

PART C GENERAL POLICIES

1. POPULATION AND DENSITY

1.1 The Urban Area designated by this Plan shall be considered to be sufficient to accommodate a population of 215,000 people; however, the accommodation of 215,000 people by the end of the Plan period, the year 2016, shall be considered to be flexible and therefore, attainment of full development of the urban area shall be subject to the usual economic forces which shall be the main deciding factor.

1.2 The projected population by the end of the Plan period is 215,000. The population of the Town shall be monitored as actual population data becomes available and adjustments will be made to the projected Oakville population whenever warranted.

1.3 The projected growth in the Town's population is as follows:

2001	2011	2016
146,000	185,000	215,000

1.4 For the purpose of this Plan, mature state Average Unit Occupancy Factors are as follows:

2001	2011	2016
2.91	2.86	2.87

1.5 For the purpose of this Plan, the mature state Average Unit Occupancy Factor by type of housing is as follows:

Single Detached Units	3.0
Semi-Detached Units	3.0
Multiple Attached Units	2.8
Apartment Units	1.8

- 1.6 The capacity and density of population for existing communities shall be as follows:

COMMUNITIES	OFFICIAL PLAN POPULATION CAPACITY (PERSONS)
Bronte	33,000
Old Oakville	20,000
Eastlake	11,000
College Park	13,000
Iroquois Ridge South	7,000
Iroquois Ridge North	16,000
River Oaks	16,600
Glen Abbey	23,000
Clearview	6,000
West Oak Trails	32,400
Uptown Core	5,000
Mid-Town Core	3,600
Palermo West	3,200
Palermo Village Centre	5,200
North of Dundas Street ³	55,000
TOTAL ²	250,000

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2 ----- Estimated population at buildout.

3----- No population shown for the Parkway Belt area north of Highway 407.

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- 1.7 Community population and densities may vary by 5% without amendment to this Plan.

2. PHASING AND GROWTH

2.1 GENERAL POLICIES

- a) Urban residential uses shall be permitted only with full urban services including sewer, water, and roads.
- b) The timing of development will be based on regulation of geographical sequence and balance so that there can be:
 - i) logical extension of primary urban services such as water, sewer and roads;
 - ii) preservation of desirable ratio of residential to commercial and employment assessment and of an acceptable current budget.
- c) Primary emphasis will be on development of the designated urban area to:
 - i) ensure the provision of primary urban services on a financially viable basis;
 - ii) maximize the efficient utilization of the existing transportation system;
 - iii) maintain a compact, orderly urban form or pattern;
 - iv) This will be done:
 - by holding development to a pace at which parks, schools, and utilities can be made available as the need arises;
 - by developing communities and/or neighbourhoods more or less as fully functioning entities before development begins in other areas, and by ensuring that particular types of development do not occur more rapidly than others to the point where the character of the community is sharply altered;

- by giving priority to development in areas where access to employment, commercial services, and public facilities already exists, or can be most readily provided.
- d) In the Phases 2 and 3 areas on Figure "C", the phasing of growth may be reconsidered at any time in accordance with the policies of Clauses (b), (c), and (d) above, or in the development of Community Plans. In no case will one owner or group of owners be allowed to unreasonably delay the normal progression of residential growth; however, changes in the phasing sequence must be made by amendment to this Plan.
- e) The phasing plan shown in Figure "C" is indicative of the sequencing of urban growth; however, the completion of full development of the Urban Area is neither demanded nor anticipated by this Plan.
- f) Notwithstanding the policies set out in this section, industrial development may be permitted within the urban area without reference to any phasing policies subject to the availability of suitable urban infrastructure such as water, sanitary sewers, fire protection, and transportation.
- g) Notwithstanding the policies set out in this Plan, Public Parkland uses may be located anywhere in the municipality without regard to any phasing policies subject to, if necessary, the availability of suitable services such as water, sewage treatment, and transportation.

2.2 PHASE 2 - URBAN AREA POLICIES

It is not intended that urban development will take place within the Urban Area Phase 2 until the Urban Area Phase 1 has been developed to 75% of its maximum net developable area.¹

2.2.1 GENERAL POLICIES

- a) The sub-phasing of the Phase 2 lands in each community, River Oaks, Iroquois Ridge North, Uptown Business Core, and West Oak Trails, is independent of each other.

¹The term "developed" in the context of Policy 2.2 shall be interpreted as meaning the registration of plans of subdivision. The term "net developable area" relates to the area definitions in Part F, Section 2.8 of this Plan.

2.2.2 WEST OAK TRAILS

- a) The phases of development in West Oak Trails are shown on Figure D1. Development will occur in the following sequence: A, B, and C.
- b) The provision of Municipal, Regional, Educational and Provincial services and infrastructure will be in accordance with the phasing policies of this Plan. The phasing will be established so as to ensure an orderly pattern of development in accordance with the objectives and policies of this Plan and the fiscal priorities of the Town of Oakville, Region of Halton, School Boards and the availability of appropriate provincial funding and infrastructure improvements.

Phasing will also ensure that the collector road system is installed and that servicing capacity is reserved for schools. Also, public transit service shall be in place in each phase before proceeding to the next phase.

- c) Development may not proceed into the next phase until 50% of the net developable area of the previous phase within West Oak Trails is completed. Completed means registration of plans of subdivision.
- d) The phasing has been designed to permit the development of key road links in early phases. If collector road links are not in place, then development may not proceed unless the proponent provides a traffic study that is satisfactory to the Town. In this regard, the north-south major collector west of Third Line (Postmaster Drive or Street D) linking Upper Middle Road to Dundas Street shall be completed in conjunction with the first phase of the abutting lands. Further, West Oak Trails Boulevard (Street B) must be extended continuously to Bronte Road from east to west before development of abutting lands takes place. Abutting lands shall be interpreted to mean lands within 300 metres of the roadway.
- e) In no case will one owner or group of owners be allowed to unreasonably delay the normal progression of residential growth.
- f) Minor changes to the boundaries or sequencing of the urban phasing areas may be made subject to consultation with relevant agencies and the public. All changes will be consistent with the criteria for phasing noted above. Approval of minor changes will be at the discretion of Council.

2.2.3 IROQUOIS RIDGE NORTH, AND UPTOWN BUSINESS CORE

- a) The sub-phasing of the Phase 2 lands in the communities on the east side of Sixteen Mile Creek is shown on Figure "D". Development may not proceed into the next sub-phase until 50% of the residential area of the previous sub-phase within that community or district is completed. Also, 50% of the units of each housing type in the sub-phase must be committed before registration of plans of subdivision and committed means building permit issued. The above-noted requirement for 50% commitment of the units of each housing type, in each sub-phase does not apply to any of the sub-phases within the Uptown Business Core.
- b) The sub-phasing has been designed to permit the development of key road links in early sub-phases. If collector road links are not in place, then the next sub-phase may not proceed unless the proponent provides a traffic study that is satisfactory to the Town.
- c) Iroquois Ridge North District
 - i) In Phase 2A
 - Grand Boulevard north to the separate school site shall be completed before moving to Phase 2B.
 - ii) In Phase 2B
 - Grand Boulevard from Trafalgar Road to 50 metres east of Eighth Line shall be completed before moving to Phase 2C.
 - iii) In Phase 2C
 - Grand Boulevard from Eighth Line to the separate school site,
 - North-south collector road in Phase 2C lands (Street D) shall be completed before moving to Phase 2D.

d) Uptown Core

The phasing is detailed in the Community Plan for the Uptown Core in Part E of this Plan. Notwithstanding the policies for the phasing of the Uptown Core outlined in Part E, the lands east of Trafalgar Road on the north and south side of the east-west arterial road may be developed as part of Phase 2A as illustrated on Figure "D".

Notwithstanding Subsection 2.2.3 a), Phase 2C of the Uptown Core may proceed to development once 50% of the abutting Phase 2A land to the south and west is registered.

2.3 PHASE 3 – URBAN AREA POLICIES

Prior to the commencement of residential development within Urban Area Phase 3, a minimum of 75% of the net developable area within the Urban Area Phase 2 shall be within registered plans of subdivision. For the purposes of this section, net developable area shall mean the net developable residential area within the Phase 2 area.

2.3.1 GENERAL POLICIES

Prior to development occurring within any employment district or residential community within the Phase 3 area, the following must be completed to the satisfaction of the following agencies:

Town of Oakville

- a) A review of the population and employment targets for North Oakville, to reflect the natural heritage system and the Trafalgar Moraine identified through the subwatershed characterization studies. Such a review may result in the need to amend the Plan, and such an amendment shall be adopted by Council *concurrent with the secondary plan(s) approval process*.
- b) An amendment to the Official Plan *concurrent with the secondary plan(s) approval process*, to reflect the results of any secondary plan background or any other studies of all or a portion of the area, which are deemed by the Town to have implications for the general development of North Oakville. Specifically, it is anticipated that the Plan will be amended to reflect the results of the subwatershed characterization studies and the study of the Trafalgar Moraine, and any required special study of linkages.

Approval of a secondary Plan(s) developed with detailed public participation throughout the study process and based on detailed background studies including:

1. Infrastructure staging plan as defined by the Region of Halton and additional servicing studies as required by the Town.

2. associated subwatershed plan(s) with natural features study component including consideration of the Trafalgar Moraine (a preliminary identification of the area of the Moraine is delineated on the map in Part F Appendix IV, for reference purposes only, the actual area of the Moraine, which may be larger or smaller than that identified on the map, will be determined through a specific analysis as required by Section 2.3.1.a) 7) and Buttonbush Thicket Swamp in accordance with the policies of Part C, Section 10.5 and the requirements of Part F, Appendix II to this Plan;
3. transportation and traffic study(ies);
4. market study(ies);
5. financial impact analysis, *including among other matters an analysis of the cost of the early implementation of transit*, and approval of development charges by-law;
6. urban design study(ies) including a specific review of the development form abutting Dundas Street, Trafalgar Road and Burnhamthorpe Road East and West with respect to use, character and compatibility issues, so as to, among other matters, discourage strip commercial development.
7. with respect to the Trafalgar Moraine (a preliminary identification of the area of the Moraine is delineated on the map in Part F Appendix IV, for reference purposes only, the actual area of the Moraine, which may be larger or smaller than that identified on the map, will be determined through the specific analysis required by this section), a study of the hydrological significance and features associated with the moraine physiography, and its constraint on development.
8. with respect to linkages, upon completion of the subwatershed characterization studies, where deemed necessary by the Town, a further special study may be carried out with the intent of refining the function and extent of the linkage component of the natural heritage/open space system.

9. the completion of the Planning Authorities Interagency Review.

Region of Halton

Approval by Regional Council of a financial and implementation plan, including financial commitments by the private development sector to absorb its share of the cost of the provision of the necessary infrastructure. The financial and implementation plan shall be based on:

1. an adopted secondary plan(s)
2. an Infrastructure Staging Plan including master plans in accordance with the Provincial Class Environmental Assessment process for the provision of water, wastewater and major transportation services;
3. approval of applicable development charges by-laws.

3. HOUSING

- 3.1 Oakville will foster the development of balanced residential communities by ensuring the provision of a wide variety of dwelling units differing in terms of density, size, tenure and price.
- 3.2 The recommended housing mix by type is outlined below by time period. These percentage figures will be subject to review at least every five years, as well as annual monitoring. The achievement of specific numbers of housing units by type and year are not demanded by this Plan provided the overall proportions in the following chart are generally adhered to and reported to Council:

TIME PERIOD	LOW DENSITY	MEDIUM DENSITY	HIGH DENSITY
1996-2001	69%	17%	14%

- 3.3 Oakville will require a minimum of 25% of the total of all new residential construction will be in forms that would be affordable to households of low and moderate income.
- 3.4 Oakville will support the development of housing for people with special needs, including assisted housing for low income people, seniors housing and supportive housing.

- 3.5 Oakville will examine the applicability of current housing programs of all levels of government and will seek to utilize those programs which meet Oakville's housing objectives.
- 3.6 Housing development will be permitted commensurate with the capability of Oakville and the Region of Halton to provide essential public services at a level considered acceptable by Oakville Council and the Region of Halton Council.
- 3.7 Oakville will encourage the equitable distribution of assisted housing throughout the Town. This policy is not intended to prohibit the development of assisted housing.
- 3.8 Oakville will encourage the development of innovative residential housing which contributes to energy, natural resource conservation, and affordability.
- 3.9 The Town recognizes the Regional Official Plan policies regarding housing.
- 3.10 Oakville will seek to encourage a proper balance between rental and ownership housing in the Town. In this regard, the conversion of existing rental accommodation to condominium or other forms of ownership shall generally be discouraged when the number of rental units falls below the following targets:

TIME PERIOD	OWNERSHIP	RENTAL
1996-2001	75%	25%

- 3.11 Oakville will ensure that sufficient land is available for housing by having a three-year supply of draft approved and registered lots and blocks at all times.
- 3.12 As a method of creating a range of opportunities for providing additional affordable housing, Oakville supports residential intensification within the Town.

The Town will encourage the creation of a more compact and integrated urban form in newly developing commercial areas such as the Uptown Core and the intensification of residential uses in sub-regional and community shopping centres.

- 3.13 The Town will ensure that development is complementary to and integrates with an existing neighbourhood by having regard to natural

vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview.

4. EMPLOYMENT

4.1 It is a policy of the Town of Oakville to:

- a) achieve a balance both in type and quantity between local employment opportunities and the resident labour force;
- b) actively encourage a diversification of employment opportunities in Oakville;
- c) encourage the growth of industrial commercial assessment;
- d) work with the Region of Halton Business Development Department to encourage business growth in Oakville.

4.2 In order to achieve the above policies, the Town will:

- a) seek to ensure that sufficient serviced land will be provided for anticipated employment development;
- b) designate business areas suitable for office development with particular regard to the provision of public transit, shopping, and complementary activities to increase the potential for attracting office development;
- c) designate sufficient retail development areas to ensure that the majority of retail needs of residents will be satisfied within Oakville;
- d) adopt as a basis of this Plan a goal of employment consistent with the Regional Municipality of Halton Official Plan as follows:

EMPLOYMENT	2001	2011	2016
	65,000	78,000	95,700

4.3 The Town may also:

- a) prepare secondary plans for new employment districts in advance of expected development;
- b) encourage redevelopment and revitalization plans and programs in the Central Business District and community shopping areas.

- 4.4 The population and employment figures contained in this Plan are indicative of the general relationship to be maintained between employment and residential growth, while these figures may be used to keep residential growth in balance with that of employment, it is not intended that they be used to discourage or delay employment growth.

5. TRANSPORTATION

5.1 ROADS POLICIES

- a) The major road networks existing and proposed are shown on the Transportation Figure "E". This map, together with the following Table 1, will be the basis for the provision of roads, right-of-way widths and access control within the Town of Oakville.
- b) It is Council's intention that where entirely new roads are to be constructed, other than in a plan of subdivision, that such construction will be preceded by an environmental assessment, a public meeting, and a Council resolution in support of such action.

It is Council's intention that where the class and function of an existing road is to be changed to a more intense use, such changes shall require a current functional study, a public meeting, and an amendment to the Official Plan.

- c) The expansion of any minor arterial, major collector, collector, or local road beyond a maximum of three lanes but within the right-of-width shown in Table 1, shall require a public meeting and a specific Council resolution in support thereof, wherever such roads are located within or abut low density residential areas. This policy shall not apply to Burloak Drive or Winston Churchill Boulevard.
- d) Road Classification and Rights-of-Way, as well as locations shown in the Urban Area Phases 2 and 3 of new communities north of Upper Middle Road, may be subject to further refinement by way of Community Plans.
- e) Specific lane requirements will be related to traffic demand and other planning considerations. The actual lane requirements of individual roads and precise alignment of entirely new roadway sections will be determined through detailed studies.

- f) Development proposals likely to have significant impacts on any road will be reviewed and where considered necessary, the proponent will be required to carry out and implement a detailed transportation impact study.
- g) The Town will require, through a Site Plan Control, Subdivision, and Rezoning processes, in accordance with the *Planning Act*, 1990, and the *Development Charges Act*:
 - i) The minimum, or appropriate right-of-way widths as shown in Table 1 with reference to Figure "E" will generally be centred on the existing centreline of construction for a given road or the centreline of the original road allowance;
 - ii) compliance with the access control policies established in Table 1;
 - iii) necessary turning lanes, daylight triangles, widenings and the like, provided they are within the right-of-way widths shown in Table 1.
- h) Where different road classifications intersect, adjoin or abut, the greater right-of-way width as shown on Table 1 "Functional Classification of Roads" may extend over another road classification if necessary to provide for the required infrastructure, function or operations of the intersection.
- i) South of Rebecca Street, Burloak Drive shall be designated as a Minor Arterial Road. No additional widening of Burloak Drive south of Rebecca/New Streets associated with the Secondary Plan development shall be required, however, operational improvements, reconstruction, bus bay construction, channelization and improvements of a similar nature may be undertaken as need arises and may be required in the development process. Further access from new residential development should generally be limited to street intersections.
- j) The collector road linking Lakeshore Road to Rebecca Street immediately east of Burloak Drive will provide access to the new residential neighbourhood south of Rebecca Street. The road will be two lanes in width between Lakeshore Road and the north limit of the ring road. North of the ring road to Rebecca Street, the road will have a maximum width of four lanes. Two lanes of this road linking Lakeshore Road and Rebecca Street will be constructed

along its entire length coincident with the first phase of new development in the area. The two additional lanes north of the ring road shall be constructed when traffic volumes warrant.

The location of the intersection of this internal collector road with Rebecca Street will be reviewed to determine the most appropriate connection with the realigned Burloak Drive.

- k) The potential for an access from the Queen Elizabeth Way exit ramp at Burloak Drive into the Burloak Employment District, north of the C.N.R., shall be investigated during the further approval of development on the subject lands and such an access may be introduced into the transportation system if deemed appropriate.

As a condition of development of the abutting lands immediately north of Rebecca Street, Burloak Drive shall be realigned to the east. Burloak Drive between the Queen Elizabeth Way and Rebecca Street shall be upgraded and widened to six lanes and a four-lane level crossing shall be constructed at the CN Rail tracks. A study shall also be undertaken as part of this process to determine the most appropriate connection of Burloak Drive south of Rebecca/New Streets to the realigned Burloak Drive north of Rebecca/New Streets.

Direct access from development on either side of Burloak Drive north of Rebecca Street shall generally be limited to street intersections. Further, the actual number of intersections on the east side of the street shall be limited to minimize the impact on traffic operations.

Rebecca Street shall also be designated as a Minor Arterial and shall be upgraded and widened to four lanes as a condition of development of the abutting lands. In addition, direct access on the north side of the street shall be carefully located to minimize impacts on any adjacent residential development, and if direct access is permitted, the proposed employment development shall be reviewed with respect to lot width and the number of driveways.

- l) Any proposed crossing of the 16 Mile Creek north of Dundas Street will be subject to confirmation of the need and alignment through an update of the Oakville Transportation and Transit Master Plan, Halton Master Transportation Plan and subsequent Environmental Assessment Studies.

Any proposed crossing of the Sixteen Mile Creek north of Dundas Street will be subject to the provisions of the Environmental Assessment Act, which requires that a range of alternatives including the “Do Nothing” alternative be considered. All of the identified alternatives will be investigated in more detail prior to determining the final road and crossing alignment, if any.

If the need for additional crossing capacity is deemed warranted as determined by the Oakville Transportation and Transit Master Plan, and Halton Master Transportation Plan, the first priority will be to optimize utilization of existing corridors and crossings.

**TABLE 1
FUNCTIONAL CLASSIFICATION OF ROADS**

CLASS	FUNCTION & ACCESS CONTROL	TYPICAL RIGHT-OF-WAY WIDTH	ROADS TO BE WIDENED
FREEWAYS	To accommodate high speed traffic. Intersections will be grade separated and access will be restricted to properly designated interchanges. No direct local access will be permitted.	To be determined by M.T.O.	To be determined by M.T.O.
REGIONAL PRIMARY ARTERIALS AND PROVINCIAL HIGHWAYS	To connect municipalities; to serve medium to long distance traffic; to distribute traffic to and from Freeways; to provide access to major activity centres and to act as inter-municipal transit corridors. Access will be controlled by the Region or the Province as appropriate.	35 metres or as determined by the M.T.O. for Provincial Highways	All Regional Primary Arterials. Provincial Highway to be determined by M.T.O.
MAJOR ARTERIALS	To accommodate traffic moving between communities traveling to activity centres and traffic en route to or from the Freeway system. As well, major arterials distribute traffic to or from all other classes of roads, excepting Freeways, and act as major local transit corridors. Access will generally be to street intersections, and direct access from abutting properties will be discouraged in the development of new communities and districts.	35 metres	All Major Arterials
MINOR ARTERIALS	To accommodate relatively low volumes of inter-community and inter-neighbourhood traffic. As well, minor arterials distribute traffic to or from all other classes of roads, excepting Freeways and Provincial highways and may act as local transit corridors. Direct access from abutting residential properties will generally be discouraged in the development of new communities and districts unless suitable provisions are incorporated into subdivision plans.	26 metres	All Minor Arterials
INDUSTRIAL ARTERIALS	To accommodate moderate volumes of employment traffic moving within and through employment districts. Direct access will be permitted.	26 metres	All Industrial Arterials
MAJOR COLLECTORS	To accommodate intermediate volumes of intra-community traffic. Direct access from abutting properties will be permitted.	26 metres	All Major Collectors
COLLECTORS	To accommodate relatively low volumes of intra-community traffic. Direct access from abutting properties will be permitted.	20 metres	All Collectors
LOCAL STREETS	To provide access to individual properties, and generally not to accommodate through traffic. The roads will be designed to serve only the properties which abut the roadway.	16 metres	All Local Streets where traffic demand so warrants.

Roads already meeting the minimum right-of-way width shall not require additional widening unless specific studies indicate a need. In such a case, an Official Plan Amendment shall be required.

The policies and requirements of Table 3 FUNCTION OF MAJOR TRANSPORTATION FACILITIES to The Regional Official Plan (1995) will also apply to the Freeways, Regional Primary Arterials and Provincial Highways and major Arterials Classification of Table 1.

5.2 *SPECIAL RIGHTS-OF-WAY POLICIES*

- a) The following roadway sections are not expected to achieve the right-of-way widths mentioned in Table 1. Notwithstanding Table 1, the ultimate widths and lane requirements of the following roads shall only be determined after analysis of the traffic volumes, environmental effects of widening, and socio-economic costs and benefits:
- Trafalgar Road - Speers Road to Lakeshore Road
 - Reynolds Street - north of Lakeshore Road
 - Lakeshore Road - Margaret Drive to Allan Street
 - Bronte Road - Rebecca Street to Lakeshore Road West
 - Lakeshore Road - Bronte Road to East Street
 - Randall Street/Church Street - One way pair
 - Cornwall Road - between Cross Avenue and Chartwell Road
- b) Major changes in these sections of roadway are not anticipated, however, operational improvements, reconstruction, bus bay construction, channelization, and improvements of a similar nature may be undertaken as the need arises and may be required in the development process.
- c) It is intended that the scenic character of the whole of Lakeshore Road be enhanced and preserved through a long-range program of public landscaping.
- d) Notwithstanding the right-of-way width for a minor arterial as shown in Table 1, the section of Rebecca Street from Burloak Drive to Bronte Road shall have a right-of-way width of 35 metres.
- e) Notwithstanding the right-of-way width indicated for a Regional Primary Arterial in Table 1, the section of the planned road extension from Burloak Drive to Bronte Road shall have a right-of-way width of 40 metres.
- f) Trafalgar Road was an important historical route and continues to serve as a significant entrance and exit to the Trafalgar Road Heritage Conservation District. In considering any upgrading of the section of Trafalgar Road located within the boundaries of the Trafalgar Road Heritage Conservation District, every effort shall be made to ensure, where possible, that the existing pavement, boulevard and sidewalk widths are retained.

- g) Notwithstanding the right-of-way width for a Regional Primary Arterial in Table 1, the section of Neyagawa Boulevard north of Dundas Street shall have a right-of-way width of 40 metres.
- h) The maximum right-of-way width for Sixth Line between Glenashton Drive and Dundas Street will be 32 metres.
- i) The following local streets are subject to distinct right-of-way requirements:
 - i) No Change from Current Right-of-Way Widths

Allan Street, Anderson Street, Balsam Drive, Bath Street, Brant Street, Bond Street, Brock Street, Burnett Street, Carson Lane, Chisholm Street, First Street, Forsythe Street, Front Street, Gloucester Avenue, Head Street, Howard Avenue, John Street, Kerr Street south of Lakeshore Road, Reynolds Street south of Robinson, Palmer Avenue between Trafalgar Road and Allan Street, Park Avenue, Second Street, Spruce Street between Trafalgar Road and Reynolds Street, Sumner Avenue between Trafalgar Road and Allan Street, The Esplanade, Timber Lane, Walker Street, Wilson Street.
 - ii) Minimum 15 Metre Right-of-Way

Brookfield Road south of Brookfield Crescent, Freestone Lane between Trafalgar Road and Reynolds Street, Lawson Street between Trafalgar Road and Reynolds Street, Union Street.
 - iii) Minimum 18 Metre Right-of-Way

Dunn Street between Trafalgar Road and Randall Street, North Service Road between Churchill Avenue and Sixth Line, Randall Street between Allan Street and Navy Street.
 - iv) Minimum 20 Metre Right-of-Way

Kerr Street north of CNR Tracks to Wyecroft Road, Morrison Road, Reynolds Street between Lakeshore Road and Robinson Street.
- j) It is the Town's policy not to transfer surplus road widenings back to the adjacent property owner(s), however, Council may consider

individual homeowner requests for such transfers on a site specific basis without the need for an amendment to the Plan.

5.3 TRANSIT SERVICES

- a) The Town will promote the use of public transportation as an alternative to the private automobile where practical.
- b) The Town will undertake periodic reviews of the transit system to establish an appropriate level of service to existing and new communities with a view to providing the highest level of service at the least cost.
- c) Plans for all new communities will be designed with specific regard for the safe, convenient and efficient provision of transit service.
- d) In the development of Community Plans, the Town will encourage increased density concentrations close to Town and community cores in order to produce concentration of common trip origins or destinations to facilitate transit operations and increase ridership.
- e) The efficient connection of the local transit system and inter-regional systems such as the GO system will remain a priority of the Oakville Transit system.
- f) Oakville will continue to provide special transit service to the infirm and physically handicapped.

5.4 RAILWAYS

In order to minimize and alleviate, where feasible, the conflicts of the railway network with adjacent uses and with the road network, the Town will:

- a) seek to progressively eliminate railway grade crossings in accordance with Figure "E";
- b) in areas of new development and redevelopment, require that adequate visual and/or physical separation be provided to screen railway rights-of-way from adjacent residential land uses wherever possible;
- c) seek the cooperation of other levels of government and the railway companies in relocating existing facilities, locating, and designing

all new facilities to ensure that such facilities are compatible with the transportation network and existing or proposed land uses;

- d) seek to implement safety measures such as berms, landscape buffers and building setbacks between railway rights-of-way and adjacent land uses where possible, and in consultation with the C.N.R.;
- e) seek to implement aesthetic measures to recognize the increasing importance of the railway rights-of-way as a commuter corridor through the Town of Oakville, where possible.

5.5 GENERAL TRANSPORTATION POLICIES

- a) In order to decrease the dependence on the private auto, the Town will:
 - i) Promote, in cooperation with the Province of Ontario and Regional Municipality of Halton, ride sharing schemes such as car and/or van-pooling as a more efficient form of travel for commuters.
 - ii) Develop, over time, a complete Town-wide bicycle and walkway system in existing and new development areas, to augment and to provide connections to the road and transit systems.
 - iii) Development proposals should, where appropriate, provide for and support pedestrian walkways and bicycle paths and provide access to public transit services within a walking distance of generally no more than 400 metres. Such paths are considered part of the transportation system and will, therefore, be dedicated as public rights-of-way.
 - iv) A network of bicycle paths is identified and designated in the Cycleways Master Plan. The development of new areas and the upgrading of existing roads shall have regard for the implementation guidelines set out in the Cycleways Master Plan.
 - v) Promote, where appropriate, the introduction of busways and the use of high occupancy vehicle (HOV) lanes.
- b) In areas of excessive transportation noise, for example, areas adjacent or close to rail lines, highways or heavily traveled roads,

no residential development shall take place unless suitable noise attenuation features are incorporated in the design and construction of the development.

- c) In selecting locations for road and bridge crossings of major valleys and other natural features, care will be taken to minimize adverse effects on the natural landscape. Environmental impact analysis may be required to identify means of minimizing the impact of such crossings on the natural environment.
- d) All major roads in the urban areas will be developed to acceptable standards.
- e) All arterial road rights-of-way which are proposed for future development will be signed to indicate the Town's intentions.

6. FINANCE

- 6.1 It shall be a policy of the Town of Oakville that the cost of providing capital facilities required by new residential growth shall be borne to the maximum extent permitted under Provincial legislation by the new residential development, so as not to have any undue financial impact on the present taxpayer.
- 6.2 The rate and location of future population growth will be regulated so as to ensure that a balance is maintained between public demands for services and overall fiscal capacity.
- 6.3 The Town shall periodically assess the ratio between industrial/commercial and residential assessment and outline policies to encourage the maintenance of an acceptable balance.
- 6.4 Oakville shall, to the extent practicable, restrict its financing of capital projects by debentures to the limits as set out in the financial guidelines established by the Regional Municipality of Halton.
- 6.5 Oakville shall, to the extent practicable, continue to provide, on an annual basis, considerable contributions from the Operating Budget to finance capital projects in order to minimize long-term debt servicing costs.

7 URBAN AESTHETICS

- 7.1 In order to encourage quality building and landscape design in sympathy with the distinct character of individual communities or neighbourhoods,

and with the natural features of the landscape, the Town may apply the provisions of controlling development in *The Planning Act* and other provisions of this Plan to assess proposals for any development with respect to:

- a) their appropriateness with the character of the surrounding area;
- b) the preservation and use of the natural contours and features such as trees, watercourses, hills, etc.;
- c) the massing and conceptual design of the proposed building;
- d) the relationship of the proposed building to adjacent buildings and exterior public areas to which members of the public have access.
- e) ensuring well-defined and articulated streetscapes and buildings in commercial areas with minimal on-site parking between the buildings and the adjoining streets.

7.2 Site plan approval shall only be required for all of the following:

- a) All medium and high density residential development including a residential building containing 25 or more units, and all retrofit apartments added to such development;
- b) Commercial development;
- c) Employment development;
- d) Institutional development;
- e) All development within Natural Areas;
- f) All development which occurs on:
 - i) a lot upon which site plan approval has been required under a subdivision agreement;
 - ii) a lot upon which site plan approval has been required as a condition of any decision of the Committee of Adjustment;
 - iii) a lot created by a decision of the Land Division Committee including the lot remaining as a result of such a decision;

- g) All development within the Parkway Belt West;
- h) All development abutting the Lake Ontario shoreline;
- i) All development within Private Open Space designations;
- j) All development, including buildings used for residential purposes containing fewer than 25 dwelling units, within lands designated as Community Improvement Areas;

Notwithstanding the above, any development which is designated or is an existing low density residential development consisting of a single family dwelling, semi-detached dwelling, duplex, converted two-family dwelling or triplex is specifically excluded from the provision of Section 41(7) of the *Planning Act*, 1990 as it relates to the widening of highways that abut on the land.

- k) All development, including buildings used for residential purposes containing fewer than 25 dwelling units, within lands designated Commercial-Residential.

Notwithstanding the above, any development which is designated or is an existing low density residential development consisting of a single family dwelling, semi-detached dwelling, duplex, converted two family dwelling or triplex is specifically excluded from the provision of Section 41(7) of the *Planning Act*, 1990 as it relates to the widening of highways that abut on the land.

- 7.3 The Town shall exercise control over signs, fences, appurtenances, and all matters permitted by the site plan provisions of the *Planning Act*, or of other legislation.
- 7.4 Landscaped buffers may be required by the Town for purposes of screening and to visually separate land uses and transportation corridors.
- 7.5 Floodlights, security lighting, and illuminated signs shall be located so that no direct light or glare affects adjoining land uses or the safety of traffic on adjacent roads.
- 7.6 The Town may undertake studies and assist or cooperate in programs for the aesthetic improvement of existing areas.
- 7.7 The Town shall give particular consideration to all development in highly visible locations at entrances and exits to the Town, along freeways and arterial roads, and at all strategic locations.

- 7.8 Subdivision and development layouts shall be designed to achieve a variety of visual effects which may be produced by curved roads, contrast between enclosed and open areas, the use of compatible landscaping, the massing and conceptual design of proposed structures and the relationship of the proposed buildings to adjacent buildings and other features.
- 7.9 Subdivision and development design shall take account of the visual effects of varying land contours and the visual effects of existing and proposed vegetation.
- 7.10 Commercial areas, employment areas, Heritage Conservation Districts, and other areas may be reviewed periodically to ascertain what improvements may be made to enhance their appearance.
- 7.11 Detailed guidelines controlling development may be developed for selected areas, uses, or combination of uses and may be implemented by amendments to the comprehensive Zoning By-law and/or the Official Plan.
- 7.12 The development and redevelopment of infill projects in established residential areas will require considerable care and sensitivity in their design implementation.

Proponents are encouraged to consult extensively with Town staff and area residents while preparing and during submission of applications. It should be anticipated by proponents that infill residential development projects raise issues that require more consultation and more time than other types of development applications. The Town encourages infill development to be more compatible with the adjacent area and to have minimal impact. The following criteria will be used to assist in the evaluation of infill development applications and to ensure these proposals are appropriate.

- a) The development shall conform to the density provisions in the Official Plan regardless of the proposed tenure of development. The calculation of density in low density residential areas is determined by excluding the deemed area of all roads and culs-de-sac within the development. In the case of low density residential development, notwithstanding the definition of site area in Part F, Section 2.8(iii) of this Plan, the deemed area of a road, whether it be a public road or a private road, shall be calculated on the basis of the actual right of way or a 16 metre right of way, whichever is the greater. The deemed area of a cul-de-sac shall be calculated

on the basis of the actual diameter of the turning circle or an 18 metre diameter turning circle, whichever is the greater.

- b) Infill development proposals shall generally conform to the character of development and lot size that prevails in the adjacent area, in terms of minimum lot area and frontage. Proposals that have the effect of developing lots that are significantly less than the size of lots in the adjacent area will generally not be supported unless there are other factors to warrant approval of such development applications. Preference shall be given to establishing public roads rather than private roads in infill development applications.
- c) The preservation of heritage buildings and structures are important factors in the evaluation of infill projects. The reasons for the designation of the property should be considered so that the proposed development enhances the heritage quality of the property.
- d) The preservation of existing trees is encouraged and will be an important consideration in the evaluation of infill development.
- e) The impact of infill development relating to grading, drainage and stormwater management are important factors and shall be reviewed to ensure there is no adverse impact on adjacent lots.
- f) The character of existing roads and streetscapes is to be maintained and enhanced where feasible.
- g) The development design should establish regularized lotting patterns similar to that for the adjacent area and this lotting pattern should permit the placement of dwellings on the lots which generally promotes privacy on the adjacent lots.
- h) The proposed roads are adequate to accommodate all municipal services such as fire trucks and garbage collection. The alignment of proposed streets with existing streets shall be in a manner that promotes acceptable traffic circulation.
- i) The development does not prevent or discourage public access to public parkland.
- j) The proposed development does not hamper or prevent legitimate development opportunities of the adjacent properties that may be

capable of further development.

- k) Special zoning standards may be established to complement and recognize physical site constraints and special characteristics of the area to ensure the foregoing criteria are achieved to the maximum extent possible and complement the character of the existing area.

8. HERITAGE RESOURCE CONSERVATION

For the purposes of this section, heritage resources shall include features or areas of architectural, historical, archaeological or contextual interest.

8.1

- a) It shall be the policy of the Town that individual properties may be considered for designation pursuant to the provisions of the *Ontario Heritage Act* if they exhibit or contain one or more of the following criteria:
 - i) the property is associated with the life of a significant member of the community;
 - ii) the property has played a role in an important historic event;
 - iii) the property has architectural significance, value or interest due to building type, architectural style or period, or if it is the work of an important architect or early builder;
 - iv) the property has contextual significance because of its position as an integral part of the surrounding streetscape.
- b) The character of an individual historic designated property shall be maintained or enhanced through the careful consideration of plans for additions, alterations, renovation and restoration. Careful consideration shall also be given to the relocation, removal or demolition of designated structures, and the construction of new structures on designated property.
- c) The Local Architectural Conservation Advisory Committee shall first be consulted on any plans for development or redevelopment on individual designated historic property, such as any plans for additions, alterations, renovation and restoration, and including the relocation, removal or demolition of designated structures, and the construction of new structures on designated property.

- d) The removal or alteration of any historic material or distinctive architectural feature should be avoided, when possible, with deteriorating architectural features or heritage materials being repaired rather than replaced, whenever possible.
- e) Any addition or alteration to an existing structure, or any new construction, should be of a scale and massing, and of a design, style, colour and materials that is sympathetic, compatible and in keeping with the character of existing development on the property.

Notwithstanding the above, any addition, alteration, renovation, restoration or new construction shall be considered on an individual basis on the premise that contemporary styles can be more appropriate in certain cases than emulating turn-of-the-century designs.

- f) In securing road extensions, road widenings, necessary road improvements, and any other public works, consideration is to be given to the impact of such works on individual historic designated property and the urban streetscape.
- g) The demolition of any building or structure situated on an individual historic designated property is subject to the provisions of the *Town of Oakville Act, 1991* (Bill Pr. 82 - an Act respecting the Town of Oakville).

8.2

- a) Areas may be considered for designation as Heritage Conservation Districts pursuant to the provisions of the *Ontario Heritage Act* if they exhibit or contain one or more of the following criteria:
 - i) the area contains a grouping of buildings that are architecturally significant due to workmanship, age, beauty, or uniqueness;
 - ii) the area has historical significance, value or interest through an association with an important person, event, or community activity;
 - iii) the area offers a definite sense of place and time through a series of common building elements, focal buildings, and landscape features.
- b) Where Council has designated Heritage Conservation Districts, it is intended that the general policies in the Official Plan pertaining to Districts may be refined and amplified to apply to the individual designated Districts and their attributes and features by means of

Heritage Conservation District Plans.

- c) Heritage Conservation District Plans will be implemented by municipal review of changes proposed within the District. The Local Architectural Conservation Advisory Committee shall first be consulted on any plans for development or redevelopment within a Heritage Conservation District, such as any plans for alterations, additions, restoration and renovation to existing structures, and including the removal, relocation or demolition of existing structures, and construction of new structures.
- d) The character of designated Heritage Conservation Districts shall be preserved, maintained and enhanced through the careful consideration of plans for change within the District.

In reviewing proposals for the construction, demolition, relocation or removal of buildings and structures, or for alterations, additions, renovation or restoration of existing buildings or structures within a designated Heritage Conservation District, the Town will be guided by the applicable Heritage Conservation District Plan.

- e) Notwithstanding the District Plan guidelines, any addition, alteration, restoration, renovation or new construction shall be considered on an individual basis on the premise that contemporary styles can be more appropriate in certain cases than emulating turn-of-the-century designs.
- f) In securing road extensions, road widenings, necessary road improvements and any other public works, every effort shall be made to ensure, where possible, that the character of existing roads and streetscapes are maintained and enhanced, and that proposed changes respect and are complementary to the identified heritage character of the District.
- g) Required road rights-of-way indicated elsewhere in the Official Plan may be required in designated Heritage Conservation Districts, but every effort shall be made to ensure, where possible, that existing pavement widths, especially where they are major contributors to the character of the streetscape, will be retained.
- h) The demolition of any building or structure situated within a designated Heritage Conservation District is subject to the provisions of the *Town of Oakville Act, 1991* (Bill Pr. 82 - An Act respecting the Town of Oakville).

- 8.3 All new development permitted by the land use policies and designations of this Plan shall have regard for heritage resources and shall, whenever possible, incorporate these resources into any plan prepared for such new development.
- 8.4 The municipality, in consultation with the Province, or with the authority delegated to perform municipal plans review by the Province, shall determine the potential for impacts to archaeological resources to any new development. Where such potential is determined to exist, the proponent shall retain a consultant to carry out an archaeological assessment of the subject property prior to any demolition, grading or other soil disturbance. Any archaeological resources found to be present on the subject property shall be mitigated through preservation on site, or removal and documentation, to the satisfaction of the municipality and the Province.
- 8.5 Heritage impact analysis may be required by Council where the development or redevelopment of property adjacent to, or in the immediate vicinity, of an individual historic designated property is considered by Council to adversely affect an individual historic property designated under Part IV of the *Ontario Heritage Act*.

Heritage impact analysis may also be required by Council where the development or redevelopment of property adjacent to, or in the immediate vicinity, of the boundaries of a Heritage Conservation District is considered by Council to adversely affect the maintenance and preservation of the existing character of a Heritage Conservation District designated under Part V of the *Ontario Heritage Act*.

Where Council requires a proponent to prepare a heritage impact analysis, it shall be undertaken by a qualified professional with expertise in heritage studies and shall contain the following:

- i) a description of the proposed development, or alternative forms of the development, that may affect the heritage feature;
- ii) a description of the heritage feature to be affected by the development, or the alternative forms of the development;
- iii) a description of the effects upon the heritage feature by the proposed development or its alternative forms; and
- iv) a description of the measures necessary to mitigate the adverse effects of the development upon the heritage feature.

Council may impose, as a condition of any required development approvals, the implementation of appropriate mitigation measures to ensure the conservation of affected heritage features.

- 8.6 That consideration be given to providing incentives to encourage the retention of buildings or structures worthy of heritage designation.
- 8.7 Owners of individual historic designated property, or property within a designated Heritage Conservation District, are encouraged to seek any available government grants and/or loans for eligible heritage conservation works.
- 8.8 The Town may enter into easements on real property designated under the *Ontario Heritage Act* as a means to ensure the maintenance or preservation of identified heritage resources.
- 8.9 That further to those measures outlined under Part "F" Implementation and Interpretation of this Plan, Council may adopt other measures available for the implementation of Heritage Resource Conservation Policies.

9. SERVICES AND UTILITIES

- 9.1 Development of all lands within the Urban Area will be on the basis of full urban water and sanitary sewers.
- 9.2 In general, it will be the policy of the Town that the Town's cost of providing services to facilitate the development of lands shall be borne by the developer(s); however, the provision of the *Local Improvement Act* may be utilized where it is deemed in the best interests of the Town.
- 9.3 It is the policy of the Town that all forms of development north of Highway 407 shall not be provided with urban services excepting minor extensions for public services as provided for in the Region of Halton Official Plan.
- 9.4 The Regional Municipality of Halton is responsible for water treatment and distribution and sanitary sewage collection and treatment and the Region is also responsible for private sewage disposal systems.
- 9.5 The general sequence of the provisions of urban servicing shall be related to the staging of development as described in Part "C", Section 2.
- 9.6 In all areas of new development, local power lines, telephone, and other cable services will be located underground, where feasible.

- 9.7 In existing urban areas, the Town will encourage the gradual elimination of above ground utilities with primary emphasis on commercial areas.
- 9.8 Oakville recognizes that pipeline rights-of-way and all existing electric power facilities and the development of any new electric power facilities, including all works as defined in the *Power Corporation Act*, such as transmission lines, transformer stations, and distributing stations, shall be permitted throughout the Planning Area, provided that such development satisfies the provisions of the *Environmental Assessment Act*, including regulations made under the Act, and any other relevant statutes.

10. ENVIRONMENTAL MANAGEMENT

10.1 ENVIRONMENTAL STEWARDSHIP

- a) In decisions regarding development, the Town shall be satisfied that the applicant has explored every reasonable opportunity to maintain the quality of air, land, water and biota; maintain biodiversity compatible with indigenous natural species; and protect natural features.
- b) The Town shall develop a strategic plan which establishes an environmental ethic for the Town. The strategic plan should:
 - i) seek to involve the community in the stewardship of the Town through education programs, clean-up and environmental restoration projects;
 - ii) promote an awareness of the ecosystem approach and the repercussions of our day-to-day actions on the environment.
- c) The Town shall encourage and facilitate private stewardship of natural features by private individuals and landowners in cooperation with the local Conservation Authorities, the Region of Halton, the Ministry of Natural Resources and any other relevant provincial or federal agency.
- d) The Town shall promote integrated pest management.
- e) The Town shall cooperate with the Region of Halton and the local Conservation Authorities in implementing their environmental stewardship programs.

10.2 CONTAMINATED SOILS

- a) The Town may enact by-laws that restrict activities that contaminate soils.
- b) The Town shall cooperate with the Region of Halton to identify locations in Halton of closed landfill sites and potentially contaminated sites from previous uses.
- c) Prior to considering any applications for development of land, the Town shall require a proponent to carry out a Phase 1 Environmental Audit, as set out by appropriate Provincial and/or Federal legislation, on lands within 500 metres of a closed landfill site, on other lands identified through Policy 10.2(b) above, and on lands that currently or previously accommodated the activities as identified in Part F, Appendix III (Lands subject to a Phase 1 Environmental Audit) of the Official Plan.
- d) On all other properties subject to Official Plan Amendment, zoning amendment, or subdivision approval, the Town shall require a sworn statement from the proponent that the site has been investigated and found to be free from contamination as specified by the appropriate Provincial and/or Federal legislation.
- e) When/where contaminated soils are identified, a condition of development approval will require that additional soil and ground water studies be undertaken and a soil and ground water management plan for the site be implemented to the satisfaction of the M.O.E.E. The soil and ground water studies shall:
 - i) determine potential human health concerns;
 - ii) demonstrate that the development site can be rehabilitated to meet appropriate Federal, Provincial and Regional standards, and
 - iii) identify procedures and schedule for site rehabilitation.
- f) Development may be permitted on a previously identified contaminated site if the site has been rehabilitated or re-mediated and if it has been determined that no danger to public health or public safety or property damage would result.
- g) Where any land is being dedicated, conveyed or purchased by the Town, the Town shall require a sworn statement that the site has

been investigated and found to be free from contamination as required by the appropriate Provincial or Federal legislation.

- h) The use of any excess materials not permitted by the M.O.E.E. for fill will not be permitted until the M.O.E.E. are satisfied that the excess materials contain no unacceptable levels of contaminants in accordance with the Provincial Policy for the Management of Excess Materials.
- i) The Town shall develop operating procedures and guidelines for the handling of potentially contaminating substances through day-to-day municipal operations and develop contingency measures for cleanup and control of contaminants in the case of an accident or spill.

10.3 URBAN FORESTS

- a) The Town may prepare an Urban Forestry Green Plan which will establish policies for urban forest preservation, replacement of aging trees and reforestation through the practices of the Town, through conditions of planning approval, and through the landscaping practices of Town residents.
- b) It is the objective of the Town that there will be no net loss of existing urban forests. As such, for every tree that is removed from Town property or from road rights-of-way, a replacement tree will be planted.
- c) The Town shall set annual targets and identify priority streets for tree planting in order to increase the urban forest inventory on road rights-of-way.
- d) The Town shall ensure that appropriate space for tree plantings within road rights-of-way are included in the design of new roads or road improvements.
- e) The Town shall request local utilities to design and construct their services to minimize damage to trees.
- f) The Town shall require as a condition of planning approval, site plan approval and subdivision agreement, landscape plans which
 - maintain and preserve existing plant species where appropriate;

- integrate development with natural features on or adjacent to the site;
 - maximize additional tree plantings.
- g) The Town shall continue to naturalize municipally-owned open spaces.
- h) The Town shall encourage the Province to amend the *Trees Act* to broaden local municipal powers to protect trees on private property.
- i) The Town shall develop guidelines for protection of trees to assist with the review and approval of building permits, municipal consents by utilities and site plan approval.

10.4 AIR QUALITY

- a) The Town shall enact by-laws to regulate land uses which may produce inappropriate air borne emissions containing particulate or odours that may have a negative effect on adjacent uses in accordance with related guidelines of the Ministry of the Environment and Energy (M.O.E.E.).
- b) The Town shall contribute to reducing carbon dioxide and other air pollutants by:
- promoting opportunities for non-auto transportation including cycling, walking and public transit;
 - improving energy conservation (Refer to Subsection 10.7);
 - protecting and enhancing the urban forests (Refer to Subsection 10.3);
 - locating housing, employment, services and leisure areas in a manner that reduces travel distance and vehicular trips.
- c) The Town may encourage commuting alternatives by Town employees through the establishment of such actions as flexible working hours, a car pooling registry, bicycle lockers, home-based employment.

10.5 WATER QUALITY, QUANTITY, AND CONSERVATION

- a) Stormwater management techniques will be used in the design and construction of all new communities to control both the quantity and quality of stormwater runoff. The degree of control will depend on the conditions of the downstream receiving water bodies. The intent will be to minimize the adverse effects of urbanization on the downstream aquatic environment and adjacent areas.
- b) When evaluating alternative stormwater management techniques, consideration shall be given to bio-engineering solutions as well as planning solutions.
- c) The provision of stormwater drainage facilities will be in accordance with master plans established through Subwatershed Studies, or the criteria established in the Town of Oakville Stormwater Drainage Manual, where applicable.
- d) Where a watershed plan exists, the subwatershed plan shall conform to the goals and objectives of the watershed plan.
- e) Where a Subwatershed Plan has not been prepared to address these issues, an Environmental Impact Statement shall be prepared by the proponent of any development in areas adjacent to watercourses, head-waters, aquifers and related physiographic, or topographic formation which contributes to ground water recharge or discharge.
- f) Subwatershed Plans shall be undertaken prior to or in conjunction with Secondary Planning studies. In order to address all aspects of the ecosystem on a watershed basis, it is recommended that the sub-watershed studies encompass terrestrial as well as aquatic resources. The subwatershed studies will recommend policies for protection, enhancement and securement of aquatic and terrestrial resources and appropriate development constraints for incorporation into Secondary Plans. The general requirements of Subwatershed Plans are outlined in Part F, Appendix II. The Town shall prepare and adopt Secondary Plan policies based on the recommendations of subwatershed studies.

For the purposes of stormwater management, the Subwatershed Plans will assess the methods and costs of providing the required stormwater management both on and off site. Such studies will be undertaken in conjunction with the appropriate Conservation Authority, other municipalities, and the Ministry of Natural

Resources, where applicable.

- g) Stormwater Site Management Plans shall be prepared prior to the approval of development applications, and all draft plans of subdivision. The content of the Stormwater Site Management Plans shall be in conformity with and implement the provisions of the Subwatershed Plans. The Stormwater Site Management Plans shall:
 - i) outline preliminary designs and costs;
 - ii) ensure sufficient space on site is allotted for water quality and quantity facilities including on-site water infiltration where possible;
 - iii) determine the impact of development on receiving watercourses both during and after construction in terms of flooding, erosion and sedimentation.
- h) Wherever possible, existing groundwater recharge rates should be maintained in all new developments.
- i) The Town shall encourage the use of permeable surfaces and soft landscaping, rather than impervious surfaces, when considering proposals for developments.
- j) All developments shall follow the current Provincial and Federal Guidelines for stormwater management practices (Best Management Practices - BMPs).
- k) The Town shall encourage the use of water-saving fixtures and appliances in new developments.

10.6 WASTE MANAGEMENT

- a) The Town shall expand leaf mulching to include all leaves collected and investigate alternative home composting programs.
- b) As a requirement of site plan approval, building layouts will be required to accommodate, where practical, facilities for collection, storage and separation of recyclable products.
- c) The Town shall continue on an ongoing basis to undertake an environmental audit of maintenance and operation practices and all

buildings owned and operated by the Town to determine means of reducing wastes.

10.7 ENERGY CONSERVATION

- a) When reviewing subdivision, rezoning, site plan and other development applications, the Town shall promote and encourage urban development which minimizes energy consumption and emphasizes the use of renewable energy sources by:
 - i) seeking a compact pattern of urban form in all new developments;
 - ii) locating housing, employment, shopping, services and leisure areas in a manner that minimizes vehicular trips;
 - iii) encouraging mixed use developments where appropriate;
 - iv) encourage residential, commercial and industrial subdivisions to consider designing lots for proper building orientation in relation to the sun and wind;
 - v) encouraging the use of appropriately selected and located vegetation that will reduce the energy consumption of buildings;
 - vi) attempting, where appropriate, to ensure access to direct sunlight during winter daylight hours for all south facing glass and solar collector panels;
 - vii) providing opportunities for the use of alternative, energy-efficient transportation including cycleways, walkways and public transit that link residential, shopping, recreation and employment areas in Oakville and adjacent municipalities;
 - viii) developing urban design policies and guidelines which promote energy conservation.
- b) The Town shall minimize, where possible, the use of high maintenance landscaping on Town properties in favour of naturalized low maintenance landscaping.
- c) The Town may undertake an audit of energy use in facilities owned and operated by the Town to identify energy conservation

opportunities.

- d) The Town shall consider the use of solar energy when planning and constructing civic facilities.
- e) The Town will encourage energy efficiency in building design in North Oakville through promoting the standard for residential construction at a minimum of R-2000 or similar high efficiency standard, and for non-residential construction at a minimum of 90.1 or similar energy conservation measures.

10.8 NOISE AND VIBRATION

a) Traffic Noise

Proponents of new residential development within the following noise sensitive areas may be required to engage an acoustical consultant to undertake an analysis of the noise levels which may affect such development and to make recommendations, subject to the approval of the Town and other appropriate agencies, as to the measures to be incorporated into the development to reduce the received noise level:

TRAFFIC NOISE SENSITIVE AREAS	
<i>Road Type</i>	<i>Noise Sensitive Area - Distance from Centre Line</i>
Freeways	300 m
Regional Primary Arterials, Major Arterials and Highways	50 m
Minor Arterials	15 m

- b) When reviewing applications for residential development adjacent to provincial highways, arterial roads, and railroads, the Town shall have regard for applicable M.O.E.E. policies and guidelines with respect to noise and compatibility of uses.
- c) Where existing roadways are scheduled for widening, the Town shall ensure that appropriate noise impact/attenuation studies will be undertaken by the proponent.
- d) Rail Noise and Vibration

Noise sensitive areas may be considered to be those areas of land

abutting or adjacent to rail rights-of-way having a passive recreation or residential component. Sensitive areas for noise generally include lands lying within 300 metres of rail rights-of-way and for vibration, generally include lands lying within 75 metres of rail rights-of-way.

Specific land use controls respecting rail impacts shall be implemented on lands abutting or adjacent to rail rights-of-way and the following policies shall apply:

- 1) Prior to the approval of applications for Official Plan Amendments, Zoning By-law Amendments, or subdivision or condominium approval that result in or permit the creation of a new residential unit(s) or lot(s), or the conversion of rental residential units to freehold, cooperative or condominium ownership:
 - a) said application(s) shall be circulated to the appropriate owner of the rail right-of-way for comments with regard to the recommended noise, vibration and impact mitigation measures; and
 - b) the municipality may require that the owner/developer engage a consultant to undertake an analysis of noise and/or vibration and to recommend abatement measures necessary to achieve the maximum noise level limits by the Ministry of the Environment and Energy to the satisfaction of the Town and in consultation with the appropriate owner of the rail right-of-way and the Ministry of the Environment and Energy.
- 2) As a condition of approval of applications as detailed in Section 10.7 (a) preceding, provision shall be made where possible, for the registration on title and insertion in Agreements of Purchase and Sale or Lease of a warning clause with regard to the existence of and potential impacts of rail use and operations and mechanisms to ensure the ongoing maintenance of the required measures and;
- 3) As a condition of approval of applications as detailed in Section 10.7 (a) preceding, and as outlined hereafter, setbacks from the rail right-of-way to address rail safety concerns shall be required for any new residential dwelling or building, an addition to an existing residential structure or a place of public assembly from the railway right-of-way. The

appropriate safety setback will be determined in consultation with the owner of the rail right-of-way, and will take into account provision for safety berms, topography and intervening structures between the railway right-of-way and any new residential development or place of public assembly.

- 4) As a condition of approval of applications as detailed in Section 10.7 (a) preceding, the developer may be required to install and maintain combined security and acoustical fencing of a minimum height necessary to prevent trespass onto the adjacent railway right-of-way and attenuate noise to acceptable levels. As a minimum requirement, chain link security fencing of 1.83 metres in height will be required along the common property boundary with the railway right-of-way.

e) Industrial, Commercial, and Utility Noise

The Town may require, in the case of new residential proposals within areas subject to the impact of utility, commercial or noise or vibration, that the siting of dwellings, structural design of dwellings and subdivision features shall contain noise attenuation features which shall be developed in consultation with the Ministry of the Environment and Energy and qualified consultants.

- f) The Town shall establish employment areas which are reserved for non-noise sensitive uses while discouraging residential and other noise sensitive land uses from locating adjacent to such areas.
- g) The Town shall seek the advice of the M.O.E.E. when considering development proposals adjacent to provincial highways and railways, and significant stationary noise sources such as industries, commercial operations and utility installations.

11. MAINTENANCE AND OCCUPANCY CONTROLS

11.1 The Town will encourage the development and maintenance of an efficient and pleasant environment for living, working, and the pursuit of all other activities. In order to achieve this, it will be the Town's policy to encourage:

- a) maintenance of existing sound properties;
- b) improvement of the quality of properties that have deteriorated;

- c) rebuilding where properties have declined to the point where they cannot be satisfactorily and economically rehabilitated.
- 11.2 The municipality shall enact a Property Standards By-law pursuant to the Building Code Act setting forth standards within the Town requiring any property below the standards prescribed in the by-law to be repaired and maintained to comply with the standards.
- 11.3 The Property Maintenance and Occupancy Standards By-law shall be enforced and administered by a person designated by the Council of the Corporation of the Town of Oakville to carry out such duties and shall be known as the Property Standards Officer.
- 11.4 The Property Maintenance and Occupancy Standards By-law shall provide for the establishment of a Property Standards Committee under the Building Code Act whose responsibilities include the review of all appeals.

12. SEVERANCES

12.1 AGRICULTURAL LANDS SEVERANCE POLICIES

a) Farm Severances

For the purpose of this Plan, 22 hectares is recognized as the minimum farm lot size and the Land Division Committee is directed in considering severances to follow this standard and providing both the parcel to be retained, as well as the parcel to be severed, are viable flexible farm units. Exceptions may be made only where the proposal is:

- i) for farm consolidation purposes where no new residential building lot is to be created and/or the remainder is not reduced to less than 22 hectares;
- ii) for the creation of a Specialty Commercial Farm provided the applicant can prove its necessity and viability;

b) Non-Farm Severances

- i) Non-Farm Severances will be discouraged from locating on Canada Land Inventory Soil Classes 1, 2, 3 and 4.²
 - ii) Non-Farm Residential Severances will be considered provided that all of the following conditions are met:
 - the lot is in a Rural Cluster as defined in the Regional Municipality of Halton Official Plan and designated in this Plan;
 - the proposal is for only one additional lot at a time;
 - the proposal must conform to other pertinent policies of this Plan, the Region of Halton Official Plan and the Minimum Distance Separation Formulae of the Agricultural Code of Practice.
 - iii) Severances may be permitted for other uses permitted in the Agricultural designation of this Plan provided such uses comply with the policies of Part D, Section 6.
- c) These policies will remain in effect for all agricultural areas including those north of Dundas Street until such time as urban secondary plans are developed and approved.

12.2 URBAN SEVERANCE POLICIES

- a) Severances for any form of Urban Development shall comply with the Phasing provisions of Part C, Section 2 and Figures "C", "D" and "D1" of this Plan.
- b) Although urban severances may be permitted, development in urban areas is generally to take place in accordance with comprehensively designed registered plans of subdivision. Land division by a plan of subdivision, rather than by a consent, shall generally be deemed necessary in the following cases:
 - i) where the extension of a public road is required or a new road allowance is required;
 - ii) where the extension of municipal services is required;

²Soil Capability for Agriculture, Canada Land Inventory Mapping, *Agricultural and Rural Development Act*.

- iii) where agreements or conditions are required by the Town with regard to any part of the remaining lands if a consent were granted;
- iv) where the lands abut Lake Ontario.
- c) Where severances are permitted, the lot or lots to be created and the remaining parcel or parcels shall conform with the Official Plan and the relevant Zoning By-law.
- d) In the case of a non-conformity with the approved Official Plan and/or the Zoning By-law, any consent granted shall be conditional upon the approval of an Official Plan Amendment and/or Zoning By-law Amendment or Committee of Adjustment decision by the appropriate authorities.

12.3 CRITERIA FOR URBAN SEVERANCES

- a) Regard shall be had to the compatibility of the size, shape, and proposed use of the lot to be created with the present and potential uses, lot patterns, and character in the adjacent areas.
- b) Severances will be considered for the purpose of infilling in an existing urban area, but shall not extend the existing urbanized area. Infilling which economizes the use of urban space without disturbing the pattern of the existing development or perpetuating an undesirable pattern of development or prejudicing the layout of future development shall be considered acceptable.
- c) In particular, where the applicant's lands are situated within an existing area designated by the Official Plan for redevelopment and the size of the parcel is large, and it is apparent that an application for a severance is a forerunner of other similar applications on the original holding, such individual severances from that parcel will be discouraged in favour of development by a plan of subdivision.
- d) Where existing development lots have the potential for redevelopment on a more comprehensive scale, proposed severances which would have the effect of blocking potential points of access or further fragmenting ownership of these lands, may be refused.

12.4 PARKWAY BELT SEVERANCE POLICIES

The severance policies of the Parkway Belt West Plan, July 1978, shall

apply to all lands designated as Parkway Belt on Figure "B".

13. COMMUNITY IMPROVEMENT

13.1 The Town may designate areas of community improvement in accordance with the provisions of the *Planning Act*.

13.2 The following criteria will be considered when selecting potential areas for community improvement:

- a) deficiencies in the sewer, water, or storm sewer systems;
- b) deficiencies in the provision or design of off-street parking areas;
- c) deficiencies in existing roads, sidewalks and/or curbs;
- d) lack of provision and/or design problems with existing public facilities such as parks, open space, landscaping, and public buildings;
- e) significant need for aesthetic improvement on public and/or private land;
- f) problems with inappropriate land uses, inadequate building maintenance, or lack of development on vacant or under-utilized land;
- g) inadequate, outdated, or inappropriate street lighting, traffic control, and signage;
- h) indications of a need for heritage resource conservation.

13.3 In an area designated for community improvement, a community improvement plan will be prepared in accordance with the *Planning Act*. The implementation of the community improvement plan will be assisted:

- a) through participation in funding programs with senior levels of government;
- b) through enforcement of the Town's Property Standards By-law and the encouragement of the rehabilitation and maintenance of existing structures;

- c) through encouraging the formation and continuation of Business Improvement Areas to maintain and enhance the viability of commercial areas;
- d) through the preparation of streetscape improvement and beautification plans, where appropriate;
- e) through the preparation of architectural guidelines and the application of bonus zoning techniques, where appropriate;
- f) through the review of existing zoning and sign control by-laws;
- g) through the coordination and phasing of public utility and public works spending programs;
- h) through such programs and policies as Council sets out in the Community Plan.

14. LEGAL NON-CONFORMING USE POLICIES

- a) Legal non-conforming uses throughout the Town should eventually cease, so that the land affected shall revert to a use that conforms with the intent of the Plan and the Zoning By-law. In special circumstances, however, it may be appropriate to consider the extension or enlargement of a non-conforming use.
- b) The Committee of Adjustment, in granting an application for the extension or enlargement of non-conforming land, buildings or structures, or uses shall be satisfied that:
 - i) the proposed extension or enlargement does not represent an unreasonable increase to the size and intensity of the legal non-conforming use;
 - ii) adequate measures are provided to protect other uses through landscaping, buffering or screening; appropriate setbacks for buildings and structures are provided; and/or devices and measures are provided for reducing nuisance(s) caused by matters such as outside storage, lighting and advertising;
 - iii) the conditions of the property and/or building shall be substantially improved by the extension or expansion;

- iv) the features of the existing non-conforming use and proposed extension and/or enlargement are considered to be compatible with adjacent uses;
 - v) there are or will be adequate municipal services to meet the additional needs resulting from the expansion or extension of use;
 - vi) there are adequate off-street parking areas, loading facilities and on-site screening;
 - vii) traffic and parking conditions in the area shall not be adversely affected and traffic hazards shall be minimized by appropriate design of access points to and from the site, and improvement of site conditions, especially close to intersections; and
 - viii) the intent of the Plan and standards established in the Zoning By-law are upheld.
- c) The Town's implementing Zoning By-law shall prohibit new construction and the expansion or replacement of existing non-conforming uses within areas designated "Natural Area", except where specifically exempted based on consultation between the Town, Conservation Halton and the Ministry of Natural Resources.