

## **2.6 MIDTOWN CORE DISTRICT - FIGURES EMP. F, EMP. F1 AND F2**

### **2.6.1 GENERAL**

#### **a) Location**

The Midtown Core District is bounded on the east by Eighth Line and Chartwell Road, on the south generally by the Canadian National Railway and a small part of Cornwall Road, on the west by the Sixteen Mile Creek, and on the north by the Queen Elizabeth Way and the Morrison-Wedgewood Diversion Channel immediately north of the Oakville Place Regional Shopping Centre.

#### **b) Evolution of the Midtown Core**

The Midtown Core is substantially developed, although there remains a number of vacant developable properties. Some of the existing development is derelict, while other sites are underutilized. Much of the existing industrial development is nearing obsolescence, and is ready for substantial redevelopment. The transitional nature of the area does not present a consistent and unified image in keeping with the reputation of Oakville throughout the Greater Toronto Area, especially along the Queen Elizabeth Way corridor.

The Midtown Core, because of its excellent accessibility and visibility, has the opportunity to fulfill the role of a key urban gateway to the Town of Oakville. It is the intent of this Plan to guide the redevelopment of the area over time as a focus for higher intensity land uses, including a variety of employment generating land uses such as retail and service commercial uses, offices, institutions, industries, entertainment and cultural uses and residential uses. As in other areas of the Town of Oakville, the Midtown Core will be influenced by changing economic, social and demographic conditions. Development in the Midtown Core will respond to these influences.

The policies of this Plan and companion Midtown Core Urban Design Guidelines will enable the Town of Oakville to review development applications in the context of a comprehensive plan well into the future. It is intended that as development and redevelopment occur, the overall image of the area will be substantially improved.

c) Land Use Concept

This Midtown Core Plan sets out the long term planning objectives, concept and broad development framework for the area.

The Plan is based on the following:

- i) an overall urban design strategy to improve the appearance of the Midtown Core as a regional landmark and Oakville's "front door" or "gateway";
- ii) recognition of the long-term development potential of the Oakville Place Regional Shopping Centre;
- iii) a general expansion of the permitted industrial and commercial land uses east of Trafalgar Road in order to promote their development/redevelopment;
- iv) the establishment of a significant mixed-use centre (including residential, retail and office commercial land uses) primarily in the Cross Avenue - Argus Road - Oakville GO Station area that takes advantage of the regional accessibility and prominence of this location.

d) General Development Objectives

The following general objectives will guide the development and redevelopment of the Midtown Core.

- i) Urban Structure
  - a) To facilitate the development and redevelopment of the Midtown Core in a comprehensive and progressive manner.
  - b) To promote the evolution and growth of the Midtown Core as a focal point of development and redevelopment according to Oakville's existing and planned urban structure.
  - c) To ensure that the long-term objectives of the Town in establishing a 'Regional Centre' within the Midtown Core are maintained and protected, while allowing individual projects to proceed in a compatible and timely manner.

- d) To promote the Cross Avenue - Argus Road - Oakville GO Station area as the central focus of the Midtown Core, able to capitalize on the existing and planned transportation network.

- ii) Land Use

- a) To ensure that the land uses developed within the Midtown Core will complement and contribute to the vitality of the entire Town of Oakville.
- b) To encourage the provision of a complete range of commercial, industrial and institutional businesses, services and facilities located within the Midtown Core in keeping with the planned urban structure and the needs of the Town's resident population.
- c) To provide for medium and higher density, mixed use and street-oriented development, including residential, retail and employment uses within the Cross Avenue - Argus Road - Oakville GO Station area.

- iii) Urban Design

- a) To ensure that the Midtown Core Urban Design Guidelines that accompany this Plan will guide the developers, builders and the municipality in achieving the land use concept.
- b) To provide attractive streetscapes through attention to the design of the public realm, built form, and the relationship between private development and public areas.
- c) To encourage interesting and innovative urban design and built form, wherever feasible and appropriate.
- d) To ensure that neighbouring developments are physically compatible and respect existing conditions.
- e) To establish and confirm the details of all new development and redevelopment through the preparation of implementing plans of subdivision or condominium, zoning by-laws, site plans and development agreements.

## iv) Environment and Open Space

- a) To protect the ecological health and integrity of existing river and stream corridors.
- b) To encourage environmental remediation measures within new developments, where appropriate.
- c) To establish components of the open space network within the Midtown Core that will extend throughout Oakville.

## v) Transportation

- a) To establish and maintain a primary road system that provides high levels of accessibility and mobility to all users including automobiles, trucks, buses, cyclists and pedestrians and which operates at satisfactory levels of safety, efficiency and reliability.
- b) To establish primary and secondary road and transit systems which complement and support Oakville's urban structure and land use patterns.
- c) To provide for continuous walkway and bike path systems to link public open spaces, residential areas, employment areas, community and recreation facilities.
- d) To encourage travel demand management practices and the increased utilization of public transit facilities and services in order to reduce traffic congestion, energy costs and pollution and to foster greater efficiency in the operation of the overall transportation system.
- e) To plan well in advance, in cooperation with the Region and the Province, for capital expenditures to ensure that infrastructure improvements are carried out at the appropriate time to promote the development of the Midtown Core.
- f) To reserve and protect future major roadway and transit rights-of-way.

- vi) Water, Stormwater and Sewer Services
  - a) To plan for the improvement and/or extension of water, stormwater and sewer services to accommodate development as it occurs throughout the Midtown Core.
  - b) To provide for a system of stormwater management that will be designed to protect lands and receiving waters within and outside the Midtown Core from the detrimental effects resulting from increased levels and rates of runoff.

### 2.6.2 LAND USE PLAN

#### a) General

- i) The Midtown Core is intended to remain a mixed use area, focused on employment generating land uses. Its role as a 'Regional Centre' and a transportation/transit hub will be enhanced over time. The policies of this Section of the Plan refer to Figure "EMP. F", which identifies the land use designations and Figure EMP. F1 which identifies the height and density permissions.
- ii) Urban Design Guidelines have been developed which apply to all lands within the Midtown Core Plan Area and which also apply to surrounding lands within the QEW East Employment District and the Old Oakville Community which are contained within the Study boundaries of the Midtown Core Land Use Planning Study (March 29, 1999).

The Urban Design Guidelines are established and contained within Part C of the Midtown Core Land Use Planning Study, dated March 29, 1999. The Town shall ensure that all developments adhere to the Oakville Midtown Core Urban Design Guidelines and the policies of this Plan. The Midtown Core Urban Design Guidelines will be implemented through the implementing zoning by-laws and through site plan control. Urban design policies applied to all development in all designations within the Midtown Core include:

Built Form:

- a) buildings should be designed to front adjacent streets and to provide interest and comfort at ground level for pedestrians. In instances where through lots are provided, buildings shall be designed so that all elevations facing a street present a 'front' elevation
- b) loading areas are not considered appropriate in any yard facing a street, unless they can be adequately screened from view, to the satisfaction of the Town;
- c) parking lots should be carefully sited to avoid unattractive parking lot views from adjacent residential neighbourhoods, the Queen Elizabeth Way, Cornwall Road and Trafalgar Road;

Streets:

- d) the street and block pattern should be enhanced with additional roads and lanes to establish a broader range of lot sizes and to maximize lot frontage;
- e) all streets should be designed primarily for vehicular circulation, while allowing for increased pedestrian use as the area grows and matures;
- f) every street should be designed to accommodate street trees;
- g) transit stops/stations should be located near key intersections;

Pedestrian Realm:

- h) urban squares and open space linkages should be distributed throughout the area east of Trafalgar Road as development occurs. These facilities should be linked together and connected with the broader Oakville open space network; and,
  - i) pedestrian amenity should be enhanced along all streets, and especially at key intersections.
  - ii) Maintenance and enhancement of the existing road pattern within the Midtown Core is important to maintain long-term development flexibility as this Plan evolves.

Figure EMP. F2 identifies the existing road pattern. Figure EMP. F2 also identifies new roads and other transportation infrastructure components that may be required to improve the continuity and connectivity of the road network in the future, certain of which are located within the QEW East Employment District boundaries.

Adjustments to the designated road pattern may be permitted without an Amendment to this Plan if the fundamental concepts of maximum continuity and connectivity are maintained and the changes do not negatively affect the overall transportation network.

- iii) Maximum building heights and maximum net development densities are identified on Figure EMP. F1, or specified in the policies of this Plan.
- iv) Outdoor storage is not permitted anywhere within the Midtown Core except that limited outdoor storage may be permitted on lands designated 'Employment' west of Chartwell Road, south of the QEW, subject to adequate screening, to the satisfaction of the Town.

b) West of Trafalgar Road

i) Regional Shopping Centre

- a) Only one Regional Shopping Centre is designated to serve the expected urban development area of Oakville. It is located in the northwest quadrant of Trafalgar Road and the Queen Elizabeth Way, as shown on Figure EMP. F. The planned size and function of the Regional Shopping Centre is designed to service the trade area of Oakville and may extend beyond the boundaries of Oakville.

It is intended that the shopping centre will achieve this "Regional" function in the future and will expand incrementally over time from its previous role as a sub-regional shopping centre.

b) Permitted uses

The "Regional Shopping Centre" designation permits:

- i) a broad variety of retail activities including department stores, specialized retail outlets, food and convenience stores;
- ii) offices and service commercial uses including service stations; and,
- iii) government, institutional, cultural and social facilities.

c) Policies

- i) The Community Shopping function for the College Park Community is provided by the Regional Shopping Centre to a maximum retail commercial floor space of 80,000 square metres. Through an application to amend the Zoning By-law to permit an expansion of the Regional Shopping Centre, the maximum permitted retail commercial floor space shall be established. Holding provisions may be utilized to ensure that required studies are completed and implemented to the satisfaction of the Town prior to any rezoning becoming effective and development proceeding. Proposals to amend the Zoning By-law shall be evaluated on the basis of the following:
  - a) a conceptual site plan which identifies how the proposed expansion relates to the existing centre and the adjacent residential neighbourhood to the west and north with respect to privacy, noise, signage, lighting, appropriate building height, location and height of parking structures, location and function of delivery routes and delivery bays, site access and site circulation; and,
  - b) a traffic impact study which identifies and addresses the timing of proposed future road infrastructure improvements relative to the proposed expansion and ensures there is

adequate capacity in the road system to accommodate any commercial expansion on the site.

ii) Mixed Use

- a) The "Mixed Use" designation west of Trafalgar Road as shown on Figure EMP F represents the key development area within the Midtown Core. The Plan allows for new development to maximize the potential of its location adjacent to the Oakville GO Station. It is the intent of this Plan to establish a lively and active mixed use district at this location.

Development in this area includes single use and mixed use developments characterized by high design standards. The visual attractiveness and consistent image of the area is of prime importance. Development related and scaled to the pedestrian is required on all lands within this designation.

It is estimated that, in the long-term, the lands in the mixed use designation could potentially accommodate 435,000 square metres (4.7 million sq. ft.) of Gross Floor Area for a combination of residential, office, retail and service commercial development.

The amount of (re)development potential provides the opportunity for the achievement of a substantive "Regional Centre" with market synergies existing among the various uses. In addition, the order of magnitude is sufficient to create an identity for this area that will set it apart from other areas in Oakville.

b) Permitted Uses

The "Mixed Use" designation permits medium and high density forms of housing at densities ranging from 31 to 185 units per site hectare. The following non-residential uses are also permitted:

- i) a broad variety of retail activities excluding retail warehouses; and also excluding department stores, large-scale retail uses and food supermarkets unless developed in accordance with a planned shopping center format pursuant to Part D, Section 2.5 b) ii) of the Official Plan.
  - ii) service commercial uses, hotels and restaurants;
  - iii) offices;
  - iv) commercial sports and recreation facilities;
  - v) public and institutional uses, including housing for senior citizens;
  - vi) cultural, entertainment and social facilities;
  - vii) non-profit clubs and organizations;
  - viii) private and commercial education facilities; and,
  - ix) community facilities such as parks, urban squares and open space linkages.
- c) Policies
- i) Notwithstanding the density limits identified on Figure EMP. F1, mixed use developments that include a residential component that equals between 25 and 75 percent of the Gross Floor Area, shall be permitted to have a maximum Floor Space Index of up to 2.0.
  - ii) In addition to the urban design policies identified in Section 2.6.2 a) ii) of this Plan, the following shall apply to all

development within the "Mixed Use" area west of Trafalgar Road.

- a) all development shall address the street such that a pedestrian friendly street environment is created, including buildings close to the street and the incorporation of urban squares. The implementing zoning by-laws will establish appropriate set backs, or build-to lines for development;
- b) on lots fronting onto Cross Avenue, residential uses are not permitted on the ground floor of buildings;
- c) reduced parking standards, based on shared parking for mixed uses may be permitted;
- d) all parking will ultimately be provided in underground or deck structures and, at that time, surface parking will be restricted. In the meantime, at grade parking lots should be provided in side or rear yards, reducing their visibility from the street. Implementing zoning by-laws may restrict the development potential of properties where surface parking is included on the site and will regulate the amount, location and screening of surface parking lots;
- e) all streets should be designed to provide high levels of pedestrian amenity while providing adequate accommodation for transit vehicles, cars and service vehicles;
- f) Cross Avenue should be transformed to reflect its role as a multi-purpose urban street which is

both a transportation corridor and a pedestrian oriented place;

- g) the pedestrian sidewalks should form a connected system of optional routes to, from and within this area;
  - h) pedestrian sidewalks shall be comfortable public environments which shall have defined standards of landscaped areas, paving, street trees, and other appropriate street furniture;
  - i) on lands designated 'Mixed Use' that are immediately adjacent to Trafalgar Road, new development in excess of 2 storeys in height shall be terraced; and,
  - j) a grade separated pedestrian crossing of Trafalgar Road may be appropriate in the future. As such, all new development on lands designated 'Mixed Use' that are immediately adjacent to Trafalgar Road shall consider the incorporation of this facility in their design.
- iii) On the property known municipally as 125 Cross Avenue, being the Trafalgar Village Shopping Centre, located on the north side of Cross Avenue, the following will apply:

The development or redevelopment of a community shopping center, in accordance with a planned shopping center format pursuant to Part D, Section 2.5 b) ii) of the Official Plan, will have regard for the Midtown Core District goals, objectives and land use policies established in Part E, Section 2.6 of the Official Plan, and the accompanying urban design guidelines referenced in Part E, Section 2.6 of the Plan. Notwithstanding the above, nothing contained within the Mid-Town Core urban design guidelines,

or within Section 2.6 of the Official Plan as it applies specifically to urban design guidelines or to the proposed local road network for the Midtown Core, will preclude the orderly and efficient development of a planned community shopping center format in accordance with Part D, Section 2.5 b) ii) of the Plan.

c) East of Trafalgar Road

i) General

The objective for development within the area east of Trafalgar Road is to allow for uses that are necessary to the overall employment generating function of the Midtown Core which may be space extensive, and which can take advantage of the visual exposure and good vehicular accessibility to the Queen Elizabeth Way, Trafalgar Road and the arterial road network. Land adjacent to Trafalgar Road, south of the Queen Elizabeth Way may also include a residential component.

The area east of Trafalgar Road will become, over time, an employment generating district that will look attractive from the Queen Elizabeth Way, and will act as an entrance to the residential districts to the north and south. Development adjacent to Trafalgar Road will enhance the character of the roadway, in combination with development on the opposite side of the street.

Development east of Trafalgar Road includes single use and mixed use developments characterized by high design standards.

ii) Permitted Uses

a) Mixed Use

The "Mixed Use" designation east of Trafalgar Road permits residential apartment units within mixed use buildings. Single use residential buildings shall not be permitted. The following non-residential uses are also permitted:

- i) a broad variety of retail activities excluding retail warehouses; and also excluding department stores, large-scale retail uses and food supermarkets unless developed in accordance with a planned shopping center format pursuant to Part D, Section 2.5 b) ii) of the Official Plan.
  - ii) service commercial uses, hotels and restaurants;
  - iii) offices;
  - iv) commercial sports and recreation facilities;
  - v) public and institutional uses, including housing for senior citizens;
  - vi) cultural, entertainment and social facilities;
  - vii) non-profit clubs and organizations;
  - viii) private and commercial education facilities; and,
  - ix) community facilities such as parks, urban squares and open space linkages.
- b) Arterial Commercial

The 'Arterial Commercial' designation permits:

- i) retail warehousing and Large Scale Retail Sale of Merchandise (which includes a broad variety of goods, merchandise, substances, articles or things that are offered or kept for sale directly to the public at retail, but specifically excluding a department store, a food supermarket or a grocery store);
- ii) offices;
- iii) service commercial uses, hotels and restaurants;

- iv) auto commercial uses (excluding auto body shops and auto wrecking/salvage yards);
  - v) commercial sports and recreation facilities;
  - vi) public and institutional uses;
  - vii) non-profit clubs and organizations;
  - viii) private and commercial education facilities; and,
  - ix) community facilities such as parks, urban squares and open space linkages.
- c) Employment

The 'Employment' designation permits:

- i) offices;
- ii) service commercial uses, hotels and restaurants;
- iii) neighbourhood and convenience retail commercial centres;
- iv) auto commercial uses (excluding auto body shops and auto wrecking/salvage yards);
- v) manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling;
- vi) commercial sports and recreation facilities;
- vii) public and institutional uses;
- viii) non-profit clubs and organizations;
- ix) private and commercial education facilities; and,
- x) community facilities such as parks, urban squares and open space linkages.

iii) Policies

- a) The residential component of any development within the 'Mixed Use' designation east of Trafalgar Road shall not exceed 75 percent of the Gross Floor Area of any individual mixed use building.
- b) In addition to the urban design policies identified in Section 2.6.2 a) ii) of this Plan, the following shall apply south of the Queen Elizabeth Way:
  - i) on lands designated 'Mixed Use' that are immediately adjacent to Trafalgar Road, new development in excess of 2 storeys in height shall be terraced; and,
  - ii) a grade separated pedestrian crossing of Trafalgar Road south of the Queen Elizabeth Way may be appropriate in the future. As such, all new development on lands designated 'Mixed Use' that are immediately adjacent to Trafalgar Road shall consider the incorporation of this facility in their design.

### 2.6.3 THE OPEN SPACE NETWORK

- i) General
  - a) The open space network consists of lands designated "Natural Area" and "Open Space" on Figure EMP. F.
  - b) These lands are to be retained/acquired by the Town of Oakville, and are to be integrated into an overall open space network as redevelopment occurs on adjacent lands.
  - c) All new development will be required to dedicate parkland, or pay cash-in-lieu of a parkland dedication, in conformity with the policies of the Official Plan.
  - d) The Town may acquire lands anywhere within the Midtown Core for the purposes of establishing a park, urban square or open space linkage.
  - e) All parks, urban squares and open space linkages shall be designed and built to the satisfaction of the Town.

- f) Within the "Mixed Use" designation west of Trafalgar Road, an urban square of not less than .5 of a hectare in size shall be established on the north side of Cross Avenue, approximately adjacent to the Oakville GO Station. Over time, this urban square will become the focal point of the pedestrian network in this area and should complement adjacent retail, service commercial and residential land uses. This urban square will be incorporated into a development plan and acquired by the Town.
- g) All permitted uses on lands designated "Natural Area" or "Open Space" are to be operated or authorized by a public agency.
- h) Lands designated "Natural Area" on Figure EMP. F include:
  - i) lands associated with the valley and top-of-bank of the Sixteen Mile Creek;
  - ii) lands associated with the Lower Morrison Creek;
  - iii) lands associated with the Morrison-Wedgewood Diversion Channel;
- i) Lands designated "Open Space" on Figure EMP. F include:
  - i) publicly owned lands adjacent to major transportation facilities.
- ii) Permitted Uses
  - a) Permitted uses on lands designated "Open Space" include:
    - i) parks, urban squares and open space linkages;
    - ii) active or passive indoor and outdoor recreational uses;
    - iii) garden plots;
    - iv) greenhouses;
    - v) conservation uses;
    - vi) cemeteries;

- vii) plant nurseries;
  - viii) cultural uses; and,
  - ix) other special purpose uses and similar uses
- b) Permitted uses on lands designated "Natural Area" are subject to the policies contained in Part D, Section 4.3 "Natural Areas" of the Official Plan.

2.6.4 THE TRANSPORTATION NETWORK

i) General

- a) It is the intent of the Town to ensure that the road system and transit system operates safely, efficiently and reliably. The transportation network is identified on Figure EMP. F2.
- b) The road system is to accommodate all modes of travel, including automobiles, trucks, buses, bicycles and pedestrians.
- c) The road system and transit service functions must be developed in a cost-effective manner. Infrastructure should be affordable and funded through municipal taxes, development charges and/or other appropriate means.
- d) The primary purpose of the arterial road system and transit service functions to provide good accessibility to, from and within the Midtown Core.
- e) The primary purpose of the collector and local road system is to provide access to adjacent properties.
- f) Road connections to the Queen Elizabeth Way and Trafalgar Road which have been approved by the appropriate government authority will be permitted without further Amendment to this Plan.

ii) Roads

- a) Figure EMP. F2 identifies the existing and ultimate road network. The right-of-way widths for the various roads within the Midtown Core are generally as follows:

- i) Freeway (the QEW) – to be determined by the Ministry of Transportation;
  - ii) Regional Primary Arterial Road – 35 to 47 metres;
  - iii) Major Arterial Road – 35 metres;
  - iv) Minor Arterial Road – 26 metres;
  - v) Collector Roads – 20 to 26 metres;
  - vi) Local Roads – 16 to 20 metres;
  - vii) Laneways - 7.5 metres.
- b) The road allowance widths identified in this Plan are approximate. In certain cases, widening of existing roads to the ultimate road allowance width shown may not be required. In some cases the right-of-way may need to be wider to accommodate engineering and/or design requirements for turn lanes at intersections, grade changes at overpasses or for drainage purposes. Final right-of-way requirements and the provision of daylight triangles will be determined during the review of development applications.
- c) A variety of potential new roads are conceptually shown on Figure EMP F2. Their exact location, configuration and place within the road network hierarchy will be determined during the development approval process. Further, all new road allowances shall be dedicated to the municipality during the development approval process.
- d) Streetscape design for all roads shall be subject to the Midtown Core Urban Design Guidelines.
- e) Individual direct access to Trafalgar Road or any arterial road shall be discouraged.
- iii) Transit
- a) The Town shall encourage the increased use of public transit by requiring, where appropriate and possible, transit supportive urban design, exclusive high occupancy vehicle lanes, retaining rights-of-way for off-street bus loops and on-street bus bays as well as providing for bus shelters at bus stop locations.

- b) The arterial and collector road network shall be continuous such that it is conducive to the efficient routing of public transit.
  - c) The Town will take into account the requirements for a comprehensive and interconnected public transit network by ensuring that all development applications fully consider short and long-term transit opportunities.
  - d) A detailed traffic and transit operations study will be undertaken by the Town of Oakville in cooperation with the Region of Halton and GO Transit to determine the linkages between the inter-regional, regional and local transit systems, the level of service to be provided within the Midtown Core, the long-term space needs of the GO Station, the design parameters of the GO Station and the transit routes within the Midtown Core.
- iv) Parking
- a) Within the mixed use designation west of Trafalgar Road, surface parking will be restricted in order to assist in the creation of a lively and animated urban environment. Further, opportunities for off-peak street parking and off-peak shared parking within this area will be considered, subject to evaluation by the Town.
  - b) Implementing zoning by-laws shall establish the amount of parking required for each development.
- v) Cycling and Pedestrian Linkages
- a) A bikeway and pedestrian walkway system shall be required throughout the Midtown Core. These facilities will be designed to provide linkages between buildings, adjacent sites, surrounding areas and public streets, particularly those with transit facilities. These linkages are to be landscaped to high urban design standards with street trees, paving and other appropriate street furniture.
  - b) The development of all roads shall include safe, convenient and attractive facilities for cyclists and pedestrians.
- vi) Auto Reduction Measures
- a) It is a basic objective of this Plan to encourage an increased use of transit in the Midtown Core. It is also intended that travel demand management measures will be encouraged. Both of these

objectives are directed at reductions in the level of travel and dependence upon the automobile.

- b) The Town will initiate actions recommended in the 1995 Oakville Transportation and Transit Study which involves individual and joint venture efforts with such parties as Oakville Transit, the Region, GO Transit and with developers, owners and tenants in the Midtown Core. It is the intent of the Town to develop, implement, facilitate and promote measures to increase the use of transit, cycling and walking and to reduce the use of low occupancy automobiles for trips, particularly peak hour trips to and from the GO Station.

Some of these measures include:

- i) promoting the use of public transit by employees;
- ii) promoting measures to foster higher vehicle occupancy;
- iii) assisting in organizing and promoting car pooling;
- iv) giving priority parking space assignments and/or reduced rates for car pools;
- v) varying hours of work to reduce peak hour loads;
- vi) participating in a Transportation Management Association; and/or,
- vii) other measures that may be identified.

#### 2.6.5 PHASING

- i) General

- a) The Midtown Core will be developed over a number of years. The review of all applications for development within the Midtown Core shall ensure the most efficient and economical use of existing and proposed infrastructure. The following criteria shall be considered in the review of all development applications:

- i) the development contributes to, or can be appropriately integrated within the logical sequence of construction of all

required sewer, water, stormwater and transportation facilities;

- ii) the development satisfies all requirements regarding the provision of parkland and other facilities;
- iii) the development conforms with the Town's 'Storm Drainage Criteria Manual'; and,
- iv) prior to any residential development being approved within the Midtown Core, School Boards in the Region of Halton shall be consulted.

ii) Monitoring

- a) The Town shall establish a formal program to monitor the level of development and associated traffic conditions within the Midtown Core.
- b) The Monitoring Program will address:
  - i) traffic volumes on key routes and at key intersections, based on periodic traffic counts in the area;
  - ii) the amount of floor space existing and proposed floor space for which zoning or site plan approval has been granted, and the status of development approvals, completions and occupancy;
  - iii) transit usage and modal split;
  - iv) population and employment generated by existing development and projected for approved not yet occupied development;
  - v) traffic accident reports;
  - vi) evaluation of traffic volumes and transit ridership in the context of available capacity;
  - vii) evaluation of accident information in the form of accident rates; and,
  - viii) evaluation of existing, planned and proposed development in order to allow for identification and planning of transportation

improvements or to allow time to take steps to control the pace of development.

- c) The regular monitoring program will take place annually, with major updates at intervals of five years.

2.6.6 IMPLEMENTATION

i) General

- a) This Plan shall be implemented through, but not be limited to, the following measures pursuant to the appropriate sections of the Planning Act and the Development Charges Act:
  - i) the processing of individual draft plans of subdivision/condominium, part lot control exemptions and consents;
  - ii) the enactment of zoning by-laws;
  - iii) the preparation and approval of site plans in accordance with the policies of this Plan, including the execution of site development agreements;
  - iv) the use of holding zone provisions;
  - v) the establishment of a development permit regime;
  - vi) the dedication of parkland or cash-in-lieu of parkland; and,
  - vii) a development charge by-law is enacted.

ii) Requirements for Development Applications

- a) In evaluating development applications throughout the Midtown Core, the Town shall consider:
  - i) the adequacy of proposed parking areas and access points and the impact of the proposed use on the operation of the provincial freeway and regional and local road networks;
  - ii) the traffic impacts on adjacent existing and/or approved land uses;

- iii) the impact of the proposed use on the operation of the local, regional and inter-regional transit network in both the short and long-term;
  - iv) the availability of water and sewer services;
  - v) the suitability of the proposed stormwater management facilities;
  - vi) the degree of compatibility with adjacent existing and/or approved land uses in proximity to the proposed use; and,
  - vii) the urban design impacts of the proposed use on neighbouring lands and the compatibility of the proposal with the Midtown Core Urban Design Guidelines.
- b) Prior to the approval of any development application, the Town may require the preparation of any or all of the following studies:
- i) a traffic impact study;
  - ii) a transit impact study;
  - iii) a stormwater management plan;
  - iv) a master servicing study;
  - v) a master development and phasing plan;
  - vi) a landscape master plan;
  - vii) a noise impact analysis report and/or vibration impact analysis report for any proposed development within 300 metres of an identified Provincial Highway, arterial road or the CNR Line;
  - viii) a soil contamination survey of the lands;
  - ix) an archaeological survey of the lands; and/or,
  - x) a comprehensive site plan dealing with some or all of the following matters:
    - the height and massing of buildings;
    - the distribution of uses and densities;

- the relationship between streets and buildings;
- the integration of development with transit services;
- the pedestrian and vehicular circulation networks;
- the parks and open space system;
- the primary public entrances;
- microclimatic conditions; and,
- signage, streetscape amenity elements, lighting and site furnishings.

iii) Zoning By-law

- a) Zoning for the Midtown Core will be established in response to individual development applications. As such, and where required, all new development shall proceed by way of site specific zoning amendments.
- b) The Town may designate a holding zone with the prefix 'H' and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for development for any one or more of the following reasons:
  - i) community services and facilities such as sanitary sewers, stormwater management facilities, water supply, parks and schools are insufficient to serve the proposed development;
  - ii) transportation facilities are inadequate or inappropriate based on anticipated traffic;
  - iii) the number and/or location of access points to the site are inadequate and incapable of functioning safely and efficiently;
  - iv) where development relies upon other matters occurring first, such as the consolidation of land ownership, to ensure the orderly development of the project and/or the securing of funding for infrastructure, services or outstanding application processing fees;
  - v) supporting studies as required on matters related to traffic, transit, soils, protection of any site features, environmental constraints or design features prior to development approval; and,

- vi) removal of the 'H' prefix will depend on meeting the specific conditions as identified by Council within the holding zone by-law.
  
- iv) Site Plan Control
  - a) All lands within the Midtown Core shall be subject to Site Plan Control.
  
- v) Subdivision Control
  - a) Subdivision Control encompasses draft plan of subdivision/condominium, consents and part lot control exemptions.
  
  - b) Plans of subdivision/condominium shall only be recommended for approval which:
    - i) conform with the policies and designations of this Plan;
  
    - ii) can be provided with adequate services and facilities as required by the policies of this Plan;
  
    - iii) are not premature and are in the best interest of the municipality; and,
  
    - iv) comply with the Midtown Core Urban Design Guidelines.
  
  - c) Subdivision of land shall generally take place by plan of subdivision/condominium. Consents shall only be permitted:
    - i) for technical or legal purposes; or,
  
    - ii) where the municipality is satisfied that the consent will not prejudice the ultimate subdivision of land or the principles set out in this Plan and the Town's Severance policy.
  
  - d) Part Lot Control exemptions shall generally be permitted for technical or legal purposes, such as the creation of easements and rights-of-way. Where used to create lots, Council shall be satisfied that all necessary agreements are in place to ensure

that appropriate development occurs and that the municipal interest is protected.

vi) Development Agreements

- a) Development Agreements based on the policies of this Plan and the findings of any other studies deemed necessary by the Town, shall be entered into by the benefiting parties and approved by the Town as a condition of the approval of development applications.
- b) Such agreements shall ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincident with occupancy and use of land. Items which may be addressed in the Development Agreements include:
  - i) open space and environmental features; streetscape features;
  - ii) water supply;
  - iii) wastewater collection;
  - iv) stormwater management;
  - v) road infrastructure improvements;
  - vi) road right-of-way dedications; and,
  - vii) other utilities.
- c) If difficulties or undue delays are encountered with respect to the preparation of the required Development Agreements among two or more proponents, the Town may be requested to attempt to resolve such difficulties or delays. Where resolution of such problems is not deemed feasible by the Town or is not possible even with the Town's intervention, the Town may approve alternative mechanisms to satisfy the intent of the applicable policy.

vii) Development Permits

- a) Upon authorization of a system permitting the use of Development Permits, the Town may, in accordance with the

authority, implement this Plan in part or whole by the use of a Development Permit regime independent or supplemental to its powers of implementation as described herein.

2.6.7 INTERPRETATION

i) General

- a) This Plan is a statement of policy. It is intended as a guide to the development of the Midtown Core. Some flexibility in interpretation is permitted, provided the general intent of the goals and policies of this Plan are maintained.
- b) The various items identified on Figures EMP. F, EMP. F1 and EMP. F2 are intended to show general areas and the boundaries are flexible and may vary without Amendment to the Plan, except where designations are established by fixed boundaries such as river valleys and roads or where specifically stated to be fixed in the policies of this Plan.
- c) Where lists or examples of permitted uses are provided, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses not listed, but considered by the Town to be similar to the listed uses and to conform to the general intent of the applicable land use designation may be recognized as a permitted use and recognized in the implementing zoning by-law.
- d) Minor variations from numerical requirements in the Plan may be permitted without an Amendment provided that the general intent of the Plan is maintained.

ii) Status of Existing and Previously Approved Land Uses

- a) Existing land uses throughout the Midtown Core are expected to continue to exist in the short to mid-term, and in some cases, in the long-term. Therefore, uses permitted prior to the approval of this Plan shall be deemed to conform to this Plan.
- b) Minor extensions or expansions of such uses shall be permitted without Amendment to this Plan, provided that the intent of this Plan is not compromised and the tests prescribed by part c) below, are met. In consideration of such matters particular attention shall be given to ensuring that:

- i) the road pattern envisioned by this Plan is not compromised or precluded in the long-term by the expansion or change; and,
  - ii) the expansion or change improves an existing and identified problem.
- c) Before making any decision on an application, the following requirements (or any of them, as considered relevant to each specific application) shall be fulfilled in order to safeguard the wider interests of the general public:

- i) that the proposed expansion or enlargement of the existing use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the requirements of the zoning by-law;
- ii) that the characteristics of the existing use and the extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting, parking and traffic generation;
- iii) that the neighbouring uses will be protected where necessary by the provisions for landscaping, buffering or screening, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting or advertising signs;

Such provisions and regulations shall be applied to the proposed extension or enlargement and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area; and/or,

- iv) that in all cases where an existing use seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of ameliorating such conditions, as a condition of approving an application for extension or enlargement of the existing use, especially where public health and welfare are directly affected.