

THE CORPORATION OF THE TOWN OF OAKVILLE
*** DRAFT ***
BY-LAW NUMBER 2015-
Official Plan Amendment

A by-law to adopt an amendment to the Livable
Oakville Plan, Official Plan Amendment Number ____
(Merton Lands Special Policy Area)

WHEREAS the Livable Oakville Plan (2009 Town of Oakville Official Plan), which applies to the lands south of Dundas Street and the lands north of Highway 407, was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011; and,

WHEREAS subsection 22(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a person or public body to request a council of a municipality to amend its official plan, and Section 17, 21 and 22 apply to any such amendment; and,

WHEREAS it is deemed necessary to pass an amendment to the Livable Oakville Plan to incorporate certain modifications to the text and schedules that implement the findings of the Merton Planning Study and its supporting technical studies.

COUNCIL ENACTS AS FOLLOWS:

1. The attached Amendment Number ____ to the Livable Oakville Plan is hereby adopted.
2. Pursuant to subsection 17(27) of the Planning Act, R.S.O. 1990, c. P.13, as amended, this Official Plan Amendment comes into effect upon the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to subsections 17(24) and (25). Where one or more appeals have been filed under subsection 17(24) and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Municipal Board.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, declares this Official Plan Amendment to be not exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for

PASSED this ____ day of _____, 2015

MAYOR

CLERK

**Official Plan Amendment Number _____
to the Town of Oakville's Livable Oakville Plan**

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number ___ to the Livable Oakville Plan.

Part I — Preamble

A. Purpose

The primary purpose of the proposed official plan amendment is to incorporate into the Livable Oakville Plan certain modifications to the text and schedules necessary to implement the findings of the Merton Planning Study and its supporting technical studies on the privately owned lands in the Merton Planning Area.

The effect of the changes to the text will be to:

- insert policies specific to the privately owned lands in the Merton Planning Area into Section 26, Special Policy Areas, of the Plan;
- provide for the protection of Natural Areas including enhancement areas and linkages;
- create new land use policies specific to the privately owned lands in the Merton Planning Area;
- reorganize selected sections.

The effect of the changes to the schedules of the Plan will be to:

- on Schedule C, Transportation Plan, identify the proposed roads recommended by the Merton Planning Study;
- on Schedule H, West Land Use, identify the Merton Lands Special Policy Area and redesignate a number of properties to implement the recommendations of the Merton Planning Study.

B. Background

- Council adopted the Livable Oakville Plan on June 22, 2009. Halton Region then approved the Plan, with modifications, on November 30, 2009, as it was deemed to conform to the Growth Plan, and be consistent with the Provincial Policy Statement, 2005, and the Region's Official Plan,

as amended, including the proposed ROPA 38. That decision was appealed by a number of parties.

- Following the resolution of a majority of the appeals, the Ontario Municipal Board approved the Plan with further modifications on May 10, 2011. More modifications were approved by the Board throughout 2012 to resolve outstanding site-specific appeals.
- The Plan is in force except for two outstanding site-specific appeals identified in Appendix 2 of the Plan. One of the outstanding appeals applies to lands west of Bronte Road within the Merton Planning Study Area.

C. Basis

- The Region of Halton Official Plan (ROPA 38) identifies the lands pertaining to the Merton Planning Area as Regional Natural Heritage System and Urban Area. The Merton Lands are also within the Provincial Parkway Belt West Plan. The Region of Halton Official Plan (ROPA 38) designates portions of Parkway Belt West lands as Urban Area in anticipation of the eventual removal of the majority of these lands, by the Province, from the Parkway Belt West Plan. Local municipalities are required to implement the Region of Halton Official Plan. In anticipation of the removal of lands from the Parkway Belt, underlying land use designations are proposed for the Complementary Use designated lands within the Parkway Belt west of Bronte Road.
- Section 26.5 of the Livable Oakville Plan identifies the Merton Lands as an area for potential future development which should be comprehensively studied to determine future land uses and policies.
- The Merton Planning Study outline and objectives were endorsed by Council on November 12, 2012. A notice of study commencement was provided on March 14, 2013. A public open house was held on May 15 and 16, 2013, to introduce the study and share ideas about draft development options prepared for the Merton Lands. The study terms of reference and draft development options were received by Council June 10, 2013. An online user forum and survey were made available on the Town of Oakville website throughout the summer and fall of 2013 and Winter 2014 to solicit additional public input. Several meetings were also held with area stakeholders over the summer and fall of 2013. A public open house was held on March 19, 2014 to provide feedback on the draft preferred plan prepared by Town Staff.
- A statutory public meeting for Town Staff's draft proposed Official Plan Amendment was held on April 14, 2014.
- This privately initiated Official Plan Amendment was received in May 2014. It is consistent with the draft Official Plan Amendment prepared by Town Staff for the public meeting on March 24, 2014 with the exception of

certain text and mapping modifications. Additionally, it does not apply any new designations to lands in public ownership (Provincial or Regional).

- As required by Livable Oakville, 2012, the entirety of the Merton Planning Area was comprehensively studied to determine future land uses and policies. The comprehensive studies addressed servicing and infrastructure needs, transportation needs, noise, air quality, natural heritage and other matters as required by approved terms of reference. Policy 26.5.2 allows for individual site development applications in the Merton Planning Area upon completion of the comprehensive studies. This Official Plan Amendment implements this policy on the privately owned lands within the Merton Planning Area and is in conformity with the policy requirements for the Merton Planning Area.

Part 2 - The Amendment

A. Text Changes

The amendment includes the changes to the text of the Livable Oakville Plan listed in the following table. Text that is underlined indicates new text to be inserted into the Livable Oakville Plan. Text that is crossed out ("strikethrough") is to be deleted from the Plan.

Item No.	Section	Description of Change
1.	26 SPECIAL POLICY AREAS	<p><i>Revise the introductory paragraph as follows:</i></p> <p><i>(Section number and policy are as revised by OPA No. ____ Trafalgar Road Corridor)</i></p> <p><i>Special Policy Areas provide for those areas in the Town that are subject to further study under this Plan and/or areas for which additional policies apply beyond the underlying land use designations. The <i>Special Policy Areas</i> include specifically identified lands, as shown on the accompanying schedules, for which there are corresponding policies, including, Low Density Residential Lands (R1/R01 zones), and the Trafalgar Road Corridor, <u>and the Merton Lands</u>. There are also general areas for which <i>Special Policy Areas</i> are identified, including other corridors and areas for potential future <i>development</i>, and lands subject to the <i>Greenbelt Plan</i>.</i></p>
2.	26.6 [NEW] SPECIAL POLICY AREAS, Merton Lands	<p><i>Insert a new section 26.6 Merton Lands, as provided in Appendix 1. Renumber the remaining policies in section 26 accordingly.</i></p> <p><i>(Section numbers are as previously revised by OPA No. ____)</i></p>

		Trafalgar Road Corridor).
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Item No.	Section	Description of Change
3.	26.6.1 SPECIAL POLICY AREAS, Other Areas for Further Study	<p>The policy will be renumbered to 26.7.1 (see above). Revise the policy as follows:</p> <p><u>Lands in the vicinity of Highway 403 on the west side between Dundas Street and Upper Middle Road- The following areas</u> have been identified for potential future development and should be comprehensively studied to determine future land uses and policies:</p> <p>a) lands in the vicinity of the QEW and Bronte Road on the north side; and,</p> <p>b) lands in the vicinity of Highway 403 on the west side between Dundas Street and Upper Middle Road.</p>

B. Schedule Change

The amendment includes the changes to the schedules to the Livable Oakville Plan listed in the following table, and shown in Appendix 2.

Item No.	Schedule	Description of Change
4.	Schedule C TRANSPOR- TATION PLAN	<p>Amend Schedule C as shown in Appendix 2 to:</p> <ul style="list-style-type: none"> - identify the proposed roads on a portion of the Merton Lands
4.	Schedule H WEST LAND USE	<p>Amend Schedule C as shown in Appendix 2 to:</p> <ul style="list-style-type: none"> - identify the Parkway Belt Boundary - identify the new land uses and proposed roads on the privately owned lands in the Merton Planning Area - add symbols ("▲") to identify sites subject to an exception policy within the privately owned lands in the Merton Planning Area

**APPENDIX 1
New Section 26.6,
Merton Lands**

26.6 Merton Lands

The land generally bound by Upper Middle Road to the north, Fourteen Mile Creek to the East, publicly owned lands to the south, and the Greenbelt Plan west of Bronte Road, is a *Special Policy Area* known as the Merton Lands identified on Schedule H. West Land Use.

The Merton Lands *Special Policy Area* represents the privately owned portion of the Merton Planning Area. The Merton Planning Area was identified as an area for further study to determine future land uses and policies for potential future *development*. The following special policies provide a framework for change within the privately owned lands in the Merton Planning Area.

26.6.1 Development Concept

The Merton Lands *Special Policy Area* recognizes existing uses with the intent to provide for the future development and redevelopment of existing privately owned private open spaces and other private lands, including those within the Parkway Belt.

The Merton Lands consist of a preserved and enhanced Natural Area along Fourteen Mile Creek and its tributaries, which provide for environmental protection, enhancement and linkages with Bronte Creek.

A large area of the Merton Lands are within the Parkway Belt and shall be governed by the Parkway Belt West Plan until such time that the lands are removed from the Parkway Belt West Plan and come under the jurisdiction of the Town and this Plan, unless superseded by another Provincial Plan.

Development shall provide for a *complete community* with a mix of residential and commercial uses. With high visibility along Bronte Road, the built form shall be oriented towards Bronte Road and include a mixed use node forming a gateway to the community. The proposed minor collector road will be the primary route through the Merton Lands and support multiple mobility choices and connections. The minor collector road will directly, or by proximity, link a variety of community facilities including an elementary school, neighbourhood park and parkettes, and support connections to a trail network along Fourteen Mile Creek.

26.6.2 Functional Policies

In addition to the policies in Part C of this Plan, the following functional policies apply to the Merton Lands *Special Policy Area*.

a) Cultural Heritage

- i) *Cultural heritage* resources shall be maintained and integrated into new development.
- ii) A heritage impact assessment shall be required on sites containing *cultural heritage resources*.

b) Urban Design

- i) Development should provide a seamless transition between the public and private realms and promote pedestrian access between the built form and public realm along the street edge.
- ii) Buildings should be oriented towards street frontages, open spaces and parks to provide interest and comfort at ground level for pedestrians.
- iii) Residential uses should be designed to reduce the visual appearance of garage doors along the street edge.
- iv) For Medium Density Residential *development* adjacent to Bronte Road:
 - Window streets shall be considered as a design solution where on-street parking on Bronte Road is not feasible;
 - Reverse frontages and reverse lotting shall generally be avoided and may be permitted in recognition of land use constraints where other design solutions are not feasible or appropriate and provided appropriate buffer treatments are included in the subdivision design;
 - Buildings should be located close to the street to provide visual interest to pedestrians and a sense of enclosure to the street;
 - Building frontages and/or main entrances shall address Bronte Road;
 - Midblock pedestrian connections from Bronte Road into the interior of the community are encouraged.
- v) Land uses directly abutting the Natural Area and the Fourteen Mile Creek will be comprised of a combination of residential lots, single loaded vista roads, open space and storm water management blocks.

vi) Views from the developed area into the Natural Area and Parks and Open Space areas along the Fourteen Mile Creek valley are encouraged.

viii) Gateways

- The intersection of Bronte Road with the proposed minor collector road at the mixed use node is a minor gateway location.
- Gateways should be enhanced by features such as prominent buildings, strategic building placement, landscape features and public art.

c) Community Facilities

i) The opportunity for an elementary school block shall be provided through the development process. In determining the location for a potential school block, the following criteria shall be considered:

- The site is located on or in proximity to the proposed minor collector road;
- The site is located to limit traffic infiltration;
- The site is designed to reduce the overall land requirements through incorporation of on-street parking, multiple storeys, joint use and other means to reduce land requirements.

ii) A neighbourhood park shall be provided through the development process. In determining the location for the neighbourhood park, the following criteria shall be considered:

- the site is located adjacent to, or in proximity to a potential elementary school block where practical and where land efficiencies can be achieved through joint programming;
- the site is located along the minor collector road.

iii) Two neighbourhood parkettes shall be provided within the residential area of the Merton Lands, east of Bronte Road. In determining the location for the parkettes, the following criteria shall be considered:

- the sites support walkability across the balance of the residential areas and are correspondingly distributed;

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- the site(s) is located to support the enhancement of the Natural Area or identified natural features, where feasible;
 - the site(s) is located to support and enhance the mixed use node, where feasible.
- iv) A trail system shall be provided along the western side of Fourteen Mile Creek including pedestrian bridge crossings to provide linkages to the planned trail system on the east side of the creek.
- d) Transportation
- i) The proposed roads shown on Schedule H, West Land Use within the Merton Lands *Special Policy Area*, shall be classified as minor collector roads.
- ii) Notwithstanding Table 4 in section 8.4 Rights-of-Way, the right-of-way for:
- the northerly minor collector road should be 22 metres wide to provide for active transportation opportunities and on-street parking;
 - the southerly minor collector road should be 19 metres wide;
 - local roads adjacent to the Natural Area should be 15 metres wide where a 10 metre buffer inclusive of a passive trail is provided.
- iii) Roadway alignments shall be coordinated with existing infrastructure wherever feasible to minimize impact on the surrounding area.
- iv) Single loaded roads are encouraged abutting portions of the Natural Area.
- v) Through the *development* process, a complete and connected active transportation network shall be provided throughout the Merton Lands, including bike routes, trails, pedestrian connections, and sidewalks as well as improved connectivity with existing routes.
- vi) On-street or lay-by parking shall be encouraged along Bronte Road and on the proposed minor collector road with specific attention given to the mixed use node.

e) Sensitive Land Uses

- i) *Sensitive land uses* shall not be located within 300 metres of the property line of the Mid-Halton Wastewater Treatment Plant unless written approval for reduced separation distances from the Ministry of Environment is obtained.
- ii) *Sensitive land uses* within 70 metres of the Woodlands Operation Centre works yard shall be effectively buffered from noise sources. The costs associated with buffering, set-backs and the sensitive transition area, and recommended site source controls shall be borne by the proponents of a proposed *development*.

f) Sustainability

- i) The Natural Area includes the required buffers to identified natural features and identified enhancement areas and linkages.
- ii) Passive recreational trails shall be provided primarily within the buffer areas adjacent to the Natural Area.
- iii) Through the development process, the objective of no net loss of existing tree canopy cover will be addressed.

g) Stormwater Management

- i) The final type, size and location of stormwater management facilities shall be determined through the *development* process and are required in locations adjacent to the Natural Area to support enhancement opportunities to the Natural Area including trails.

26.6.3 Land Use Policies

Land use designations for the lands within the Merton Lands *Special Policy Area* are provided on Schedule H, West Land Use. In addition to the policies in Part D of this Plan, the following policies apply specifically to the lands within the Merton Lands *Special Policy Area*.

- a) The lands within the Parkway Belt boundary form part of the Parkway Belt West Plan and are designated Parkway Belt. Until such time that these lands are removed from the Parkway Belt West Plan and come under the jurisdiction of the Town and this Plan, the policies of the Parkway Belt West Plan shall govern the use of land.
- b) On the lands designated Medium Density Residential adjacent to Bronte Road, the predominant minimum building height shall be 3 storeys.

- c) On the lands designated Medium Density Residential, limited Low Density Residential uses may be permitted.
- d) On the lands designated Low Density Residential, a density of between 20 to 30 units per site hectare shall be permitted. On lands designated Medium Density Residential, a density of between 40 to 60 units per site hectare shall be permitted.

26.6.4 Exceptions

- a) On the lands designated Low Density Residential located at the southeast corner of Upper Middle Road West and Bronte Road, road access from the south via a creek crossing shall be subject to an Environmental Impact Study being completed demonstrating that there will be no negative impact on significant habitat of endangered species and threatened species.
- b) The lands designated Main Street 1 on the west side of Bronte Road may permit the use of the heritage building for office uses.

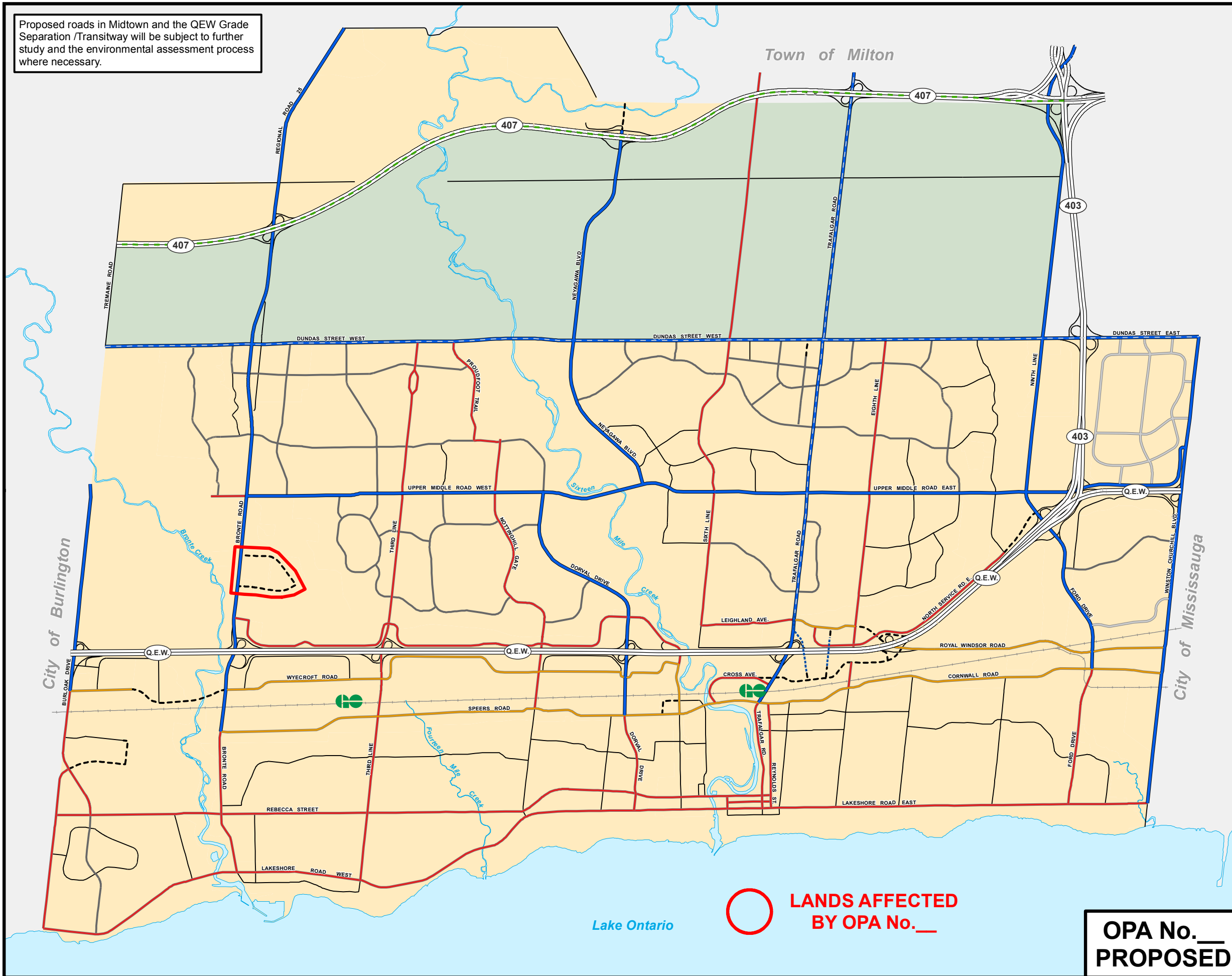
26.6.5 Implementation Policies

In addition to the policies in Part F of this Plan, the following implementation policies apply specifically to the Merton Lands.

- a) The uses and buildings that legally existed prior to the adoption of this Plan may be permitted to continue, however, they are intended to be redeveloped in conformity with this Plan.
- b) The technical reports identified in the Merton Planning Study Terms of Reference, that are required in support of draft plans of subdivision, shall be completed in accordance with the Terms of Reference and the study process to the satisfaction of the Town prior to development taking place.

APPENDIX 2
Changes on Schedules
Of the Livable Oakville Plan

Proposed roads in Midtown and the QEW Grade Separation /Transitway will be subject to further study and the environmental assessment process where necessary.



LANDS AFFECTED BY OPA No. __

**OPA No. __
PROPOSED**

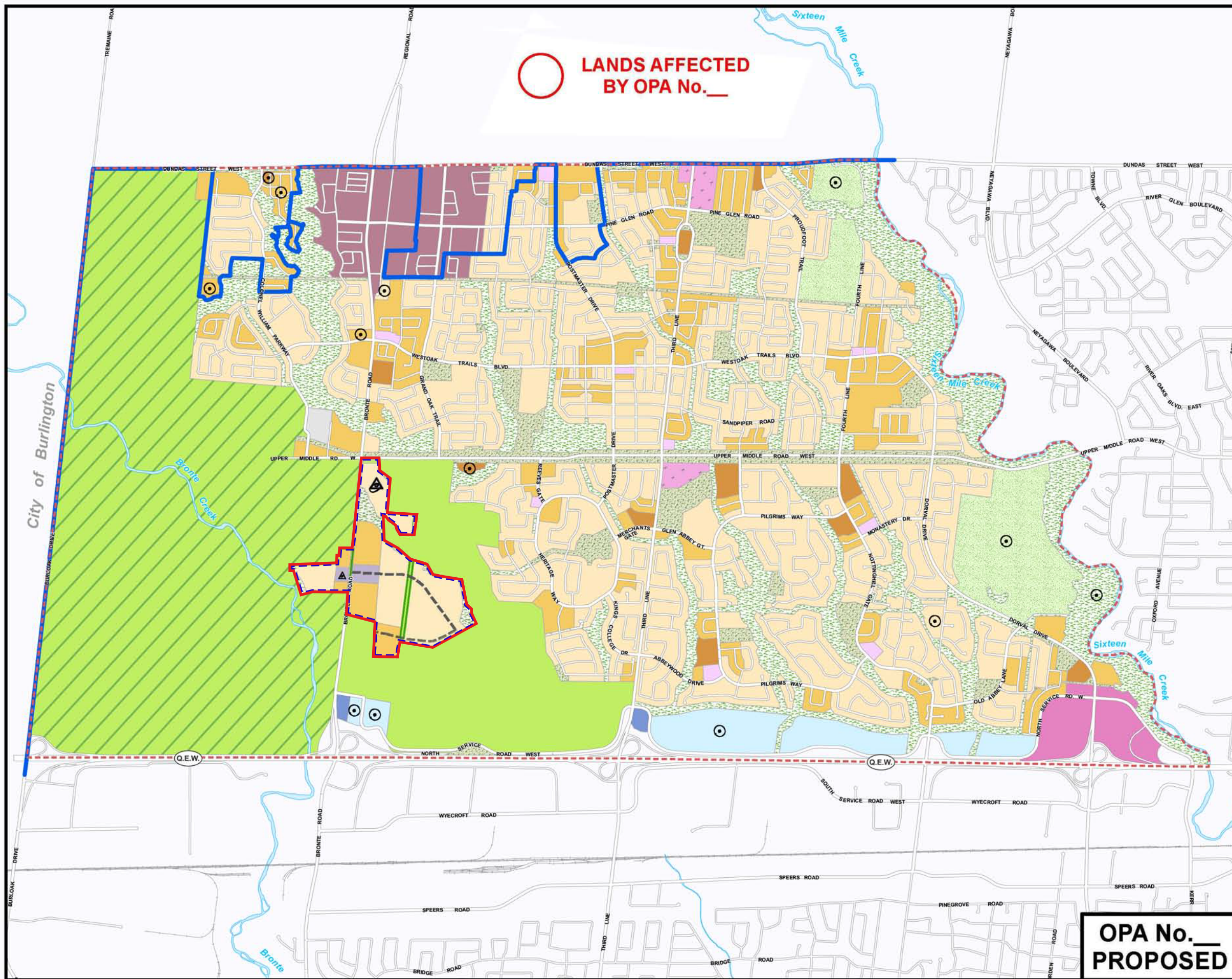
SCHEDULE C TRANSPORTATION PLAN

- PROVINCIAL HIGHWAY
- MAJOR ARTERIAL
- MULTI-PURPOSE ARTERIAL
- MINOR ARTERIAL
- INDUSTRIAL ARTERIAL
- MAJOR COLLECTOR
- MINOR COLLECTOR
- PROPOSED ROADS
- QEW GRADE SEPARATION/ TRANSITWAY
- TRANSITWAY
- BUSWAY CORRIDOR
- RAILWAY LINE
- MAJOR TRANSIT STATION
- LANDS NOT SUBJECT TO THE POLICIES OF THIS PLAN



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September 7, 2012

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○ LANDS AFFECTED BY OPA No. __

SCHEDULE H WEST LAND USE



- BUILT BOUNDARY
- SCHEDULE AREA BOUNDARY
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- NEIGHBOURHOOD COMMERCIAL
- COMMUNITY COMMERCIAL
- CORE COMMERCIAL
- MAIN STREET 1
- OFFICE EMPLOYMENT
- BUSINESS COMMERCIAL
- INSTITUTIONAL
- NATURAL AREA
- PARKWAY BELT
- PARKS AND OPEN SPACE
- PRIVATE OPEN SPACE
- UTILITY
- GROWTH AREA*
- GREENBELT**
- SPECIAL POLICY AREA - MERTON LANDS
- PROPOSED ROADS
- RAILWAY

* Refer to Part E, Growth Area Policies
 ** Refer to Part E, Special Policy Areas
 ○ Refer to Part E, Exceptions
 △ Refer to Part E, Merton Lands



1:26,000
 September 7, 2012

**OPA No. __
 PROPOSED**