

1.8 RIVER OAKS COMMUNITY - FIGURE "O"**a) Background**

The River Oaks Community is bounded by Dundas Street on the north; the Sixteen Mile Creek on the west; Upper Middle Road on the south; and Trafalgar Road and the Uptown Business Core adjacent to Trafalgar Road on the east.

That portion of the River Oaks Community located to the west of Neyagawa Boulevard is referenced as the River Oaks Phase 2C Special Study Area. This area is subject to the specific policies contained in Subsection (h) of this Section 1.8.

The River Oaks Community will be primarily residential in character with a mix of housing ranging from detached dwelling units on various sized lots to medium density and high density residential development. The amount of high density development within the River Oaks Community will be relatively small. It is intended that the high density housing component will be mainly concentrated in the Uptown Business Core area located south of Dundas Street and centered on Trafalgar Road.

The Uptown Business Core will be located immediately to the east and northeast of the River Oaks Community. The development of the community in the area adjacent to the Core will be influenced by the uses and functions associated with the Uptown Business Core to ensure a reasonable transition of land uses, to ensure adequate buffering of certain uses, and to enhance the focus and importance of the Uptown Business Core within the Town of Oakville north of the Queen Elizabeth Way.

b) Commercial

The location of the Uptown Business Core located immediately to the east and northeast will influence the provision of commercial services within the River Oaks Community. A certain amount of the convenience and community shopping activities are expected to be provided by the Core in addition to its role in meeting the commercial demand of a wider area.

The hierarchy, location, and uses permitted within the various commercial areas of the River Oaks Community are outlined as follows:

i) Community Shopping Area

The lands at the southeast corner of Neyagawa Boulevard and Dundas Street will be a Community Shopping Area. This centre will serve primarily the residential population within the westerly sector of the River Oaks Community. The services provided at this site will include food and department store type merchandise as well as service and retail facilities. In addition, offices and a mix of institutional and recreational uses will be permitted. A limited amount of auto commercial uses may also be permitted at this site.

Notwithstanding Part C, Section 2.2.3 (a) of the Official Plan, the lands located at the south east corner of Dundas Street and Neyagawa Boulevard, being .40 hectares in area, may be developed in accordance with the provisions of this Section and by utilizing a Holding zone.

A severance creating a parcel of land at the southeast corner of Dundas Street and Neyagawa Boulevard with an area of 0.40 hectares is permitted, provided that in a site specific zoning by-law a Holding symbol ("H") will be utilized and not removed until:

- the final engineered location of the proposed Neyagawa Boulevard has been determined and satisfactory transportation and traffic studies have been provided to and approved by the Town;
- the phasing policies of the Town's Official Plan permit the physical development of the Commercial Shopping Area, which includes the lands;
- full municipal services, including Regional services, are available to service the lands;
- a satisfactory site plan has been approved by the Town; and
- the Town is satisfied, subject to the owner's right to appeal to the Ontario Municipal Board, that the lands may be used for commercial uses permitted in the C6 zone, plus a convenience store as an ancillary use to a service station.

The Town may review the uses permitted subject to the "H" on the lands when reviewing the zoning of the remainder of the adjoining lands designated Community Shopping Area, and the Town may consider revising the location of the proposed service station and related ancillary uses within the Community Shopping Area designation.

Pending lifting of the "H", existing uses on the site continue to be permitted.

ii) Arterial Commercial Areas

There are three Arterial Commercial sites identified in the River Oaks Community located adjacent to Trafalgar Road.

The site at the southwest corner of River Oaks Boulevard and Trafalgar Road will be limited to one hectare in area and the uses permitted will consist of office uses. The height of the building will not exceed four storeys. No access will be permitted onto Trafalgar Road.

The second site located at the north-east corner of Upper Middle Road and Trafalgar Road will be limited to a service station and a retail gas outlet.

The third site located south of TransCanada Pipeline easement and west of Trafalgar Road will be approximately 1.5 hectares in area and will consist mainly of office uses and ancillary service and retail commercial uses. The service commercial and retail commercial uses will generally not exceed 1,000 m² in floor area.

iii) Neighbourhood Commercial Centres

There are three Neighbourhood Commercial Centres located within the River Oaks Community. These centres are located in the community at sites which will provide ready access to the residential population for day to day convenience needs.

The maximum site size of Neighbourhood Commercial Centres in the River Oaks Community will not exceed 1 hectare.

The Neighbourhood Commercial Centre at the south-west corner of River Oaks Boulevard and Trafalgar Road will be

located predominantly west of the Arterial Commercial site at the immediate corner and the access and parking will be integrated with the Arterial Commercial site. No access will be permitted onto Trafalgar Road.

iv) Convenience Commercial Centres

Three Convenience Commercial Centres are located in the Community. One site is at the intersection of Munns Avenue and River Oaks Boulevard. A second site is at the intersection of Neyagawa Boulevard and the northerly east-west collector road. The third site is located between Sixth Line and Trafalgar Road south of the Uptown Business Core.

Convenience Commercial Centres, other than the sites established shown in Figure "O", will not be permitted in the River Oaks Community.

c) Residential

i) General Policies

The River Oaks Community is anticipated to have a maximum population of 15,600 persons at maturity, north and east of Neyagawa Boulevard, with an overall density not exceeding 37 persons per gross hectare. The density is based on the persons per household occupancies outlined in this Plan to 2011.

The River Oaks Community is predominantly designated for low density residential development. Low Density II residential development will be permitted in appropriate areas within this designation subject to an amendment to this Plan. Larger than normal lot sizes will be specifically required along the community collector roads so that the number of driveway entrances onto these roads will be minimized and the general appearance of the street is enhanced.

Where direct access of residential development is permitted onto collector and minor arterial roads, a greater front yard setback will be required to ensure adequate off-street parking. Also, a means of accessing the roadway other than backing onto the street will be considered in the development of these lands.

The various types of housing in the River Oaks Community will permit a range of ownership forms including freehold, rental, cooperative, non-profit, rent-assisted, and other forms which may be applicable. The residential designation does not determine the form of tenure.

ii) Residential Special Areas

The "Residential Special" areas have been designed to preserve these special characteristics to the maximum extent possible. All development within wooded areas is subject to Site Plan Control.

The density of development in these areas will not exceed 12 units per gross hectare within any "Residential Special" area.

iii) Sixth Line Neighborhood

The Sixth Line Neighbourhood is bounded by the new Sixth Line to the west, the TransCanada Pipeline easement to the south, the former Sixth Line and the Morrison Creek West Branch to the east.

Notwithstanding the density shown for these lands on Figure "O", which indicates a maximum residential density of 35 units per site hectare, development will be considered on a net area basis with the maximum density not exceeding 35 units per net hectare subject to the maximum number of units in this neighbourhood not exceeding 192 dwelling units.

Notwithstanding Part D, Land Use Policies, Section 1.2 c), in addition to the multiple-attached dwelling types permitted, detached dwellings, semi-detached dwellings and small scale low rise (maximum 3 storeys) apartment buildings will be a permitted use on this site. Accessory units are permitted subject to controls relating to parking and floor area.

Notwithstanding the right-of-way width for a local street as shown in Part C, Section 5.1 - Table 1, "Functional Classification of Roads", the internal local roads including old Sixth Line may have a reduced right-of-way width of not less than 16 metres when these roads are combined with a circulation system which includes laneways. It is intended that the 16 metre street rights-of-way and laneways will enhance the streetscape and promote pedestrian activity.

Four commercial convenience store locations shall be permitted central to neighbourhood at the corner location of the internal road intersection fronting on the central open space. Only one such location shall be zoned for such use at any time. This commercial convenience store is intended to serve the local residential population and shall be limited in size to a maximum gross floor area of 100 square metres. The store is to be incorporated within the residential building without on-site parking. The store, if not in use for commercial purposes, may revert to residential uses without amendment to this Plan. The specific location for the store will be defined in the Zoning By-law.

- iv) Lands south of Glenashton Drive between the Ontario Hydro Corridor and the TransCanada Pipeline

Notwithstanding the density shown for the lands designated Residential Medium Density at 40 units per site hectare which are located on the south side of Glenashton Drive between the Ontario Hydro Corridor and the TransCanada Pipeline, development of these lands will be considered on a net area basis with the maximum density not exceeding 40 units per net hectare subject to a maximum of 74 units being developed.

Notwithstanding Part D, Land Use Policies, Section 1.2 d), the above noted lands may be developed for detached dwellings, semi-detached dwellings and multiple attached dwellings.

- d) Greenland Policies

The Natural Features designations shown on Figure F1 and F2 of the Official Plan have been refined to specific land use designations in this district plan.

- i) Parkland

Local parkland consists of parkettes, neighbourhood parks and community parks. Approximately 27 hectares of local parkland is provided within the River Oaks Community.

ii) Natural Area

Natural Areas consist primarily of environmentally significant and ecologically sensitive areas; valley land; lands required for flood control and conservation purposes and lands required for major trail systems.

Notwithstanding the general designations in the Oakville Official Plan, the area associated with the Sixteen Mile Creek is an area designated as a Regional Environmentally Sensitive Area. Regard must be had to Part D, Policy 4 of the Official Plan and Figure F1 and F2 of the Official Plan, along with the relevant Regional Official Plan requirements, prior to any development approval.

Where the lands are designated Natural Area on Figure "O", they are more specifically designated as 'Valleyland/Watercourse' or 'Woodland' on Figure F1. The policies of each designation is intended to apply.

iii) Other Environmental Policies

Pedestrian and bicycle pathways, either separate or combined, will be accommodated by a linked open space system consisting of valleys and watercourses, together with setbacks from watercourses, schools, parks, berm/buffer areas, and utility lands. Bicycle paths or routes will also be established along the major roads within the community.

To ensure suitable separation, landscape, screen, and noise attenuation in residential environments from major arterial roads - Upper Middle Road, Neyagawa Boulevard and Trafalgar Road - a landscaped buffer area of 9 metres in width adjacent to the roads will be required by the Town of Oakville. A landscaped buffer of at least 15 metres in width will be required along Dundas Street. This buffer may be reduced if the buffer on the adjacent lands has been established at 9 metres and if a sufficient level of separation, landscaping, screening and noise attenuation can be achieved with a buffer of less than 15 metres. All residential development adjacent to the above mentioned roads will be constructed on service roads parallel to the arterial roads as opposed to permitting reverse frontage lots on such arterials. Where adequate screening, separation, and noise attenuation can be achieved by other methods, such as the arterial roadway being

significantly depressed, service roads may not be required. Noise walls as a primary method of noise control are to be strictly limited.

e) Institutional

The primary grouping of institutional facilities contemplated for the River Oaks Community are public and separate schools, places of worship, community recreation centres, and day care centres. The existing cemetery at the intersection of Sixth Line and Dundas Street is also an institutional use in the River Oaks Community.

All institutional uses shall be subject to site plan control under the provisions of the *Planning Act*. Off-street parking and loading/drop-off areas adequate to meet the requirements of the particular use will be required. Where possible, institutional uses should be located close to pedestrian links and transit routes.

Educational facilities consisting of elementary and secondary schools are to be located adjoining public parks where possible, central to the units of population served, with sites adequate for buildings, possible future expansion, and recreation facilities.

Any vacant site designated for a school, place of worship, or day care centre may be used for other community scale institutional uses without amendment to this Plan. Any such site may also be utilized for low density residential purposes without amendment to this Plan, however, will require an appropriate amendment to the Zoning By-law.

f) Phasing

The phasing of this community is shown on Figure "C" of the Official Plan. Prior to any development occurring in the Phase 2 Urban Area, an Official Plan Amendment will be required to bring such lands into current development consistent with Part C, Section 2.2 of the Official Plan.

Prior to the substantial development of the Phase 2 Area, transportation and traffic studies will be required to be completed to the Town of Oakville's satisfaction, to ensure that the existing and proposed road network is adequate to handle the traffic generated by the proposed development. New development will generally not be permitted to proceed until adequate transportation capacity is

provided.

g) Services

Prior to development occurring in the Phase 2 Area, a master servicing plan will be prepared. This study will examine how sanitary sewer, water, and storm sewer services will be extended into the Phase 2 Area, and to ensure that all properties in the community can be developed. As individual properties develop, servicing of the land will be completed consistent with the master servicing plan. All development must conform to the Town's Storm Drainage Criteria Manual.

h) River Oaks Phase 2C Special Study Area

a) Background

i) Location

The River Oaks Phase 2C Special Study Area is bounded on the south by Upper Middle Road, to the north by Dundas Street, to the west by the Sixteen Mile Creek valley, and to the east by Neyagawa Boulevard.

ii) General Development Objectives

The westerly part of the River Oaks Community is unique from the balance of the River Oaks area because of the proximity of the Sixteen Mile Creek, the presence of several deeply incised ravine tributaries, the heavily wooded character of some of the lands, and because it is separated by Neyagawa Boulevard. Special policies are required to control the development of this land.

The land use designations in this area have been determined based on an Environmental Appraisal Report. The assessment examined the environmental, ecological and topographical features of the area. The assessment also considered erosion and slope stability, as well as setbacks of development from the top-of-bank of the Sixteen Mile Creek and the minor watercourses flowing into it.

Particular attention has been given to ensure the creation of a sense of neighbourhood, to minimize the separation with the balance of the community, to minimize any negative impacts

that might be created by Neyagawa Boulevard, and to permit a range of residential development which is symbiotic with the unique aesthetic characteristics of those areas associated with the Sixteen Mile Creek.

The following general objectives will guide development of the area:

- To create a high quality residential neighbourhood with a range of low and medium density housing exhibiting high standards of design and maximum coherency with the unique environmental characteristics and constraints of the area.
- To maintain the function of significant topographical features and natural environmental resources including trees, woodlots and watercourses associated with the Sixteen Mile Creek Valley System.
- To treat watercourses as integral parts of the ecosystem and maintain them.
- To encourage energy conservation and the use of alternate energy sources through the use of building designs, land use distribution and the design and operation of the transportation system.
- To require the preparation of an Environmental Impact Assessment for each development application within the area as part of the development approval process, which EIA must be approved by Oakville staff, the Halton Region Conservation Authority staff and the Region of Halton.

b) Greenland Policies

The open space system within the River Oaks Phase 2C Area is made up of a network of valley lands, watercourses, woodlots, and buffer strips.

With the exception of the most significant natural features, open space areas shall provide for a range of activities, including a network of small parkettes. As the intent of the Plan is to preserve the natural features, these areas will be restricted to passive recreation activities.

The open space system will provide a means of integrating development with, while at the same time mitigating impacts on, the Sixteen Mile Creek and related tributary valley systems. Development will reflect an orientation to the open space system through an integration of building and siting of structures such that the adjacent open space areas are enhanced.

The Town will preserve the most significant woodlots, significant topographical features, watercourses and their banks, as well as a buffer area beyond the top-of-banks.

Natural Areas in River Oaks Phase 2C consist of Valleylands/Watercourse, Floodplain, Environmentally Sensitive Areas and associated significant buffer areas.

Natural Areas will generally be conveyed to the municipality for conservation purposes. Further, it will not constitute part of the parkland dedication, nor will it be used for density calculation purposes.

Stormwater management ponds may be located in the Natural Area provided the proper mitigating measures have been undertaken. Although stormwater ponds may be located in Natural Areas designated by the Town, they will only be allowed within the boundaries of the Environmental Sensitive Area when it has been shown that they will have no detrimental effects, as detailed in an Environmental Impact Assessment.

Natural Areas are those areas having the highest level of environmental significance and ecological sensitivity in the Town. This includes all lands required for flood control and conservation purposes. Where feasible, these lands will also be utilized as trail systems or passive open space.

Uses permitted within the Natural Area may include: conservation, forestry, wildlife management, low intensity passive recreation, agriculture, and public works utilities. Excessive public use of ecologically sensitive areas will be discouraged.

Where a Natural Area is comprised of a ravine or valley land, the Town will require that a setback be established from the stable top-of-bank in accord with the recommendations contained in Council approved environmental studies. This setback will be determined at the time of individual development application by the Halton

Region Conservation Authority and the Town. It shall constitute a buffer between privately held properties and the valley, and will be used to preserve the ravine and watercourse features as well as wooded vegetation along the slopes of ravines. The buffer shall be of a sufficient width to ensure this conservation function.

Natural Areas are so designated because of their special vegetative qualities, locational characteristics, topographical characteristics, and/or hydrological significance.

The following general policies shall apply to the Natural Area:

- Development Plans for lands adjacent to the Natural Area will be specifically designed to preserve intact the overall wooded character of the area, and to the extent possible, individual trees that may be identified.
- This may be achieved by setting aside certain high quality areas of woodland, valley lands and valley slopes for preservation as part of public lands.
- Where a Natural Area is comprised of an environmentally significant woodlot, valley land area or valley slope, it is the intent of this Plan to preserve the environmental feature in its natural state.
- The Town shall, through the use of the bonusing provisions of the *Planning Act*, the parkland dedication, the purchase of land and/or other available mechanisms, including negotiated settlements, seek the acquisition of the major portion of the woodlot, valley land or valley slopes for public ownership.
- Where portions of the woodlot are to be left intact, and where the Town does not acquire said woodlot, development proponents will be encouraged to set aside such woodlots as privately-held reserves.
- Development shall only be permitted based on a detailed Environmental Impact Assessment Report carried out by a qualified consultant acceptable to the Town. Such an analysis shall result in a development plan which preserves for the long term, the overall wooded character of the area and individual trees or groups of trees. Development permitted shall be subject to the site plan control provisions of the *Planning Act*. Development will follow the site specific constraint

requirements set out below.

- Stormwater management facilities may be located in the Natural Area for the purpose of managing stormwater flows where such ponds would have minimal or no detrimental effect on the woodlot, watercourse or valley land. Such lands will not be used for density calculation purposes.
- Development plans will be specifically designed to preserve the hydrological function identified in Council approved environmental studies. This will be achieved by setting aside certain areas with potential recharge and infiltration capabilities as part of public lands.
- Where the Town chooses to preserve an area of potential recharge and infiltration or a portion thereof as part of public lands, it shall, through Development Charges and other available mechanisms, including negotiated settlements, seek the acquisition of the hydrologically significant area or portion thereof.
- Development of an area identified as an area of potential recharge and infiltration shall only be permitted based on a detailed assessment of each area of hydrological significance to be completed prior to development. This study shall be completed to the satisfaction of the Town of Oakville and the Halton Region Conservation Authority, and shall include, but not be limited to the following components:

- hydrogeological
- hydrological
- terrestrial
- wildlife
- buffer zone as it relates to water quality and quantity

The analysis shall result in a development plan which maintains the critical hydrological function of the area. Development permitted within an area of potential recharge and infiltration shall be subject to the site plan control provisions of the *Planning Act*.

The following specific requirements shall apply to all development within the River Oaks Phase 2C lands:

- The top-of-bank will be defined by the Town of Oakville and the Halton Region Conservation Authority in accord with the findings of Council approved studies for the River Oaks 2C Area.
- Top-of-bank setbacks of 15 metres for Sixteen Mile, Osenego and Shannon Creeks, and 7.5 metres for all other watercourses within the Study Area shall apply where there are no other applicable restrictions to development.
- Erosion control measures will be implemented where development has the potential for sediment loading and destabilization of slopes, and these shall be monitored and maintained.
- The existing hydrology of the area shall be preserved as outlined in the Stormwater Management Practices Planning and Design Manual, June 1994.
- The existing boundaries established for the Regional Environmentally Sensitive Area (ESA No.16) and the Regional Life Science Area of Natural and Scientific Interest within the River Oaks Phase 2C Area shall be observed.
- Significant woodlands or those with high quality assemblages shall be protected, and biodiversity, health and vigor maintained. This will also include maintaining the ecological integrity of other Natural Areas adjacent to developed lands.

Buffer Areas and Utility Corridors are designated to meet open space, rather than park functions.

Natural Area will be used to connect the various land uses to the major east-west trail systems to trail systems outside of the River Oaks Phase 2C lands and to other Natural Areas.

Subject to approval by the appropriate authorities, the Hydro and TransCanada Pipeline easements will be used for open space purposes and will constitute the major east-west lineal open space corridor in the River Oaks Community. In this regard, the lands will be acquired by the municipality, but will not be a part of the parkland dedication.

Where feasible, buffer areas required for flood control, conservation purposes, water quality control and erosion control will be utilized

for trail systems as part of the open space system.

c) Residential

The River Oaks Phase 2C Area will include a housing mix and density appropriate and responsive to the unique aesthetic characteristic of the area's relationship to the Sixteen Mile Creek. This housing mix will complement that in the River Oaks Community east of Neyagawa Boulevard.

Housing types will consist of Residential Low Density and Residential Medium Density I. Residential Low Density shall not exceed 19 units per site hectare. Residential Medium Density I shall not exceed 40 units per site hectare.

The boundaries of the respective residential designations may be modified to a reasonable degree in the interest of achieving a desirable urban design pattern, provided that the aggregate land areas of each density remain as shown on Figure "O".

To ensure suitable separation, landscape, screening and noise attenuation between residential environments and Upper Middle Road, Neyagawa Boulevard, and Dundas Street, a landscaped buffer area of at least 9 metres in width adjacent to the right-of-way will be required. The buffer shall allow for convenient pedestrian access to these roads, particularly at transit stops and intersections. The berm along Dundas Street shall be a minimum of 1 metre in height unless local conditions warrant otherwise.

All residential development will be constructed to avoid, as much as possible, reverse frontage lots on roads. Noise walls as a primary method of noise control are to be strictly limited. Access via laneways and/or service roads will be encouraged as alternatives to reverse frontage or noise walls.

i) Residential Low Density 1

The Residential Low Density designation shall permit single detached dwellings, semi-detached dwellings, and accessory apartments, where appropriate. Other forms of low density housing may be considered where neighbourhood compatibility can be demonstrated to the satisfaction of the Town. Their acceptability will be evaluated in terms of, among other things, natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview. Development will be permitted at a maximum of 19

units per site hectare.

ii) Residential Medium Density 1

The Residential Medium Density designation will permit multiple attached dwelling types such as townhouses, duplexes, triplexes and quadraplexes. Development will be permitted within a range of density from 20 to 40 units per site hectare. Detached and semi-detached dwellings will be allowed within this designation, provided the density falls within the density range specified for Residential Medium Density I. Development plans will be specifically designed to preserve intact the overall wooded character of the area, and to the extent possible, individual trees that may be identified as worthy of preservation.

This may be achieved by setting aside certain high quality areas of woodland for preservation as part of public lands.

Where the Town chooses to preserve a woodlot or a portion thereof as part of public lands, it may, through the use of the parkland dedication provisions of the *Planning Act*, the purchase of land and/or other available mechanisms, including negotiated settlements, seek the acquisition of the woodlot or portion thereof.

Residential development will be encouraged to take the form of clusters of units in the least environmentally significant portion of the woodlot and shall be designed to minimize impact on the remaining portions of the woodlot. The remaining woodlot will be preserved intact as Private Open Space or Public Open Space.

Such development shall only be permitted based on a detailed Environmental Impact Assessment Report carried out by qualified consultants.

Such an analysis shall result in a development plan which preserves, for the long term, the overall wooded character of the area and individual trees or groups of trees. Any development permitted shall be subject to the site plan control provisions of the *Planning Act*.

Where portions of the woodlot are to be left intact, and where the Town does not acquire them, proponents will be

encouraged to set them aside as privately-held reserves with minimal or no uses permitted.

d) Commercial

i) General Policies

Commercial areas will have a strong, identifiable urban image. They will provide a sense of identity and focus within the overall community and within neighbourhoods.

Commercial areas will be integrated into the pattern of streets and blocks of which they are a part. The physical design will encourage pedestrian circulation to, from and within these commercial areas along public streets and Natural Areas and Buffer Areas. As a condition of development or redevelopment of land for commercial purposes, the Town may require the conveyance of land to the Town for park purposes based on the following criteria:

- a minimum of 2% of the land proposed for commercial development or redevelopment

Oakville may request cash payment in lieu of land for park or other public recreational purposes to the value of land otherwise required to be conveyed; such cash will be placed in a park trust fund to be expended in accordance with the provisions of the *Planning Act*.

ii) Neighbourhood Commercial

A Neighbourhood Commercial area will be located at the southwest corner of Dundas Street and Neyagawa Boulevard. The size of this site shall be limited to 2 hectares.

Buildings in the Neighbourhood Commercial area shall generally have their facade built directly facing the lot frontage line to promote pedestrian accessibility and a sense of street life. Where a design feature which enhances the quality of street life is provided and is deemed appropriate by the Town, for instance, a pedestrian plaza or cafe patio, the building may be set back but adjacent to that feature.

Buildings in the Neighbourhood Commercial area will have no required setbacks from the side lot lines, except where they abut residential uses. Where buildings in the Neighbourhood Commercial areas abut residential uses, a side yard setback will be required. Development will be encouraged to provide a maximum of continuous built frontage, broken only by pedestrian access lanes.

Site design will minimize visual impacts of parking and driveway areas.

Alternatives to permanent, large areas of surface parking will be sought. Where they are required, they will be located at the rear of buildings, and will be screened by a landscaped edge along the street. Parking lots should not be located at street intersections.

e) Institutional

An Institutional land use designation shall apply to the land at the northwest corner of the intersection of Neyagawa Boulevard and Upper Middle Road. At this site, private educational facilities shall be permitted in addition to other institutional uses.

Notwithstanding part E, Section 1.8 "River Oaks Community", Subsection (e) "Institutional" of the Official Plan, development of lands on the northwest corner of the intersection of Upper Middle Road and Neyagawa Boulevard for residential purposes may only be permitted by way of an amendment to this Plan.

f) Transportation and Circulation

i) General Policies

The proposed general transportation network serving the River Oaks Phase 2C lands is shown on Figure "O".

The transportation system will provide for convenient and safe transportation on foot and bicycle both on the regular road system and via alternative pedestrian and bicycle pathways. It is intended that these modes may provide an alternative use to the automobile rather than function simply as recreational activities.

Proposals for development adjacent to Dundas Street will

have regard for the recommendations of a corridor protection and corridor design study to be completed by the Region of Halton.

ii) Public Transit Opportunities

The transportation system shall provide the basis for effective public transit provision at both the local and regional level.

Development adjacent to Dundas Street will have regard for the recommendations of a corridor protection and corridor design study to be completed by the Region of Halton.

Specific future transit network improvements may be provided as follows:

Transitways on exclusive rights-of-way and/or high occupancy vehicle lanes may be provided on Dundas Street.

Transitways on exclusive rights-of-way along the above noted corridors will provide four lanes for vehicular traffic.

Transitways on designated lanes and/or high occupancy vehicle lanes may be provided on Upper Middle Road and Neyagawa Boulevard.

Transitways on designated lanes may be configured as either outside bus lanes or median bus lanes. The requirement for permanent or peak period/peak direction of bus and/or high occupancy vehicles only privileges will remain flexible until feasibility and service levels can be assessed.

Appropriate transit routes shall be developed to service the Secondary Plan area and designed at the time of development.

iii) Pedestrian and Bicycle Transportation

The roadway system will serve equitably the needs of pedestrians and bicyclists, in addition to automobiles. Bicycling and walking will constitute an important alternative mode of transportation within the Plan area. This priority shall be considered in the context of the physical development of the area.

Bicycle pathways and walkway systems shall be integrated into the surrounding communities and provide bicycle and pedestrian access throughout the area. It will include sidewalks and bicycle pathways integrated with the road system as well as a separate system forming part of the open space system. Links to the nearby West Oak Trails and Glen Abbey Communities will be sought. The bicycle pathways and walkway systems will be considered as additional routes for transportation within the community rather than simply as recreational facilities.

g) Services

i) General Policies

Development of the Plan area shall be on the basis of full urban wastewater collection and water facilities.

The cost of providing services to facilitate development of the Plan area, including any expansion of the wastewater and water treatment facilities, shall be borne by the benefiting landowners, in accordance with the provisions of the *Development Charges Act*, the Region of Halton's Development Charges By-law, and the financing policies and the servicing plans developed by the Region of Halton and the Town of Oakville.

ii) Utilities and Easements

All local power and telephone lines and other cable services to serve the development in the Plan area shall be located underground, where feasible.

All underground services shall be permitted in any land use designation in the River Oaks Phase 2C lands.

The existing utility corridor is a permitted use and adjacent development will be required to recognize the constraints associated with the utility. Subject to approval from the appropriate authority, the utility will also be used for open space purposes and as part of the pedestrian and bicycle pathway system.

iii) Stormwater Management

The entire River Oaks Phase 2C Area is dominated by the Sixteen Mile Creek and two tributaries, the Osenego and Shannon's Creek.

Development will incorporate water quality and stormwater management features into an integrated and multi-functional watercourse system which serves ecology, recreation and aesthetic functions, while mitigating increased runoff associated with development. The Sixteen Mile Creek Watershed Plan recommends general policies and strategies for stormwater management and quality control. The approximate size and location of facilities is indicated in the Plan.

A subwatershed study shall be completed by one applicant or a group of applicants within a watershed. Individual plans of subdivision may be submitted for review in conjunction with the preparation of a subwatershed study.

Studies shall be conducted at the subwatershed stage to determine the size, volume, discharge rates and rates of infiltration for stormwater management facilities. Studies shall be completed to the satisfaction of the Town of Oakville and the Halton Region Conservation Authority prior to the draft plan approval of any plans of subdivision within a subwatershed.

Where permanent facilities required to service the full watershed, as determined in the subwatershed study, are to be located outside the area of application for draft subdivision approval, development of the subdivision may be delayed until required facilities are built. The applicant may provide, subject to approval by the Town, interim water quality control and stormwater management for their subdivision on their own property. Such handling will be of a temporary nature, and will not be an alternative to optimum water quality and stormwater management as identified in the watershed and subwatershed studies.

A functional drainage report shall be prepared for each development site prior to the approval of individual development applications to the satisfaction of the Town of Oakville and the Halton Region Conservation Authority. The

functional drainage report shall address the specific design, construction, stormwater management and phasing of works.

Two major stormwater management ponds are anticipated. These are illustrated on Figure "O". Where the existing watercourses are sufficiently wide to carry storm flows, there will be no reconstruction of these areas, except for erosion control and water quality maintenance measures to the satisfaction of the Town of Oakville, the Halton Region Conservation Authority and the Ministry of Natural Resources. The watercourse valley from top-of-bank to top-of-bank, together with sufficient tableland to ensure the preservation of mature vegetation along the top-of-bank edge and to provide access for maintenance vehicles will be conveyed to the municipality for conservation and buffer purposes as part of the conveyance of lands along the watercourse. This conveyance shall not form part of the required parkland dedication. Compensation shall be at the rate determined in the Development Charges By-law as adopted by the Town of Oakville.

Erosion control shall be implemented to the satisfaction of the Town of Oakville and the Halton Region Conservation Authority.

All alterations to the existing channels, floodplains and valleys in the form of construction dumping or removal of fill shall generally not be permitted, and where such changes are approved, the design of and alteration to any channel must convey the regulatory storm flows, meet flood storage requirements, and be designed to the satisfaction of the Town of Oakville, the Halton Region Conservation Authority and the other appropriate public agencies.

Areas identified by the Sixteen Mile Creek Watershed Planning Study prepared by Gore and Storrie, 1996, as potential recharge and infiltration areas shall require further studies to be conducted at the subwatershed study stage. Such studies shall, as a minimum, identify the rate of infiltration and appropriate infiltration methods of each site. Studies shall be conducted to the satisfaction of the Town of Oakville and the Halton Region Conservation Authority.

h) Implementation

i) Conditions of Development

Notwithstanding any other provision of this Plan, prior to any new development the following conditions must be met:

- full urban services and utilities are committed to be in place and operative prior to or coincident with occupancy and use of the land;
- any transportation facilities required to accommodate the development are committed to be in place and operative prior to or coincident with occupancy and use of the land;
- storm drainage facilities approved by the municipality are committed to be in place and operative prior to or coincident with the occupancy and use of the land;
- an Environmental Impact Assessment has been carried out for all development for review by the Ecological and Environmental Advisory Committee of the Region of Halton;
- an archaeological assessment of the land has been conducted and any relevant findings have been implemented;
- the municipality(s) is satisfied that the cost sharing by the benefiting landowners towards the provision of transportation, wastewater, water, stormwater and other identified infrastructure needs are secured in accordance with municipal and regional policies and the provisions of the Town's Development Charges By-law.

ii) Zoning By-law

The zoning by-laws for this area may include provisions for bonus and holding zones where deemed appropriate and where they are in accordance with this Plan and the provisions of the *Planning Act*.

iii) Plans of Subdivision

The Plan area is subject to subdivision control and part lot control. Only those plans of subdivision shall be recommended for approval which:

- conform with the policies and designations of this Plan;
- can be provided with adequate services and facilities as required by this Plan;
- are not premature and are in the best interests of the municipality.

iv) Consents

Development shall generally take place by plan of subdivision. Consents shall only be permitted:

- for technical or legal purposes; or
- where the municipality is satisfied that the consent will not prejudice the ultimate subdivision of the land;

v) Public Open Space Implementation Policies

Areas designated for public open space purposes include land in the following designations:

Natural Areas
Buffer Areas

All efforts shall be made to acquire the land in these designations in accordance with the policies of the Plan, through such mechanisms as the use of the bonus provisions of the *Planning Act*, parkland dedication provisions of the *Planning Act*, and the purchase of land.

With regard to the parkland dedication provision of the *Planning Act* as a condition of development or redevelopment of land, the conveyance of land to the municipality for park or other public recreational purposes may be required based on the following criteria:

Residential Development or Redevelopment

- a minimum of 5% of the land proposed for residential development or redevelopment; or,
- one hectare of land for each 300 dwelling units proposed for development or redevelopment;

Commercial or Industrial Development

- a minimum of 2% of the land proposed for commercial or industrial purposes;

Further, in order to maximize the municipality's ability to acquire the land in the public open space designations, the municipality may, for any area within the River Oaks Phase 2C Lands:

- request cash payment in lieu of land for parkland with such payments to be used for park or other public recreational purposes elsewhere in the River Oaks Phase 2C Lands;
- acquire land which may be sold at a later date with the funds to be used for park or other public recreational purposes;
- exchange land within the River Oaks Phase 2C Lands;
- accept lots in lieu of land for parkland with the proceeds of the sale of such lots to be used for park or other public recreational purposes elsewhere in the River Oaks Phase 2C Lands; and
- other approaches which are deemed appropriate.

vi) Interim Uses

The lands to which this Plan applies may be used on an interim basis subject to approval by the Town. The appropriateness of proposed interim uses will be evaluated by the Town insofar as they do not prejudice the long term implementation of the Plan. The evaluation will include consideration of future infrastructure needs.

Such uses as approved by the Town will not require that this

Plan be amended, but shall be subject to approval by the Town and other appropriate agencies or authorities. Such uses will be subject to the understanding that it is temporary, and that no permanent structure will be erected during this period. A temporary use zoning by-law and site plan approval shall be required before the interim use is allowed. In no case will the interim use unreasonably delay the normal progression of growth.