

**As Modified by The Region of Halton in its Decision  
Dated September 21, 2018 and Further Modified by the  
Local Planning Appeal Tribunal Case No. PL180831  
Order Issued July 2, 2019**

**Official Plan Amendment Number 321  
to the North Oakville East Secondary Plan  
forming part of the Official Plan of the Oakville Planning Area  
of the Town of Oakville**

**Constitutional Statement**

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number 321 to the North Oakville East Secondary Plan forming part of the Official Plan of the Oakville Planning Area.

**Part 1 – Preamble**

**1. Purpose**

The purpose of the proposed official plan amendment is to modify the text of the North Oakville East Secondary Plan to implement the policy directions focused on areas of concern to be addressed in the short-term through the North Oakville Secondary Plans Review.

The effect of the proposed amendment includes changes to:

- Update the Stormwater Management Facility use permissions to provide greater direction on stormwater management pond locations within the Trafalgar Urban Core Area and Dundas Urban Core Area
- Update the Trafalgar Urban Core Area purpose policy to reinforce the town's Urban Structure
- Update the Trafalgar Urban Core Area land use policies to reflect transit supportive minimum densities and clarify location specific minimum heights and location specific townhouse provisions
- Update the Dundas Urban Core Area policies to reflect transit supportive minimum densities and clarify location specific townhouse provisions

- Clarify the provision of bonusing in the Trafalgar Urban Core Area and Dundas Urban Core Area
- Update the Neighbourhood Centre Area policies to enhance clarity, increase the maximum height and require one mixed use or non-residential building at neighbourhood activity nodes
- Update the phasing policy to clarify the unphased development requirements
- Update the definition of Medium Density Residential Development
- Include new definitions for added clarity, including Complete Communities, Regional Transit Priority Corridor and Strategic Growth Areas from the Growth Plan, 2017

The proposed official plan amendment will result in revisions to the following parts of the North Oakville East Secondary Plan:

- Section 7.6.2.2.a) Stormwater Management Facility;
- Section 7.6.4 Trafalgar Urban Core Area;
- Section 7.6.5 Dundas Urban Core Area;
- Section 7.6.7.1 Neighbourhood Centre Area;
- Section 7.9.2.c) Phasing; and,
- Section 7.10.13 Definitions.

## **2. Background**

- The North Oakville East Secondary Plan (NOESP) was approved by the Ontario Municipal Board (OMB) in January 2008 and provides policy direction for growth and development to 2021.
- The NOESP was developed to have regard for the Provincial Policy Statement (1997) and predates the Growth Plan for the Greater Golden Horseshoe.
- The Provincial Policy Statement (2005) was followed by the Provincial Policy Statement (2014), which came into effect on April 30, 2014. The *Planning Act* requires that all land use planning matters “shall be consistent with” the Provincial Policy Statement.

- The 2017 Growth Plan for the Greater Golden Horseshoe (2017 Growth Plan) took effect on July 1, 2017. It is a long-term plan that works together with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. All planning decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter are required to conform to the 2017 Growth Plan.
- The NOESP relies on policies from the town's 2006 Oakville Official Plan and are not part of the Livable Oakville Plan.

### 3. Basis

- The Provincial Policy Statement (2014) which came into force and effect on April 30, 2014.
- The Growth Plan for the Greater Golden Horseshoe, which came into force and effect on July 1, 2017.
- Section 26 of the *Planning Act*, as amended, requires municipalities to review their official plans no less frequently than 10 years after it comes into effect as a new official plan, and every five years thereafter, unless the plan has been replaced by another new official plan.
- On February 10, 2014, Planning and Development Council received a staff report entitled "*Long Range Planning Work Program*" which signaled the commencement of the five-year Official Plan Review. The report identified that the policies guiding growth and change in North Oakville were to be reviewed.
- On May 11, 2015, Planning and Development Council hosted a Special Public Meeting and received a staff report titled "*Official Plan Review – Special Public Meeting*" launching the five-year Official Plan Review. The report identified that a review of the North Oakville East and West Secondary Plans was to be undertaken.
- On May 15, 2017, the Livable Oakville Council Sub-committee received the report entitled "*North Oakville Secondary Plans Review*" which outlined the purpose and scope of the study, the study process, emerging issues identified by staff, and preliminary directions resulting from the Official Plan Review and other land use planning initiatives.
- On November 6, 2017, the Livable Oakville Council Sub-committee received the report "*North Oakville Secondary Plans Review – Directions*

*Report*<sup>7</sup> which confirmed areas of concern and identified draft policy directions to be addressed in the short-term and matters to be addressed in the long term.

- A Public Information Meeting was held on December 6, 2017 to solicit public input on the draft policy directions for the North Oakville Secondary Plans Review.
- The first statutory public meeting on the proposed Official Plan Amendment was held on February 12, 2018.
- Notice of the first statutory public meeting regarding the proposed Official Plan Amendment was circulated to the agencies and public bodies prescribed by the *Planning Act*, mailed to property owners within the North Oakville East Secondary Plan Area, and emailed to the Official Plan Review E-blast distribution list, on or before January 26, 2018 and was published in the local newspaper on January 25, 2018.
- The proposed amendment for the first statutory public meeting was available for public review in the Planning Services Department at Town Hall, 1225 Trafalgar Road, and on the town's website ([www.oakville.ca](http://www.oakville.ca)), on or before January 23, 2018, being at least 20 days before the statutory public meeting.
- The second statutory public meeting and recommendation meeting on the proposed Official Plan Amendment are to be held on June 11, 2018. A second statutory public meeting was deemed necessary due to nature of the revisions to the proposed Official Plan Amendment from February 12, 2018 resulting from staff review and public comment.
- Notice of the second statutory public meeting and recommendation meeting regarding the proposed Official Plan Amendment was circulated to the agencies and public bodies prescribed by the *Planning Act*, mailed to property owners within the North Oakville East Secondary Plan Area, and emailed to the Official Plan Review E-blast distribution list, on or before May 21, 2018 and was published in the local newspaper on May 17, 2018.
- The proposed amendment for the second statutory public meeting and recommendation meeting was available for public review in the Planning Services Department at Town Hall, 1225 Trafalgar Road, and on the town's website ([www.oakville.ca](http://www.oakville.ca)), as of May 22, 2018, being at least 20 days before the second statutory public meeting.



**Part 2 – The Amendment**

**A. Text Changes**

The amendment includes the changes to the text of the North Oakville East Secondary Plan listed in the following table. Text that is **bolded and underlined** is new text to be inserted into North Oakville East Secondary Plan. Text that is crossed out (“~~strikethrough~~”) is to be deleted from the North Oakville East Secondary Plan.

Item No.	Section	Description of Change
1.	7.6.2.2 LAND USES GENERALLY PERMITTED Permitted in Most Land Use Designations	<p>Revise and insert new policies as follows and reformat the section accordingly:</p> <p>a) <b>Stormwater Management Facility</b>  <del>Stormwater management facilities</del></p> <p>i) <del>Provided that sites and development standards are consistent with the policies of this Secondary Plan and in accordance with directions established in the North Oakville Creeks Subwatershed Study and any approved Environmental Implementation Report and Functional Servicing Study.</del> In addition,</p> <p>ii) Notwithstanding the other policies of this section, <del>stormwater management facilities</del> may be permitted in the Core Preserve Area, Linkage Preserve Area, High Constraint Stream Area and Medium Constraint Stream Area designations in conformity with the policies of Section 7.4.7.3 c) of this Plan.</p> <p>iii) <b><u>Stormwater management ponds shall be discouraged within 100m of Trafalgar Road and Dundas Street.</u></b></p> <p>iv) <b><u>Notwithstanding Section 7.6.2.2.a.iii), stormwater management ponds may be permitted within 100m of Trafalgar Road and Dundas Street, where it is demonstrated that the frontage has been minimized to the greatest extent feasible.</u></b></p> <p>v) <b><u>Where a pond has been minimized in accordance with Section 7.6.2.2.a.iv), increased height to a maximum of 4 additional storeys, exclusive of bonusing, may be considered on adjacent lands.</u></b></p>

Item No.	Section	Description of Change
		<p><b><u>vi) Notwithstanding Section 7.6.2.2.iii) and iv), stormwater management ponds may be permitted within 100m of Dundas Street where Environmental Implementation Reports and Functional Servicing Studies have been sufficiently advanced and where demonstrated that all other policies of this plan have been met.</u></b></p>
2.	<p><b>7.6.4.1</b>  <b>TRAFALGAR</b>  <b>URBAN CORE</b>  <b>Purpose</b></p>	<p>Revise the policy as follows:</p> <p><b><u>The Trafalgar Urban Core Area is identified in Section 3, Urban Structure and Schedule A1, Urban Structure of the Livable Oakville Plan as part of the Nodes and Corridors element. Nodes and Corridors are key areas identified as the focus for mixed use development and intensification and comprise the town's strategic growth areas, as defined in the Growth Plan, 2017.</u></b></p> <p>The Trafalgar Urban Core Area designation on Figure NOE2 is designed to ultimately provide for the creation of a major Node - a dense, mixed use development concentration that is pedestrian and transit oriented. This area will link to and complement the Uptown Core to the south of Dundas Street.</p>
3.	<p><b>7.6.4.8</b>  <b>TRAFALGAR</b>  <b>URBAN CORE</b>  <b>Land Use Policies</b>  <b>for All Core Areas</b>  <b>1-4</b></p> <div data-bbox="327 1668 535 1842" style="border: 1px solid black; background-color: yellow; padding: 5px; margin-top: 10px;">       As modified by Halton Region in its Decision dated Sept. 21, 2018     </div>	<p>Revise and insert new policies as follows, and reformat the section accordingly:</p> <p>b) The highest development densities will be focused along Trafalgar Road, with building heights and densities generally scaling down east and west of Trafalgar Road. Development at the edge of the Urban Core will be designed as a transition to abutting residential neighbourhoods. A mix of uses shall be permitted in the Trafalgar Urban Core Area <del>at the following with</del> <b><u>a range of heights and densities to support transit</u></b>, with development being encouraged to exceed the minimum density to better support transit use where ever possible.</p> <p>c) <b><u>Minimum Density</u></b></p> <p>i) <b><u>A minimum planned density for the Trafalgar Urban Core shall be established through the Regional Municipal Comprehensive Review, in conformity with the Growth Plan;</u></b></p> <p>ii) <b><u>Until that time, development applications in this</u></b></p>

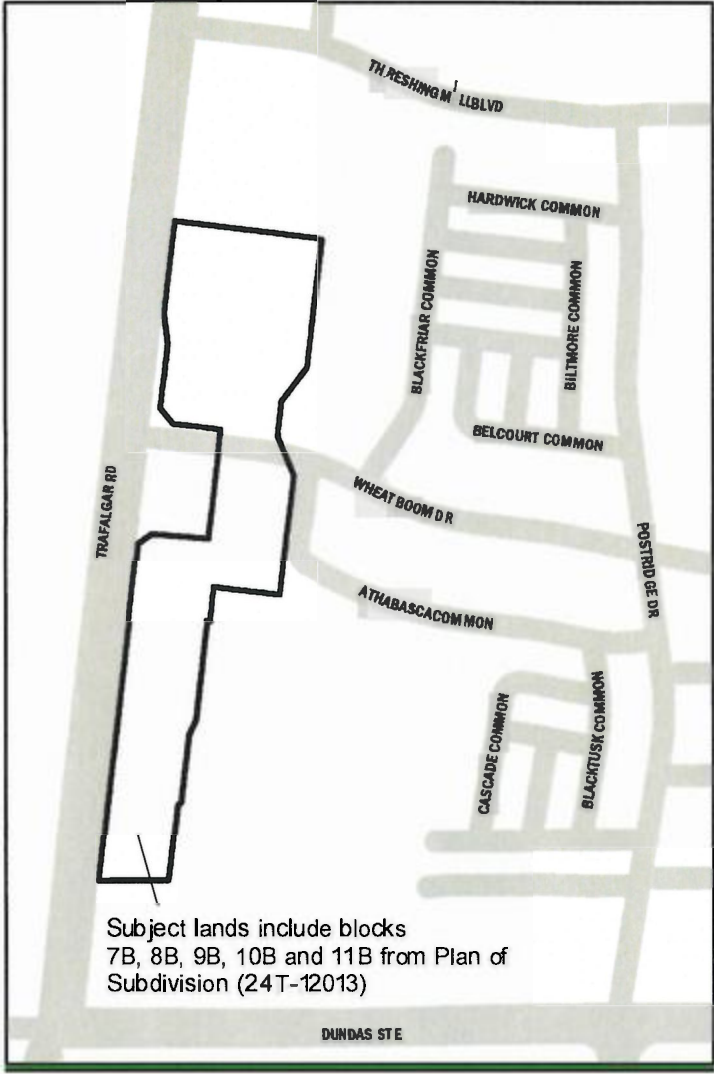
Item No.	Section	Description of Change
		<p><b><u>Area shall ensure that they meet transit supportive densities as established in Provincial guidelines</u></b></p> <p><b><u>Development within the Trafalgar Urban Core Area shall achieve an overall minimum density target of 72 units per gross hectare or 160 residents and jobs combined per gross hectare.</u></b></p> <p>i) <del>Minimum density – Floor Space Index (FSI) of 1 for these lands north of the mixed-use area along existing Burnhamthorpe Road and those blocks fronting on Trafalgar Road and 0.75 for other lands within the designation, except as set out in subsection f). Notwithstanding these interim requirements, development in Urban Core Area 1 not fronting on the Trafalgar Corridor or existing Burnhamthorpe shall be subject to the density provisions of the employment area designation.</del></p> <p><del>In addition, to ensure an appropriate transition, the minimum density for areas along the eastern and western boundaries which abut residential neighbourhoods may be reduced to an FSI of 0.5;</del></p> <p>ii) <del>Maximum density – FSI of 5;</del></p> <p>iii) <del>Medium Density Residential Density – Notwithstanding the foregoing, where medium density residential uses are permitted such development shall have a minimum density of 25 units per net hectare and a maximum density of 75 units per net hectare. However, development at less than 30 units per net hectare will be limited, and will generally be located in areas adjacent to the east and west boundaries of the Trafalgar Urban Core Area;</del></p> <p><b><u>d) Building Heights</u></b></p> <p><b><u>i) Development within 100m from the Trafalgar Road right-of-way shall be a minimum height of 8 storeys, excluding podium elements which may be lower.</u></b></p>



Item No.	Section	Description of Change
		<p><b><u>ii) Development between 100m and 300m from the Trafalgar Road right-of-way shall be a minimum height of 6 storeys, excluding podium elements which may be lower and as provided for in policy 7.6.4.8.e).</u></b></p> <p><b><u>iii) Development beyond 300m from the Trafalgar Road right-of-way shall be a minimum height of 3 storeys.</u></b></p> <p><b><u>iv) A Minimum height 5 metres for a commercial and or industrial building permitted as part of a comprehensive development, including implementing zoning, shall be a minimum height of 5 metres, and primarily 3 storeys for other development, with the exception that</u></b></p> <p><b><u>v) Notwithstanding Section 7.6.4.8.d.iii), the minimum height a minimum height of 2 storeys may be permitted along the western and eastern boundaries which directly abut residential neighbourhoods, as identified in Figure NOE1, may be 2 storeys; and,</u></b></p> <p><b><u>vi) Notwithstanding the above, school sites as identified on Figure NOE2, may be a minimum height of 2 storeys.</u></b></p> <p><b><u>vii) AmMaximum height— of 15 storeys shall be permitted, with the exception of lands at the intersection of Major Arterial/Transit Corridors and Avenue/Transit Corridors with Trafalgar Road or Dundas Street where the maximum height shall be 20 storeys.</u></b></p> <p><b><u>viii) In accordance with Section 7.6.2.2.a.v), increases of up to 4 storeys beyond the maximum permitted building height, exclusive of bonusing, may be considered where adjacent to stormwater management ponds.</u></b></p> <p><b><u>ix) Increases beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.</u></b></p>



Item No.	Section	Description of Change
		<p>e) <b><u>Medium and High Density Residential Development</u></b></p> <p><b><u>Notwithstanding Section 7.6.4.8.d)ii), stand-alone townhouses with a minimum height of 3 storeys may be permitted in the area between 100m to 300m of the Trafalgar Road right-of-way, provided that:</u></b></p> <ul style="list-style-type: none"> <li>i) <b><u>they are part of a comprehensive development, including implementing zoning;</u></b></li> <li>ii) <b><u>they do not exceed 15 percent of the total number of units within the total area of the comprehensive development plan between 100m and 300m of the Trafalgar Road right-of-way;</u></b></li> <li>iii) <b><u>the achievement of a complete community is supported;</u></b></li> <li>iv) <b><u>a diverse mix of land uses is provided; and,</u></b></li> <li>v) <b><u>a diverse range and mix of housing options is provided.</u></b></li> </ul>
4.	<p><b>NEW 7.6.4.9</b>  <b>TRAFALGAR</b>  <b>URBAN CORE</b>  <b>Site Specific</b>  <b>Policies</b></p> <p>As modified by the Local Planning Appeal Tribunal Case No. PL180831 Order issued July 2, 2019.</p>	<p>Insert new policy and figure as follows:</p> <p><b>7.6.4.9.1 The following additional policies apply to the land identified in Figure 7.6.4.9.1:</b></p> <ul style="list-style-type: none"> <li>a) <b>A comprehensive development plan for each block separated by a public road is required and shall be implemented through the zoning by-law;</b></li> <li>b) <b>Notwithstanding S.7.6.4.8, medium density residential development may be permitted as part of a comprehensive development plan, provided that:</b> <ul style="list-style-type: none"> <li>i) <b>The comprehensive development plan includes buildings immediately adjacent to Trafalgar Road that exceed the minimum building height;</b></li> <li>ii) <b>Townhouses, back-to-back townhouses, block townhouses and stacked townhouses shall be permitted to a maximum of 228 dwelling units and such medium density development shall be sufficiently set back from Trafalgar Road to allow high density development immediately adjacent to Trafalgar Road; and,</b></li> </ul> </li> </ul>

Item No.	Section	Description of Change
		<p>iii) The implementing zoning by-law identifies the permitted locations of townhouse forms and the extent to which buildings immediately adjacent to Trafalgar Road exceed the minimum building height.</p> <p><b>Figure 7.6.4.9.1</b></p>  <p>Subject lands include blocks 7B, 8B, 9B, 10B and 11B from Plan of Subdivision (24T-12013)</p>
5.	7.6.5.2 DUNDAS URBAN CORE Permitted Uses,	<p>Insert new policy as follows:</p> <p>e) <b><u>Stand-alone townhouses shall not be permitted adjacent to Dundas Street.</u></b></p>

Item No.	Section	Description of Change
	Buildings and Structures	
6.	<b>7.6.5.3</b> <b>DUNDAS URBAN CORE</b> Land Use Policies	<p>Insert new policies as follows and reformat the section accordingly:</p> <p>b) <del>A mix of uses shall be permitted at the following heights and densities:</del></p> <ul style="list-style-type: none"> <li><del>• Minimum density – FSI of 0.5, with the exception of service station sites and as set out in Subsection c);</del></li> <li><del>• Maximum density – FSI of 2.5</del></li> <li><del>• Medium Density Residential Density – Notwithstanding the foregoing, where medium density residential uses are permitted such development shall have a minimum density of 25 units per net hectare and a maximum density of 75 units per net hectare. However, development at less than 30 units per net hectare will be limited to areas between the nodes</del></li> <li><del>• Minimum height – 5 metres for a commercial building, 3 storeys for other development within nodes, 2 storeys for other development; and,</del></li> <li><del>• Maximum height – 8 storeys</del></li> </ul> <p><b>b) Minimum Density</b></p> <p><b>Development within the Dundas Urban Core Area shall achieve an overall minimum density target of 72 units per gross hectare or 160 residents and jobs combined per gross hectare</b></p> <p><b>b) Building Heights</b></p> <ul style="list-style-type: none"> <li><b>i) A minimum height of 3 storeys shall be permitted.</b></li> <li><b>ii) A maximum height of 8 storeys shall be permitted.</b></li> <li><b>iii) A commercial building permitted as part of a comprehensive development, including implementing zoning, shall be a minimum height of 5 metres.</b></li> <li><b>iv) In accordance with Section 7.6.2.2.a.v) increases of up to 4 storeys beyond the maximum permitted</b></li> </ul>

As modified by Halton Region in its Decision dated Sept. 21, 2018



Item No.	Section	Description of Change
		<p><u>building height, exclusive of bonusing, may be considered where adjacent to stormwater management ponds.</u></p> <p>v) <u>Increases of up to 4 storeys beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.</u></p> <p><del>e) Where the minimum standards are not proposed to be achieved with the initial development proposals, the applicant shall be required to submit an intensification plan demonstrating how the ultimate density and other objectives for the site can be achieved. The intensification plan shall address:</del></p> <ul style="list-style-type: none"> <li><del>• the provision of local roads and small blocks;</del></li> <li><del>• the means to achieve a safe pedestrian and transit friendly streetscape with the initial uses;</del></li> <li><del>• the siting and orientation of buildings within the block and to the street for the initial development and longer term intensification;</del></li> <li><del>• the siting and orientation of parking for the initial development and changes to parking to accommodate the intensification process; and</del></li> <li><del>• the ability to achieve both short term and longer term intensification, the former potentially through intensification around initial buildings or reserved sites and the latter through possible redevelopment of the initial buildings themselves.</del></li> </ul> <p><del>Based on this information, the Town will consider a reduction in the minimum density on specific sites to the following minimum densities:</del></p> <ul style="list-style-type: none"> <li><del>• 0.25 for retail and service commercial uses provided the interim development also complies with the design policies of Section 7.5.15 c) and the land use policies of this section.</del></li> <li><del>• 0.3 for all other uses</del></li> </ul>
7.	7.6.7.1 NEIGHBOURHOOD AREA Neighbourhood Centre Area	<p>Revise and insert new policies as follows:</p> <p>a) <u>Purpose</u>        The Neighbourhood Centre Area land use category on Appendix 7.3 will generally be used for areas located central to each neighbourhood. It is intended to accommodate a range of medium density residential, development including <b><u>mixed use</u></b>, live/work units and limited commercial and civic uses focused at a central neighbourhood activity node to serve neighbourhood residents.</p> <p>b) <u>Permitted Uses, Buildings and Structures</u></p>




Item No.	Section	Description of Change
		<ul style="list-style-type: none"> <li>• The permitted uses shall be medium density residential uses, <b>mixed use</b> and small scale convenience retail, personal service, restaurants and business activity, as well as public and institutional uses including village squares. Business activity may include a range of small scale uses including offices, medical clinics, workshops for artisans and artists studios.</li> <li>• Permitted uses shall be primarily located in live/work <b>mixed use</b> or medium density residential buildings. Both mixed use, single use buildings shall be permitted, and this may include convenience commercial buildings in accordance with the provisions in Subsection c) below.</li> <li>• <b><u>Notwithstanding the above, a minimum of one mixed use or non-residential building, in accordance with the provisions in Section 7.6.7.1.c) is required at the intersection of each neighbourhood activity node identified on Figure NOE 1.</u></b></li> </ul> <p>c) <u>Land Use Policies</u></p> <ul style="list-style-type: none"> <li>• Mixed-use development will be focused at neighbourhood activity nodes, <b><u>identified on Figure NOE 1</u></b>, which will include a transit stop and other public facilities which serve the neighbourhood such as central mail boxes, or mail pickup facilities. In addition, convenience commercial facilities or similar uses will be encouraged to locate in these areas.</li> <li>• A mix of uses shall be permitted at the following heights and densities:             <ul style="list-style-type: none"> <li>○ Minimum density - FSI of 0.5 for mixed use;</li> <li>○ Maximum density - FSI of 2 for mixed use;</li> <li>○ Minimum density - 35 units per net hectare for residential;</li> <li>○ Maximum density - 150 units per net hectare for</li> </ul> </li> </ul>

Item No.	Section	Description of Change
		<p>residential;</p> <ul style="list-style-type: none"> <li>○ Minimum height - 2 storeys; and,</li> <li>○ Maximum height- 5 <u>6</u> storeys.</li> </ul>
8.	7.9.2.c) PHASING Unphased Development	<p>c) Development in Employment, Transitional and Urban Core Area designations, as well as development specifically based on the principle of sustainable development in conformity with Section 7.4.4 of this Plan, and the development of parkland, shall be permitted without reference to any phasing policies subject to the availability of suitable urban infrastructure such as water, wastewater collection and treatment facilities, fire and ambulance protection and transportation.</p> <p>In addition, development in the Neighbourhood Area designation in Neighbourhoods 8 and 9, or Neighbourhoods 6 and 7, or Neighbourhoods 9, 10 and 11, shall be permitted without reference to any phasing policies, subject to the availability of suitable urban infrastructure, provided that as a condition of development:</p> <p>i) <b><u>Lands in the Employment Area designation</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>The Region and Town are satisfied that municipal sewer and water services are extended, or secured through an agreement, to the lands in the Employment Area designation to permit the development of a plan of subdivision with a minimum gross area of 25 hectares of land within the Employment Area designation, which is draft plan approved, and</u></b></li> <li>• which the Town is satisfied can be registered provided services are made available; and</li> </ul> <p>ii) <b><u>Lands in the Trafalgar Urban Core designation</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>The Region and Town are satisfied that municipal sewer and water services are extended, or secured through an agreement, to the lands in the Trafalgar Urban Core Area designation to permit the development of a plan of subdivision with a minimum gross area of 10 hectares of land within the Trafalgar Urban Core</u></b></li> </ul>

Item No.	Section	Description of Change
		<p><u>Area designation</u>, which is draft plan approved, and</p> <ul style="list-style-type: none"> <li>• which the Town is satisfied can be registered provided services are made available.</li> </ul>
9.	7.10.13 DEFINITIONS	<p>Revise and insert new definitions as follows:</p> <p>l) Medium Density Residential Development, buildings or uses shall consist primarily of <del>single detached dwellings on small lots, semi-detached, duplex and triplex dwellings, as well as</del> multiple attached dwelling units such as townhouses, back-to-back townhouses, block townhouses, stacked townhouses <b>and apartments</b> or similar types of dwellings, the majority with direct frontage and access to a public or private street.</p> <p><u>o) Complete Communities are places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts (Growth Plan 2017)</u></p> <p><u>p) Regional Transit Priority Corridor means a thoroughfare identified in Halton Region’s Mobility Management Strategy that has or is planned to provide greater levels of transit service connecting people to existing and planned local and regional destinations including urban growth centres, mobility hubs, employment areas, major transit station areas and abutting municipal connections. Transit priority corridors provide a focus for transit-supportive development.</u></p> <p><u>q) Strategic Growth Areas means within settlement areas, nodes, corridors and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or</u></p>

Item No.	Section	Description of Change
		<p><u>conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas (Growth Plan, 2017).</u></p> <p>r) <u>The auxiliary verbs “may”, “should” and “shall” are used throughout this Plan in the following context:</u></p> <p>i) <u>“may” implies that the policy is permissive and not mandatory or obligatory;</u></p> <p>ii) <u>“should” implies that the policy is directive and demands compliance unless proven otherwise on good planning grounds; and</u></p> <p>iii) <u>“shall” implies that the policy is mandatory and requires full compliance.</u></p>

ORDERED by the Local Planning Appeal Tribunal issued July 2, 2019 for LPAT File No. PL180831

<p>Confirmed as to form and content.</p>  <hr/> <p>Nadia Chandra          Assistant Town Solicitor</p>
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**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE: July 02, 2019**

**CASE NO.: PL180831**

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Dundas Trafalgar Inc.
Appellant:	Minto Communities Inc.
Subject:	Proposed Official Plan Amendment No. OPA 321
Municipality:	Town of Oakville
LPAT Case No.:	PL180831
LPAT File No.:	PL180831
LPAT Case Name:	Dundas Trafalgar Inc. v. Halton (Regional Municipality)

**BEFORE:**

BLAIR S.TAYLOR	)	Monday, the 3 <sup>rd</sup>
	)	
MEMBER	)	day of June, 2019

**THIS MATTER** having come before the Local Planning Appeal Tribunal for a Case Management Conference on June 3, 2019 in accordance with subsection 39(1) of the *Local Planning Appeal Tribunal Act*;

**THE TRIBUNAL** having been presented with a revised plan with the consent of all parties pursuant to subsection 17(49.4) of the *Planning Act*;

**AND THE TRIBUNAL** having: reviewed the Appellant's Appeal Record and Case Synopsis, examined the Appellant's planner with regard to A Place to Grow: The Growth Plan for the Greater Golden Horseshoe 2019 ("Growth Plan 2019") pursuant to subsection 33(2)(d) of the *Local Planning Appeal Tribunal Act*, and heard the submissions of counsel;

**AND THE TRIBUNAL** having determined that no part of the revised plan is inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*, fails to conform with or conflicts with a provincial plan, including the Growth Plan 2019, or fails to conform with the upper-tier municipality's official plan;

**THE TRIBUNAL ORDERS** that the parts of Official Plan Amendment No. 321 that are the subject of this appeal are approved as revised by the site specific policy set out in Attachment 1 appended hereto, and comes into effect on the day after this approval pursuant to subsection 17(49.10) of the *Planning Act*.



REGISTRAR

If there is an attachment referred to in this document,  
please visit [www.elfto.gov.on.ca](http://www.elfto.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

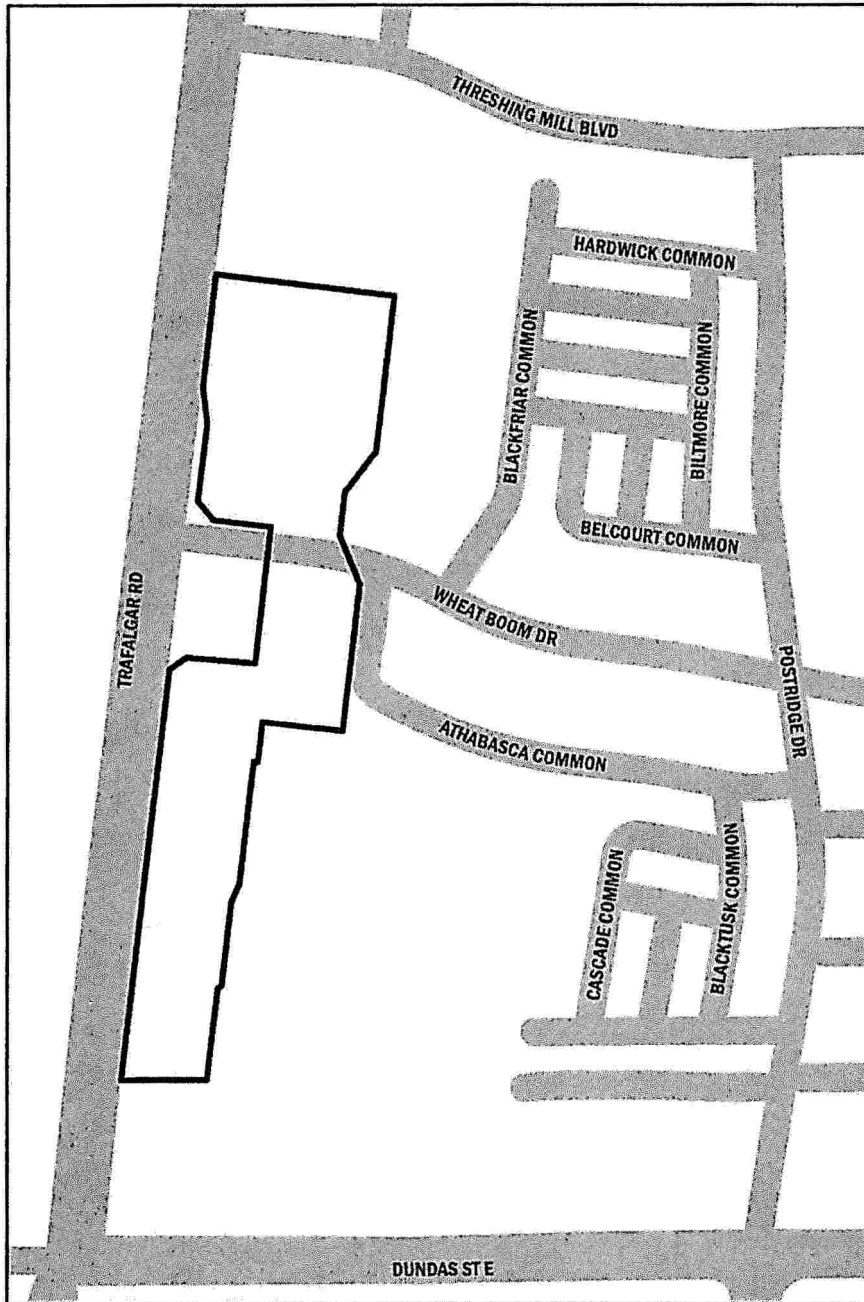
A constituent tribunal of Tribunals Ontario – Environment and Land Division  
Website: [www.elfto.gov.on.ca](http://www.elfto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

**ATTACHMENT 1****7.6.4.9 Site Specific Policies**

7.6.4.9.1 The following additional policies apply to the land identified in Figure 7.6.4.9.1:

- a) A comprehensive development plan for each block separated by a public road is required and shall be implemented through the zoning by-law;
- b) Notwithstanding s. 7.6.4.8, medium density residential development may be permitted as part of a comprehensive development plan, provided that:
  - i. The comprehensive development plan includes buildings immediately adjacent to Trafalgar Road that exceed the minimum building height;
  - ii. Townhouses, back-to-back townhouses, block townhouses and stacked townhouses shall be permitted to a maximum of 228 dwelling units and such medium density development shall be sufficiently set back from Trafalgar Road to allow high density development immediately adjacent to Trafalgar Road; and,
  - iii. The implementing zoning by-law identifies the permitted locations of townhouse forms and the extent to which buildings immediately adjacent to Trafalgar Road exceed the minimum building height.

Figure 7.6.4.9.1



Subject lands include blocks 7, 8, 9, 10 and 11 from Plan of Subdivision (20M--1211)





**File Number:** Oakville OPA 321      **Date of Decision:** September 21, 2018  
**Municipality:** Town of Oakville      **Date of Notice:** September 21, 2018  
**Subject Lands:** All lands within the      **Last Date of Appeal:** October 11, 2018  
North Oakville East  
Secondary Plan Area

**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 September 21, 2018 to approve, with modifications, Amendment No. 321, "North Oakville East Secondary Plan" to the Town of Oakville Official Plan.

**Purpose and Effect of the Official Plan Amendment**

The purpose and effect of Official Plan Amendment No. 321 (OPA 321), adopted by Oakville Town Council through By-Law No. 2017-074 enacted and passed on June 11, 2018, is to update the policies and schedules of the Oakville Official Plan pertaining to North Oakville East Secondary Plan Area in numerous ways including to update Stormwater Management Facility use permissions, update Trafalgar Urban Core Area purpose and land use policies, update Dundas Urban Core Area policies, clarify the provision of bonusing in the Trafalgar and Dundas Urban Core Areas, update Neighbourhood Centre Area policy, update phasing policy, and update definition of Medium Density Residential Development; and Include new definitions for added clarity from the Growth Plan, 2017.

**Effect of Written Submissions on Decision**

The written submissions received by Halton Region regarding OPA 321 were considered as a part of the Region's review process. These submissions resulted in policy modifications to remove numeric minimum density targets from the Trafalgar Urban Core Area and the Dundas Urban Core Area in keeping with policy 5.2.5 of the Growth Plan, 2017.

**When and How to File an Appeal**

Any appeal to the Local Planning Appeal 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 prescribed under the *Local Planning Appeal Tribunal Act, 2017* in the amount of \$300.00 payable by cheque to the Minister of Finance, Province of Ontario.

The reasons for the appeal must include an explanation of how the proposed official plan amendment:

- is inconsistent with provincial policy statements issued under subsection 3(1) of the *Planning Act*,
- fails to conform with or conflicts with a provincial plan; or,
- fails to conform with the Regional Official Plan.

**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](mailto:RegionalClerk@halton.ca)

**Who Can File an Appeal**

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the Local Planning Appeal 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 Local Planning Appeal 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 during regular office hours at the Office of the Regional Clerk at the address noted below.

**Other Related Applications**

- Oakville OPA No. 15: Urban Structure
- Oakville OPA No. 322: North Oakville West Secondary Plan



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**DECISION**

**with respect to Official Plan Amendment No. 321  
to the Official Plan for the Town of Oakville  
Section 17(34) of the Planning Act**

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**Town of Oakville – Official Plan Amendment No. 321 (OPA 321)**

Official Plan Amendment No. 321 – “North Oakville East Secondary 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 321 will come into effect on October 12, 2018, 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.

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

September 21, 2018

Date

**Schedule “A” – Regional Municipality of Halton Modifications**

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

Region No.	OPA321 Item No.	Section No.	Modification	Explanation of Modification
1)	3	7.6.4.1	<p>Is modified to read as follows:</p> <p>c) Minimum Density</p> <p><del>Development within the Trafalgar Urban Core Area shall achieve an overall minimum density target of 72 units per gross hectare or 160 residents and jobs combined per gross hectare.</del></p> <p><u>i) A minimum planned density for the Trafalgar Urban Core Area shall be established through the Regional Municipal Comprehensive Review, in conformity with the Growth Plan;</u></p> <p><u>ii) Until that time, development applications in this Area shall ensure that they meet transit supportive densities as established in Provincial guidelines.</u></p>	<p>To carry forward the direction to Halton Region from the Ministry of Municipal Affairs as part of their comment letter of March 29, 2018, for OPA 15 Urban Structure. This direction recommended that no numeric minimum densities be included in areas identified as Strategic Growth Areas prior to completion of the Regional Municipal Comprehensive Review (MCR) in accordance with Growth Plan policy 5.2.5.</p> <p>And to provide direction for achieving transit supportive densities in conformity with the Provincial guidelines prior to completion of the Regional Municipal Comprehensive Review.</p> <p>This direction has been recommended given the significance of Trafalgar Road, which has supported the policy support as outlined in the modification. Trafalgar Road is identified within the Region’s Mobility Management Strategy (MMS) as a Transit Priority Corridor. The corridor is also recognized in the Metrolinx RTP as part of their Frequent Rapid Transit Network to 2041 with higher order transit service.</p> <p>Additionally, the intersection at Trafalgar and Dundas has been identified in the MMS as a Regional Transit Node, which would support connections in the transit network as well as provide a transfer hub and passenger facilities for multiple transit providers.</p>
2)	5	7.6.5.3	<p>Is modified to read as follows:</p> <p><del>b) Minimum Density</del></p> <p><del>Development within the Dundas Urban Core Area shall achieve an overall minimum density target of 72 units per gross hectare or 160 residents and jobs combined per gross hectare.</del></p>	<p>To recommend that the density targets that are currently in the North Oakville East Secondary Plan be retained until such a time as the Regional Municipal Comprehensive Review is complete and new density targets are assigned to this area of the Secondary Plan Area.</p>



## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2018-074

Official Plan Amendment 321

A by-law to adopt an amendment to the North Oakville East Secondary Plan forming part of the Official Plan of the Oakville Planning Area (File No. 42.15.56)

WHEREAS the North Oakville East Secondary Plan, approved by the Ontario Municipal Board on January 11, 2008, forms part of the Official Plan of the Oakville Planning Area applicable to lands not covered by the Livable Oakville Plan;

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 the Official Plan of the Oakville Planning Area to implement the policy directions focused on areas of concern to be addressed in the short-term through the North Oakville Secondary Plans Review.

#### **COUNCIL ENACTS AS FOLLOWS:**

1. The attached Amendment Number 321 to the Official Plan of the Oakville Planning Area, Official Plan Amendment 272 (North Oakville East Secondary Plan) is hereby adopted.
2. Pursuant to subsection 17(27) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this Official Plan Amendment comes into effect upon the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to subsections 17(24) and (25). Where one or more appeals have been filed under subsection 17(24) and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, declares 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 Amendment Number 321 to the North Oakville



East Secondary Plan forming part of the Official Plan of the Oakville Planning Area.

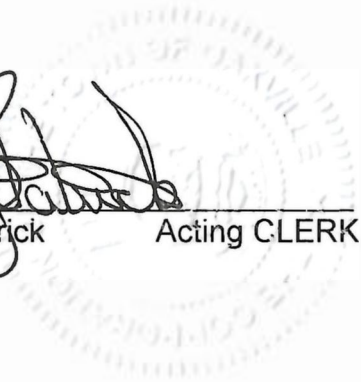
PASSED this 11th day of June, 2018



Rob Burton MAYOR



Kathy Patrick Acting CLERK



**Official Plan Amendment Number 321  
to the North Oakville East Secondary Plan**  
forming part of the Official Plan of the Oakville Planning Area  
of the Town of Oakville

**Constitutional Statement**

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number 321 to the North Oakville East Secondary Plan forming part of the Official Plan of the Oakville Planning Area.

**Part 1 – Preamble**

**1. Purpose**

The purpose of the proposed official plan amendment is to modify the text of the North Oakville East Secondary Plan to implement the policy directions focused on areas of concern to be addressed in the short-term through the North Oakville Secondary Plans Review.

The effect of the proposed amendment includes changes to:

- Update the Stormwater Management Facility use permissions to provide greater direction on stormwater management pond locations within the Trafalgar Urban Core Area and Dundas Urban Core Area
- Update the Trafalgar Urban Core Area purpose policy to reinforce the town's Urban Structure
- Update the Trafalgar Urban Core Area land use policies to reflect transit supportive minimum densities and clarify location specific minimum heights and location specific townhouse provisions
- Update the Dundas Urban Core Area policies to reflect transit supportive minimum densities and clarify location specific townhouse provisions
- Clarify the provision of bonusing in the Trafalgar Urban Core Area and Dundas Urban Core Area

- Update the Neighbourhood Centre Area policies to enhance clarity, increase the maximum height and require one mixed use or non-residential building at neighbourhood activity nodes
- Update the phasing policy to clarify the unphased development requirements
- Update the definition of Medium Density Residential Development
- Include new definitions for added clarity, including Complete Communities, Regional Transit Priority Corridor and Strategic Growth Areas from the Growth Plan, 2017

The proposed official plan amendment will result in revisions to the following parts of the North Oakville East Secondary Plan:

- Section 7.6.2.2.a) Stormwater Management Facility;
- Section 7.6.4 Trafalgar Urban Core Area;
- Section 7.6.5 Dundas Urban Core Area;
- Section 7.6.7.1 Neighbourhood Centre Area;
- Section 7.9.2.c) Phasing; and,
- Section 7.10.13 Definitions.

## 2. Background

- The North Oakville East Secondary Plan (NOESP) was approved by the Ontario Municipal Board (OMB) in January 2008 and provides policy direction for growth and development to 2021.
- The NOESP was developed to have regard for the Provincial Policy Statement (1997) and predates the Growth Plan for the Greater Golden Horseshoe.
- The Provincial Policy Statement (2005) was followed by the Provincial Policy Statement (2014), which came into effect on April 30, 2014. The *Planning Act* requires that all land use planning matters “shall be consistent with” the Provincial Policy Statement.
- The 2017 Growth Plan for the Greater Golden Horseshoe (2017 Growth Plan) took effect on July 1, 2017. It is a long-term plan that works together

with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. All planning decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter are required to conform to the 2017 Growth Plan.

- The NOESP relies on policies from the town's 2006 Oakville Official Plan and are not part of the Livable Oakville Plan.

### 3. Basis

- The Provincial Policy Statement (2014) which came into force and effect on April 30, 2014.
- The Growth Plan for the Greater Golden Horseshoe, which came into force and effect on July 1, 2017.
- Section 26 of the *Planning Act*, as amended, requires municipalities to review their official plans no less frequently than 10 years after it comes into effect as a new official plan, and every five years thereafter, unless the plan has been replaced by another new official plan.
- On February 10, 2014, Planning and Development Council received a staff report entitled "*Long Range Planning Work Program*" which signaled the commencement of the five-year Official Plan Review. The report identified that the policies guiding growth and change in North Oakville were to be reviewed.
- On May 11, 2015, Planning and Development Council hosted a Special Public Meeting and received a staff report titled "*Official Plan Review – Special Public Meeting*" launching the five-year Official Plan Review. The report identified that a review of the North Oakville East and West Secondary Plans was to be undertaken.
- On May 15, 2017, the Livable Oakville Council Sub-committee received the report entitled "*North Oakville Secondary Plans Review*" which outlined the purpose and scope of the study, the study process, emerging issues identified by staff, and preliminary directions resulting from the Official Plan Review and other land use planning initiatives.
- On November 6, 2017, the Livable Oakville Council Sub-committee received the report "*North Oakville Secondary Plans Review – Directions Report*" which confirmed areas of concern and identified draft policy



directions to be addressed in the short-term and matters to be addressed in the long term.

- A Public Information Meeting was held on December 6, 2017 to solicit public input on the draft policy directions for the North Oakville Secondary Plans Review.
- The first statutory public meeting on the proposed Official Plan Amendment was held on February 12, 2018.
- Notice of the first statutory public meeting regarding the proposed Official Plan Amendment was circulated to the agencies and public bodies prescribed by the *Planning Act*, mailed to property owners within the North Oakville East Secondary Plan Area, and emailed to the Official Plan Review E-blast distribution list, on or before January 26, 2018 and was published in the local newspaper on January 25, 2018.
- The proposed amendment for the first statutory public meeting was available for public review in the Planning Services Department at Town Hall, 1225 Trafalgar Road, and on the town's website ([www.oakville.ca](http://www.oakville.ca)), on or before January 23, 2018, being at least 20 days before the statutory public meeting.
- The second statutory public meeting and recommendation meeting on the proposed Official Plan Amendment are to be held on June 11, 2018. A second statutory public meeting was deemed necessary due to nature of the revisions to the proposed Official Plan Amendment from February 12, 2018 resulting from staff review and public comment.
- Notice of the second statutory public meeting and recommendation meeting regarding the proposed Official Plan Amendment was circulated to the agencies and public bodies prescribed by the *Planning Act*, mailed to property owners within the North Oakville East Secondary Plan Area, and emailed to the Official Plan Review E-blast distribution list, on or before May 21, 2018 and was published in the local newspaper on May 17, 2018.
- The proposed amendment for the second statutory public meeting and recommendation meeting was available for public review in the Planning Services Department at Town Hall, 1225 Trafalgar Road, and on the town's website ([www.oakville.ca](http://www.oakville.ca)), as of May 22, 2018, being at least 20 days before the second statutory public meeting.

**Part 2 – The Amendment**

**A. Text Changes**

The amendment includes the changes to the text of the North Oakville East Secondary Plan listed in the following table. Text that is **bolded and underlined** is new text to be inserted into North Oakville East Secondary Plan. Text that is crossed out (“~~strikethrough~~”) is to be deleted from the North Oakville East Secondary Plan.

Item No.	Section	Description of Change
1.	<p><b>7.6.2.2</b>            LAND USES            GENERALLY            PERMITTED            Permitted in Most            Land Use            Designations</p>	<p>Revise and insert new policies as follows and reformat the section accordingly:</p> <p><b>a)</b> Stormwater Management Facility  <del>Stormwater management facilities</del></p> <p><b>i)</b> <del>P</del><u>rovided that sites and development standards are consistent with the policies of this Secondary Plan and in accordance with directions established in the North Oakville Creeks Subwatershed Study <b><u>and any approved Environmental Implementation Report and Functional Servicing Study</u></b>.<del>In addition,</del></u></p> <p><b>ii)</b> <del>Notwithstanding the other policies of this section, stormwater management facilities may be permitted in the Core Preserve Area, Linkage Preserve Area, High Constraint Stream Area and Medium Constraint Stream Area designations in conformity with the policies of Section 7.4.7.3 c) of this Plan.</del></p> <p><b>iii)</b> <b><u>Stormwater management ponds shall be discouraged within 100m of Trafalgar Road and Dundas Street.</u></b></p> <p><b>iv)</b> <b><u>Notwithstanding Section 7.6.2.2.a.iii), stormwater management ponds may be permitted within 100m of Trafalgar Road and Dundas Street, where it is demonstrated that the frontage has been minimized to the greatest extent feasible.</u></b></p> <p><b>v)</b> <b><u>Where a pond has been minimized in accordance with Section 7.6.2.2.a.iv), increased height to a maximum of 4 additional storeys, exclusive of bonusing, may be considered on adjacent lands.</u></b></p>

Item No.	Section	Description of Change
		<p><b><u>vi) Notwithstanding Section 7.6.2.2.iii) and iv), stormwater management ponds may be permitted within 100m of Dundas Street where Environmental Implementation Reports and Functional Servicing Studies have been sufficiently advanced and where demonstrated that all other policies of this plan have been met.</u></b></p>
2.	<p><b>7.6.4.1</b>  <b>TRAFALGAR</b>  <b>URBAN CORE</b>  <b>Purpose</b></p>	<p>Revise the policy as follows:</p> <p><b><u>The Trafalgar Urban Core Area is identified in Section 3, Urban Structure and Schedule A1, Urban Structure of the Livable Oakville Plan as part of the Nodes and Corridors element. Nodes and Corridors are key areas identified as the focus for mixed use development and intensification and comprise the town's strategic growth areas, as defined in the Growth Plan, 2017.</u></b></p> <p>The Trafalgar Urban Core Area designation on Figure NOE2 is designed to ultimately provide for the creation of a major Node - a dense, mixed use development concentration that is pedestrian and transit oriented. This area will link to and complement the Uptown Core to the south of Dundas Street.</p>
3.	<p><b>7.6.4.8</b>  <b>TRAFALGAR</b>  <b>URBAN CORE</b>  <b>Land Use Policies for All Core Areas 1-4</b></p>	<p>Revise and insert new policies as follows, and reformat the section accordingly:</p> <p>b) <b>The highest development densities will be focused along Trafalgar Road, with building heights and densities generally scaling down east and west of Trafalgar Road. Development at the edge of the Urban Core will be designed as a transition to abutting residential neighbourhoods. A mix of uses shall be permitted in the Trafalgar Urban Core Area at the following <u>with a range of heights and densities to support transit</u>, with development being encouraged to exceed the minimum density to better support transit use where ever possible.</b></p> <p><b><u>c) Minimum Density</u></b></p> <p><b><u>Development within the Trafalgar Urban Core Area shall achieve an overall minimum density target of 72 units per gross hectare or 160 residents and jobs combined per gross hectare.</u></b></p> <p><del>i) Minimum density – Floor Space Index (FSI) of 1 for those lands north of the mixed use area along existing</del></p>

Item No.	Section	Description of Change
		<p><del>Burnhamthorpe Road and those blocks fronting on Trafalgar Road and 0.75 for other lands within the designation, except as set out in subsection f). Notwithstanding these interim requirements, development in Urban Core Area 1 not fronting on the Trafalgar Corridor or existing Burnhamthorpe shall be subject to the density provisions of the employment area designation.</del></p> <p><del>In addition, to ensure an appropriate transition, the minimum density for areas along the eastern and western boundaries which abut residential neighbourhoods may be reduced to an FSI of 0.5;</del></p> <p>ii) <del>Maximum density— FSI of 5;</del></p> <p>iii) <del>Medium Density Residential Density— Notwithstanding the foregoing, where medium density residential uses are permitted such development shall have a minimum density of 25 units per net hectare and a maximum density of 75 units per net hectare. However, development at less than 30 units per net hectare will be limited, and will generally be located in areas adjacent to the east and west boundaries of the Trafalgar Urban Core Area;</del></p> <p><b>d) <u>Building Heights</u></b></p> <p><b>i) <u>Development within 100m from the Trafalgar Road right-of-way shall be a minimum height of 8 storeys, excluding podium elements which may be lower.</u></b></p> <p><b>ii) <u>Development between 100m and 300m from the Trafalgar Road right-of-way shall be a minimum height of 6 storeys, excluding podium elements which may be lower and as provided for in policy 7.6.4.8.e).</u></b></p> <p><b>iii) <u>Development beyond 300m from the Trafalgar Road right-of-way shall be a minimum height of 3 storeys.</u></b></p>



Item No.	Section	Description of Change
		<p><u>iv) A Minimum height 5 metres for a commercial and or industrial building permitted as part of a comprehensive development, including implementing zoning, shall be a minimum height of 5 metres. and primarily 3 storeys for other development, with the exception that</u></p> <p><u>v) Notwithstanding Section 7.6.4.8.d.iii), the minimum height a minimum height of 2 storeys may be permitted along the western and eastern boundaries which directly abut residential neighbourhoods, as identified in Figure NOE1. may be 2 storeys; and,</u></p> <p><u>vi) Notwithstanding the above, school sites as identified on Figure NOE2, may be a minimum height of 2 storeys.</u></p> <p><u>vii) AmMaximum height— of 15 storeys shall be permitted, with the exception of lands at the intersection of Major Arterial/Transit Corridors and Avenue/Transit Corridors with Trafalgar Road or Dundas Street where the maximum height shall be 20 storeys.</u></p> <p><u>viii) In accordance with Section 7.6.2.2.a.v), increases of up to 4 storeys beyond the maximum permitted building height, exclusive of bonusing, may be considered where adjacent to stormwater management ponds.</u></p> <p><u>ix) Increases beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.</u></p> <p><u>e) Medium and High Density Residential Development</u></p> <p><u>Notwithstanding Section 7.6.4.8.d)ii), stand-alone townhouses with a minimum height of 3 storeys may be permitted in the area between 100m to 300m of the Trafalgar Road right-of-way, provided that:</u></p> <p><u>i) they are part of a comprehensive development, including implementing zoning;</u></p> <p><u>ii) they do not exceed 15 percent of the total number</u></p>

Item No.	Section	Description of Change
		<p><u>of units within the total area of the comprehensive development plan between 100m and 300m of the Trafalgar Road right-of-way;</u></p> <p>iii) <u>the achievement of a complete community is supported;</u></p> <p>iv) <u>a diverse mix of land uses is provided; and,</u></p> <p>v) <u>a diverse range and mix of housing options is provided.</u></p>
4.	7.6.5.2 DUNDAS URBAN CORE Permitted Uses, Buildings and Structures	<p>Insert new policy as follows:</p> <p>e) <u>Stand-alone townhouses shall not be permitted adjacent to Dundas Street.</u></p>
5.	7.6.5.3 DUNDAS URBAN CORE Land Use Policies	<p>Insert new policies as follows and reformat the section accordingly:</p> <p>b) <del>A mix of uses shall be permitted at the following heights and densities:</del></p> <ul style="list-style-type: none"> <li><del>• Minimum density – FSI of 0.5, with the exception of service station sites and as set out in Subsection c);</del></li> <li><del>• Maximum density – FSI of 2.5</del></li> <li><del>• Medium Density Residential Density – Notwithstanding the foregoing, where medium density residential uses are permitted such development shall have a minimum density of 25 units per net hectare and a maximum density of 75 units per net hectare. However, development at less than 30 units per net hectare will be limited to areas between the nodes</del></li> <li><del>• Minimum height – 5 metres for a commercial building, 3 storeys for other development within nodes, 2 storeys for other development; and,</del></li> <li><del>• Maximum height – 8 storeys</del></li> </ul> <p>b) <u>Minimum Density</u></p> <p><u>Development within the Dundas Urban Core Area shall achieve an overall minimum density target of 72 units per gross hectare or 160 residents and jobs combined per gross hectare.</u></p>

Item No.	Section	Description of Change
		<p>c) <b><u>Building Heights</u></b></p> <p>i) <b><u>A minimum height of 3 storeys shall be permitted.</u></b></p> <p>ii) <b><u>A maximum height of 8 storeys shall be permitted.</u></b></p> <p>iii) <b><u>A commercial building permitted as part of a comprehensive development, including implementing zoning, shall be a minimum height of 5 metres.</u></b></p> <p>iv) <b><u>In accordance with Section 7.6.2.2.a.v) increases of up to 4 storeys beyond the maximum permitted building height, exclusive of bonusing, may be considered where adjacent to stormwater management ponds.</u></b></p> <p>v) <b><u>Increases of up to 4 storeys beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.</u></b></p> <p><del>c) — Where the minimum standards are not proposed to be achieved with the initial development proposals, the applicant shall be required to submit an intensification plan demonstrating how the ultimate density and other objectives for the site can be achieved. The intensification plan shall address:</del></p> <ul style="list-style-type: none"> <li><del>• — the provision of local roads and small blocks;</del></li> <li><del>• — the means to achieve a safe pedestrian and transit friendly streetscape with the initial uses;</del></li> <li><del>• — the siting and orientation of buildings within the block and to the street for the initial development and longer term intensification;</del></li> <li><del>• — the siting and orientation of parking for the initial development and changes to parking to accommodate the intensification process; and</del></li> <li><del>• — the ability to achieve both short term and longer term intensification, the former — potentially through intensification around initial buildings or reserved sites and the latter through possible redevelopment of the initial buildings themselves.</del></li> </ul> <p><del>Based on this information, the Town will consider a reduction in the minimum density on specific sites to the following minimum densities:</del></p> <ul style="list-style-type: none"> <li><del>• — 0.25 for retail and service commercial uses provided the interim development also complies with the design policies</del></li> </ul>

Item No.	Section	Description of Change
		<p><del>of Section 7.5.1(f)(c) and the land use policies of this section.</del>  <del>0.3 for all other uses</del></p>
6.	7.6.7.1 NEIGHBOURHOOD AREA Neighbourhood Centre Area	<p>Revise and insert new policies as follows:</p> <p>a) <u>Purpose</u>        The Neighbourhood Centre Area land use category on Appendix 7.3 will generally be used for areas located central to each neighbourhood. It is intended to accommodate a range of medium density residential, <u>development including mixed use, live/work units</u> and limited commercial and civic uses focused at a central neighbourhood activity node to serve neighbourhood residents.</p> <p>b) <u>Permitted Uses, Buildings and Structures</u></p> <ul style="list-style-type: none"> <li>• The permitted uses shall be medium density residential uses, <u>mixed use</u> and small scale convenience retail, personal service, restaurants and business activity, as well as public and institutional uses including village squares. Business activity may include a range of small scale uses including offices, medical clinics, workshops for artisans and artists studios.</li> <li>• Permitted uses shall be primarily located in live/work <u>mixed use</u> or medium density residential buildings. Both mixed use, single use buildings shall be permitted, and this may include convenience commercial buildings in accordance with the provisions in Subsection c) below.</li> <li>• <u>Notwithstanding the above, a minimum of one mixed use or non-residential building, in accordance with the provisions in Section 7.6.7.1.c) is required at the intersection of each neighbourhood activity node identified on Figure NOE 1.</u></li> </ul> <p>c) <u>Land Use Policies</u></p> <ul style="list-style-type: none"> <li>• Mixed-use development will be focused at neighbourhood activity nodes, <u>identified on Figure NOE 1</u>, which will include a transit stop and other public facilities which serve the neighbourhood such as central mail boxes, or mail pickup facilities. In</li> </ul>



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		<p>addition, convenience commercial facilities or similar uses will be encouraged to locate in these areas.</p> <ul style="list-style-type: none"> <li>• A mix of uses shall be permitted at the following heights and densities:             <ul style="list-style-type: none"> <li>○ Minimum density - FSI of 0.5 for mixed use;</li> <li>○ Maximum density - FSI of 2 for mixed use;</li> <li>○ Minimum density - 35 units per net hectare for residential;</li> <li>○ Maximum density - 150 units per net hectare for residential;</li> <li>○ Minimum height - 2 storeys; and,</li> <li>○ Maximum height- <u>5 6</u> storeys.</li> </ul> </li> </ul>
7.	7.9.2.c) PHASING Unphased Development	<p>c) Development in Employment, Transitional and Urban Core Area designations, as well as development specifically based on the principle of sustainable development in conformity with Section 7.4.4 of this Plan, and the development of parkland, shall be permitted without reference to any phasing policies subject to the availability of suitable urban infrastructure such as water, wastewater collection and treatment facilities, fire and ambulance protection and transportation.</p> <p>In addition, development in the Neighbourhood Area designation in Neighbourhoods 8 and 9, or Neighbourhoods 6 and 7, or Neighbourhoods 9, 10 and 11, shall be permitted without reference to any phasing policies, subject to the availability of suitable urban infrastructure, provided that as a condition of development:</p> <p>i) <b><u>Lands in the Employment Area designation</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>The Region and Town are satisfied that municipal sewer and water services are extended, or secured through an agreement,</u></b> to the lands in the Employment Area designation to permit the development of a plan of subdivision with a minimum gross area of 25 hectares <b><u>of land within the Employment Area designation</u></b>, which is draft plan approved, and</li> </ul>

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		<ul style="list-style-type: none"> <li>• which the Town is satisfied can be registered provided services are made available; and</li> </ul> <p><b>ii) <u>Lands in the Trafalgar Urban Core designation</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>The Region and Town are satisfied that municipal sewer and water services are extended, or secured through an agreement,</u></b> to the lands in the Trafalgar Urban Core Area designation to permit the development of a plan of subdivision with a minimum gross area of 10 hectares <b><u>of land within the Trafalgar Urban Core Area designation,</u></b> which is draft plan approved, and</li> <li>• which the Town is satisfied can be registered provided services are made available.</li> </ul>
8.	7.10.13 DEFINITIONS	<p>Revise and insert new definitions as follows:</p> <p><b>i) Medium Density Residential Development, buildings or uses shall consist primarily of <del>single detached dwellings on small lots, semi-detached, duplex and triplex dwellings, as well as</del> multiple attached dwelling units such as townhouses, back-to-back townhouses, block townhouses, stacked townhouses <u>and apartments</u> or similar types of dwellings, the majority with direct frontage and access to a public or private street.</b></p> <p><b>o) <u>Complete Communities are places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts (Growth Plan 2017)</u></b></p> <p><b>p) <u>Regional Transit Priority Corridor means a thoroughfare identified in Halton Region’s Mobility Management Strategy that has or is planned to provide greater levels of transit service connecting people to existing and planned local and regional destinations including urban growth</u></b></p>

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		<p><u>centres, mobility hubs, employment areas, major transit station areas and abutting municipal connections. Transit priority corridors provide a focus for transit-supportive development.</u></p> <p>q) <u>Strategic Growth Areas means within settlement areas, nodes, corridors and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas (Growth Plan, 2017).</u></p> <p>r) <u>The auxiliary verbs “may”, “should” and “shall” are used throughout this Plan in the following context:</u></p> <p>i) <u>“may” implies that the policy is permissive and not mandatory or obligatory;</u></p> <p>ii) <u>“should” implies that the policy is directive and demands compliance unless proven otherwise on good planning grounds; and</u></p> <p>iii) <u>“shall” implies that the policy is mandatory and requires full compliance.</u></p>