14)	22.2.1 d)	Is modified to read as follows: "providing a range and mix of uses, including office uses and housing options, <u>including affordable housing</u> ;"	To include affordable housing for conformity with Regional Official Plan s.78.1 (3).
15)	22.2.1 e)	Is modified to read as follows: "conserving <u>cultural heritage resources</u> and integrating them into new <u>developments</u> <u>developments</u> ;"	To italicize a defined term in the Livable Oakville Plan.

Region No.	Section No.	Modification	Explanation of Modification
	22.4	Functional Policies	
16)	22.4.1 p)	Is modified to read as follows: “The Town shall plan for the provision of high frequency, integrated and connected transit service which supports a high degree of transit usage and modal splits <i>modal splits</i> to enable intensification opportunities within Palermo Village.”	To italicize a defined term in the Livable Oakville Plan.
17)	22.4.1 q)	Is modified to read as follows: “ Development <i>Development</i> should occur on public roads. Where it is demonstrated that a public road is not warranted, to the satisfaction of the Town, development <i>development</i> 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.”	To italicize a defined term in the Livable Oakville Plan.
18)	22.4.3	Is modified to read as follows: “ A minimum planned density shall be established for Palermo Village through Provincial conformity coordinated with Halton Region. <i>Palermo Village shall be planned to achieve a minimum density target of 160 residents and jobs combined per hectare. This target is to be achieved beyond the 2051 planning horizon of this Plan.</i> ”	To conform to density target as per Table 2b of ROPA 49.
19)	22.4.4 a)	Is modified to read as follows: “ <i>Development</i> within Palermo Village shall be required to implement stormwater management techniques in accordance with the policies of this Plan, and to the satisfaction of the Town, the Region , and Conservation Authority.”	To clarify Regional Environmental Planning requirements.
20)	22.4.4 g) i)	Is modified to read as follows: “natural features are protected to the satisfaction of the Town, the Region , and Conservation Authority; and,”	To clarify Regional Environmental Planning requirements.
21)	22.4.5 a) ii)	Is modified to read as follows: “a range of building and unit types and sizes, including affordable housing , to accommodate a variety of households; and,”	To include affordable housing for conformity with Regional Official Plan s.78.1 (3).
22)	22.4.5 b)	Is modified to read as follows: “Residential developments <i>developments</i> and buildings shall be designed to accommodate various household sizes and include:”	To italicize a defined term in the Livable Oakville Plan.
	22.5	Urban Design	
23)	22.5.2.c) ii)	Is modified to read as follows: “combining public open space areas with other facilities, such as locating stormwater management facilities and parks adjacent to the natural heritage system where appropriate buffers are maintained ; and,”	Modified for consistency with the Regional Official Plan Natural Heritage System goals and objectives.

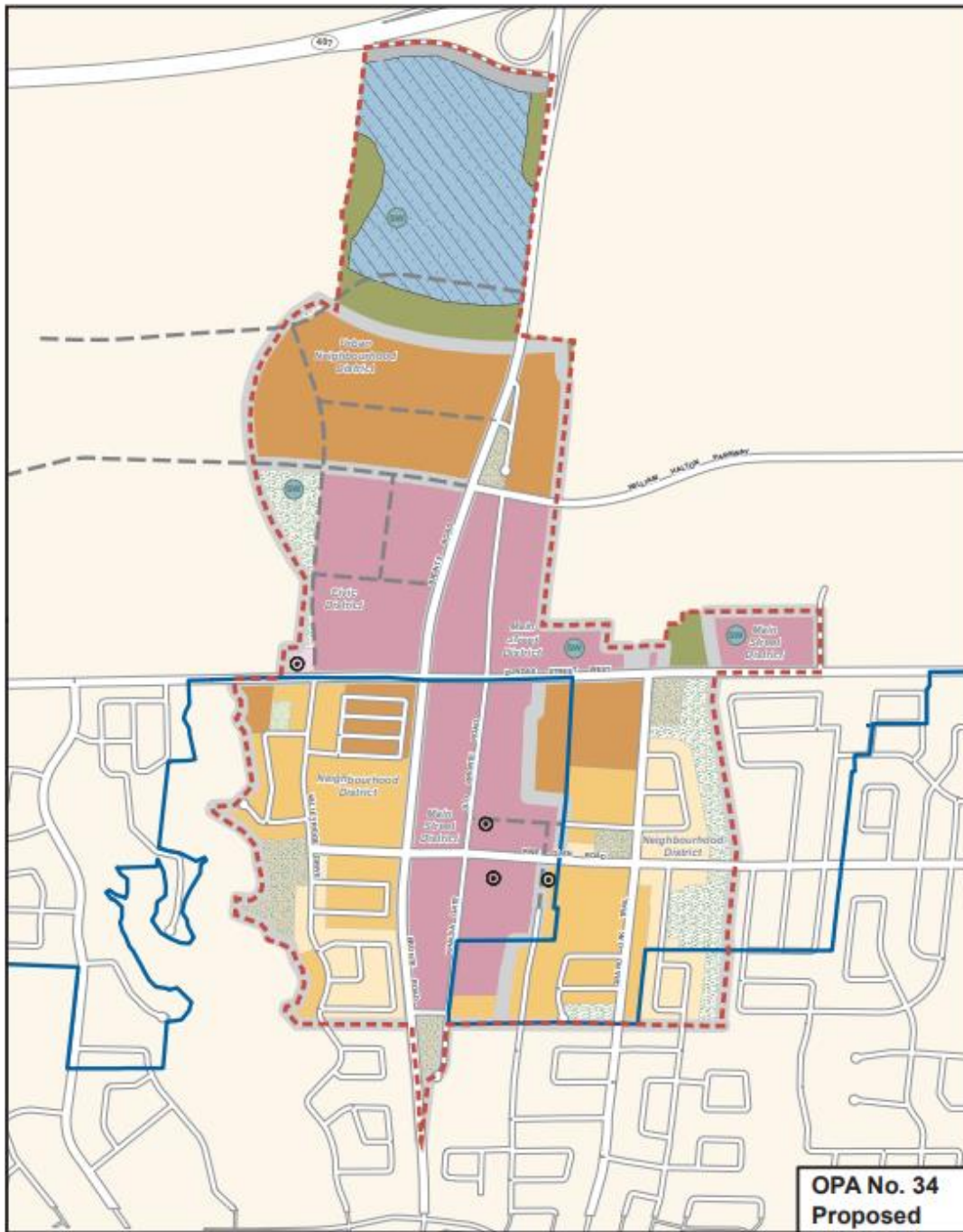
Region No.	Section No.	Modification	Explanation of Modification
	22.8	Implementation Policies	
24)	22.8.4 Required Studies a) i) – iv) [New]	<p>A new policy is added to read as follows:</p> <p><u>“ Prior to development on the lands located north of Dundas Street West the following additional policies shall apply:</u></p> <ul style="list-style-type: none"> i) <u>A detailed, intersection level, Transportation Study shall be completed in accordance with an approved Terms of Reference, to the satisfaction of the Town and Region, to assess impacts of traffic on Regional and local roadways and to identify road infrastructure upgrades and access improvements required to facilitate development in this area.</u> ii) <u>The Transportation Study may be completed by the landowners or the Town and may be carried out as part of the Town’s Transportation Master Plan.</u> iii) <u>Should the results of the Transportation Study show that capacity is not available, development may not be permitted until the required improvements to address the capacity constraints have been implemented.</u> iv) <u>A Water and Wastewater Area Servicing Plan shall be completed in accordance with an approved Terms of Reference, to the satisfaction of the Region, to:</u> <ul style="list-style-type: none"> 1. <u>Identify the preferred water and wastewater servicing strategy to support planned population growth for the lands located north of Dundas Street West;</u> 2. <u>Assess the impact of growth in Palermo on the broader Regional water and wastewater system; and,</u> 3. <u>Identify upgrades and/or improvements that will be required to support development north of Dundas Street West.</u> 4. <u>Should the results of the Water and Wastewater Area Servicing Plan show that capacity is not available, development may not be permitted until the required improvements to capacity constraints have been implemented or a coordinated staging and monitoring plan has been developed to implement the preferred water and wastewater servicing strategy for the area.”</u> 	<p>New policies a) i) – iv) have been added.</p> <p>OPA 34 for the Palermo Village growth area expansion proposed new land uses north of Dundas Street along the Bronte Road corridor; a mix of High Density Residential and Urban Centre.</p> <p>Regional Transportation, Regional Water & Wastewater require an Area Design/Servicing Plan for this area that expands upon the findings of the Sixteen Hollow and 407 West ASP studies in the context of the new land uses.</p>

Region No.	Section No.	Modification	Explanation of Modification
	28.	SPECIAL POLICY AREAS <i>Note: This Official Plan Amendment (OPA) proposes changes that are coordinated with or subsequent to OPAs adopted through the Hospital District OPA 35, and approved through Bronte GO MTSA OPA 41. OPA 35 and 41 added new Sections 26 and 27 to the Livable Oakville Plan and have not yet been consolidated. As such, this former Section 26 is now Section 28.</i>	
	28.7	North West Area	
	28.7.2	Objectives	
25)	28.7.2 b) i) [Note: this section was formerly Section 26.]	Is modified to read as follows: “providing <i>employment areas</i> that support a range of employment opportunities with access to major freeways, arterial roads and transit systems.”	Semi-colon added for formatting consistency.
26)	28.7.2 b) ii) [Note: this section was formerly Section 26.]	Is modified to read as follows: “providing <i>employment areas</i> that complement and integrate the existing built form elements that are intended to remain within the community, and incorporate the best community planning and urban design practices available while integrating the area’s natural heritage component of the natural heritage and open space system.”	Semi-colon added for formatting consistency.
27)	28.7.2 b) iii) [Note: this section was formerly Section 26.]	Is modified to read as follows: planning for and promoting higher order employment densities at appropriate locations that maximize employment opportunities, particularly in areas where higher order/frequent transit service is planned.	Semi-colon added for formatting consistency.
	28.7.4	Functional Policies	
28)	28.7.4 a) i) [Note: this section was formerly Section 26.]	Is modified to read as follows: “the integration of cultural heritage resources <i>cultural heritage resources</i> into public parkland or other public facilities where feasible and appropriate;”	To italicize a defined term in the Livable Oakville Plan.
29)	28.7.4 a) iii) [Note: this section was formerly Section 26.]	Is modified to read as follows: “the use of interpretative plaques and displays.”	Period added for formatting consistency.
30)	28.7.4 b) ix) [Note: this section was formerly Section 26.]	Is modified to read as follows: “Off-street parking facilities should be designed to share joint access with adjoining properties where feasible.”	Period added for formatting consistency.
31)	28.7.4 b) x) [Note: this section was	Is modified to read as follows: “[...]” <ul style="list-style-type: none"> ▪ civic buildings; and ▪ natural heritage lands and parklands.” 	Semi-colon and period added for formatting consistency.

Region No.	Section No.	Modification	Explanation of Modification
	formerly Section 26.]		
	28.7.5	Land Use Policies – General	
32)	28.7.5 c) v) [Note: this section was formerly Section 26.]	Is modified to read as follows: “temporary sale pavilion.”	Period added for formatting consistency.
	28.7.6	Land Use Policies – Natural Heritage System	
33)	28.7.6 a) i) [Note: this section was formerly Section 26.]	Is modified to read as follows: “legally existing uses, buildings and structures; <u>and.</u> ”	To format for consistency.
34)	28.7.6 a) ii) [Note: this section was formerly Section 26.]	Is modified to read as follows: “fish, wildlife and conservation management.”	Period added for formatting consistency.
35)	28.7.6 b) [Note: this section was formerly Section 26.]	Is modified to read as follows: “The following uses may be permitted in the Natural Heritage System designation, provided a study has been undertaken, <u>to the satisfaction of the Town and in consultation with the Region and Conservation Halton</u> , identifying potential impacts on the Natural Heritage System and demonstrating that alternatives for minimizing impacts have been considered and appropriate approaches shall be applied.”	To clarify Environmental Planning requirements.
36)	28.7.6 b) xi) [Note: this section was formerly Section 26.]	Is modified to read as follows: “grading for lots, roads and public facilities adjacent to the Natural Heritage component of the system, <u>in accordance with the directions established in the applicable Subwatershed study or appropriate Environmental Assessment.</u> ”	To add wording to capture the criteria outlined in the policy in OPA 289 8.4.7.3 c) vi) that needs to be met in order for this use to be permitted in the Regional Natural Heritage System.
37)	28.7.6 c) [New]	A new policy is added to read as follows: “ <u>Development or land disturbances shall generally be prohibited.</u> ”	To add a new policy to include missing wording from OPA 289 – 8.4.7.3 a).
	28.7.7	Land Use Policies – Business Employment	
38)	28.7.7 a) i) [Note: this section was formerly Section 26.]	Is modified to read as follows: “general industrial operations within enclosed buildings including manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution, and wholesaling.”	Period added for formatting consistency.
	28.7.9	Implementation Policies	
39)	28.7.9 c) ii)	Is modified to read as follows:	Comma added for formatting consistency.

Region No.	Section No.	Modification	Explanation of Modification
	[Note: this section was formerly Section 26.]	“[...] <ul style="list-style-type: none"> ▪ generally consistent with Schedule K; and. ”	
40)	28.7.9 d) [Note: this section was formerly Section 26.]	Is modified to read as follows: “Plans of subdivision or other planning applications shall be considered inconsistent with Schedule K if they do not conform to the urban design policies, or results in coordination issues between one or more of the sub-areas identified.”	Period added for formatting consistency.
	28.8	Other Areas for Further Study	
41)	28.8.1 [Note: this section was formerly Section 26.]	Is modified to read as follows: “The following areas have been identified for potential future development <u>development</u> and should be comprehensively studied to determine future land uses and policies: <ul style="list-style-type: none"> a) lands within the Neighbourhood Commercial designation southeast of the intersection of Cornwall Road and Trafalgar Road; b) lands in the vicinity of the QEW and Bronte Road on the north side; <u>and</u> c) lands in the vicinity of Highway 403 on the west side between Dundas Street and Upper Middle Road; <u>and,</u> d) <u>lands on the north side of Dundas Street West, identified as “Area Subject to Future Study” on Schedule A1 Urban Structure and Schedule N1 Palermo Village Land Use.</u>” 	To italicize a defined term in the Livable Oakville Plan. To conform to ROPA 49 which added lands north of Dundas Street West to the Palermo Village growth area and removed the Regional Employment Area overlay.
POLICY SCHEDULES, A1-D			
42)	A1 – Urban Structure	Modified to replace Schedule A1 – Urban Structure, with the new Schedule A1 as amended by OPA 15. This modification is shown herein as Attachment #1. Modified to revise the boundary of the Palermo Village growth area to include the lands north of the existing boundary up to Highway 407 and label “Area Subject to Future Study”. This modification is shown herein as Attachment #1.	OPA 15, to amend Schedule A1 – Urban Structure, which was under appeal when OPA 34 was adopted has come into force and effect. Therefore, former Schedule A1, as provided in ATTACHMENT 4 to OPA 34 – Schedule Changes, is being updated with the new Schedule approved through OPA 15. To update mapping to conform to ROPA 49 and the revised Palermo Village Primary Regional Node boundary.
LAND USE SCHEDULES. E-K			
43)	H – West Land Use	Modified to revise the boundary of the Palermo Village growth area south of Dundas Street. This modification is shown herein as Attachment #2.	To update mapping to conform to ROPA 49 and the revised Palermo Village Primary Regional Node boundary.
44)	K – North West Land Use	Modified to revise the boundary of the Palermo Village growth area to include the lands north of the existing boundary up to Highway 407. This modification is shown herein as Attachment #3.	To update mapping to conform to ROPA 49 and the revised Palermo

Region No.	Section No.	Modification	Explanation of Modification
			Village Primary Regional Node boundary.
GROWTH AREA SCHEDULES, L1-Q2			
45)	N1 – Palermo Village Land Use	Modified to revise the boundary of the Palermo Village growth area to include the lands north of the existing boundary up to Highway 407 and label “Area Subject to Future Study”. This modification is shown herein as Attachment #4.	To update mapping to conform to ROPA 49 and the revised Palermo Village Primary Regional Node boundary.
46)	N2 – Palermo Village Urban Design	Modified to revise the boundary of the Palermo Village growth area to include the lands north of the existing boundary up to Highway 407 and label “Area Subject to Future Study”. This modification is shown herein as Attachment #5.	To update mapping to conform to ROPA 49 and the revised Palermo Village Primary Regional Node boundary.



**OPA No. 34
Proposed**

SCHEDULE N1 PALERMO VILLAGE LAND USE

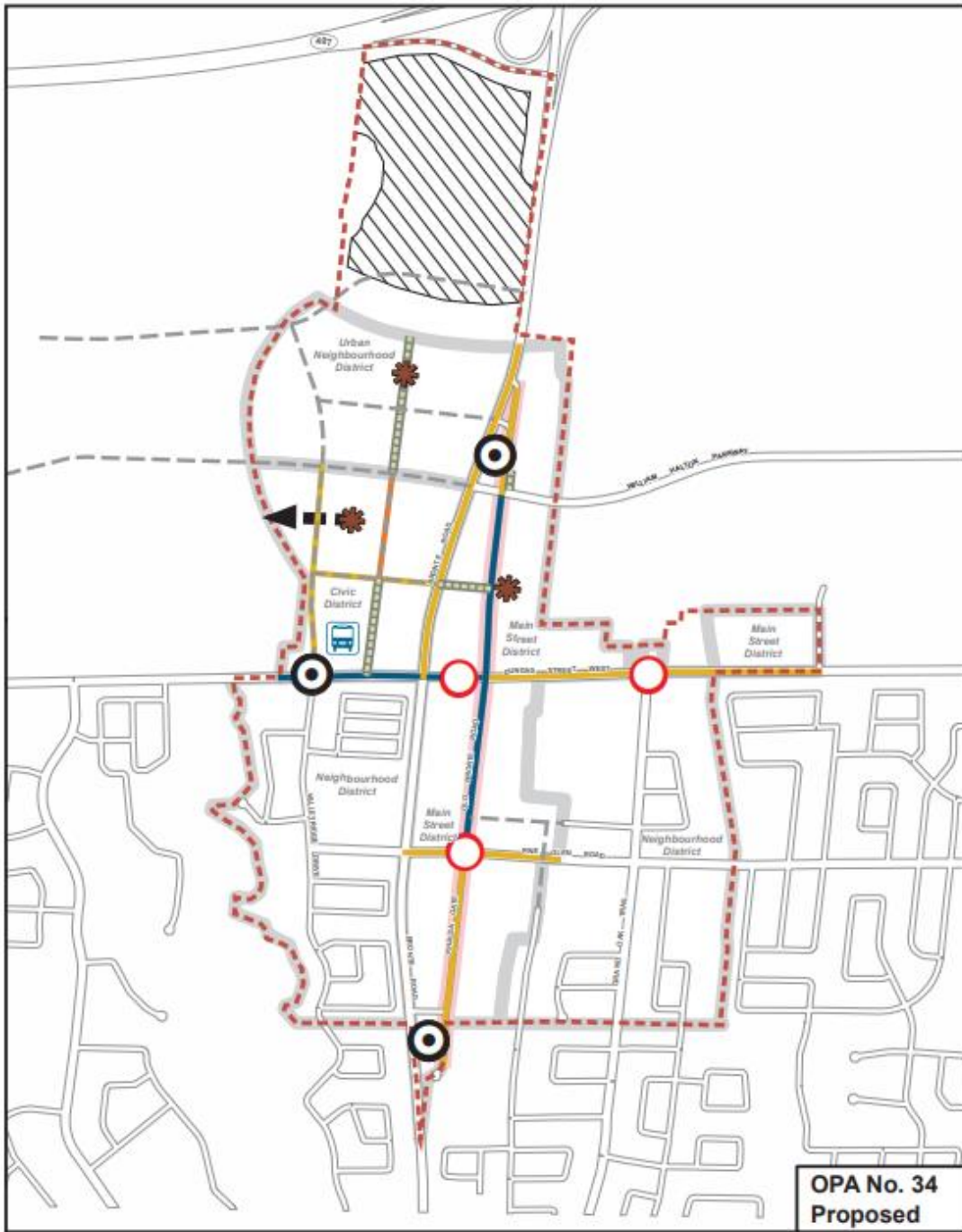
BUILT BOUNDARY	NATURAL HERITAGE SYSTEM
GROWTH AREA BOUNDARY	PRIVATE OPEN SPACE
LOW DENSITY RESIDENTIAL	BUSINESS EMPLOYMENT
MEDIUM DENSITY RESIDENTIAL	TRANSITWAY
HIGH DENSITY RESIDENTIAL	AREA SUBJECT TO FURTHER STUDY
NEIGHBOURHOOD COMMERCIAL	DISTRICT BOUNDARIES
URBAN CENTRE	STORMWATER MANAGEMENT FACILITY
NATURAL AREA	PROPOSED ROADS
PARKS AND OPEN SPACE	

Refer to Part E, Palermo Village, for Growth Area Policies

Refer to Part E, Palermo Village Exceptions

1: 8,250
 January 27, 2023

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 NORTHWEST AND NORTHEAST DISTRICTS OF PALERMO VILLAGE



OPA No. 34
Proposed

