BOUSFIELDS INC.

Planning & Urban Design Rationale



118, 122, 126, 128 & 132 Cross Avenue

Town of Oakville

Prepared For

Batory Planning and Management

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This Planning and Urban Design Rationale report has been prepared in support of an application by Batory Planning and Management to amend the Town of Oakville Official Plan and the Town of Oakville Zoning By-law No. 2014-014, as amended, with respect to a 2,466.3 square metre property located on the south side of Cross Avenue, approximately 45 metres east of Lyons Lane in Midtown Oakville. The subject site is comprised of an assembly of five properties municipally known as 118, 122, 126, 128 and 132 Cross Avenue.



1 Introduction

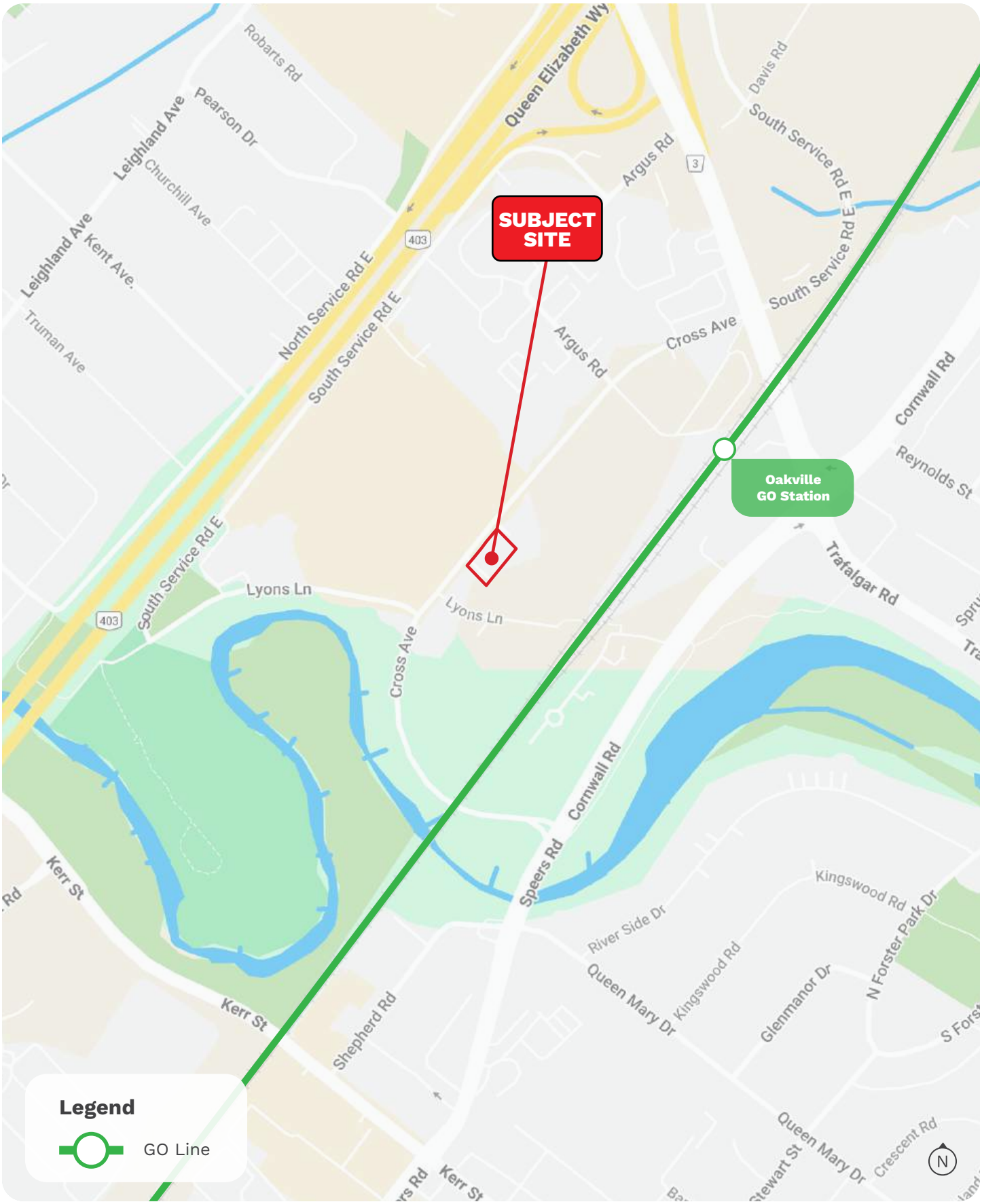


Figure 1 - Location Map

This Planning and Urban Design Rationale report has been prepared in support of an application by Batory Planning and Management to amend the Town of Oakville Official Plan (Livable Oakville Plan) and the Town of Oakville Zoning By-law No. 2014-014, as amended, with respect to a 2,466.3 square metre (0.24 hectare) property located on the south side of Cross Avenue, approximately 45 metres east of Lyons Lane in Midtown Oakville**.** The subject site is comprised of an assembly of five properties municipally known as 118, 122, 126, 128 and 132 Cross Avenue (herein referred to as the "subject site" or the "site") (see **Figure 1**, Location Map).

The subject site is currently occupied with four single-storey detached residential dwellings and one single-storey medical office. The site is located within Midtown Oakville, which has been identified as the Town of Oakville's primary Strategic Growth Area, as well as a Protected Major Transit Station Area (PMTSA). Given the site's location in Midtown Oakville, the site offers an excellent opportunity to provide a transit-supportive development which optimizes existing transit infrastructure, including the Oakville GO Station and surface transit network, as well as the future Trafalgar Bus Rapid Transit (BRT) line.

The requested Official Plan and Zoning By-law amendments would facilitate the redevelopment of an underutilized site with a 38-storey (131.5 metres, including a 7.0-metre mechanical penthouse) mixed-use building with non-residential uses at-grade and on Level 2. The proposed development will contain a total gross floor area (GFA) of 31,980.6 square metres, consisting of 580.5 square metres of non-residential GFA, 31,400.1 square metres of residential GFA (providing 429 residential units), and resulting in a density of 12.97 floor-space index (FSI). Improvements to the existing and future road network are proposed to be made through the expansion of Cross Avenue. The proposed redevelopment also includes enhancements to the transportation network in Midtown Oakville and includes the conveyance of a 7.9-metre-wide strip of land along Cross Avenue to accommodate for the planned right-of-way width of the street.

This Planning and Urban Design Rationale report concludes that the proposed development is in keeping with the planning and urban design framework established by the Provincial Planning Statement (2024), Region of Halton Official Plan, as well as the in-force Livable Oakville Plan (including the Midtown Oakville Policies), and has appropriate regard for the overarching policy direction to create a compact and urban complete community in Midtown Oakville in accordance with the Council-adopted Official Plan Amendment 70.

From a land use perspective, the proposed residential/mixed-use intensification on the subject site is appropriate, desirable and consistent with the policy framework set out in the Provincial Planning Statement and conforms with the general intent of the Region of Halton Official Plan and the Livable Oakville Plan, as well as the Council-adopted Midtown Oakville OPA 70, all of which promote significant intensification of lands that are identified as strategic growth areas and sites that are well served by municipal infrastructure, particularly higher-order transit. In this regard, the subject site is located in the Midtown Oakville Strategic Growth Area and the delineated Oakville PMTSA and is within convenient walking distance of the Oakville GO station and the future Trafalgar BRT Line. Moreover, the subject site is a designated Growth Area in the Town of Oakville Official Plan and designated *Urban Centre* and *Urban Core* in Midtown Oakville, where the greatest intensity of development is anticipated. Accordingly, it is our opinion that residential/mixed use intensification of the subject site will contribute to the policy objectives for Midtown Oakville as a mixed-use centre and will support the existing and future transit infrastructure.

From a built form and urban design perspective, the proposed development is contextually appropriate, will fit within the planned built form context, and will be compatible with the anticipated heights and massing envisioned for the Midtown Oakville area.

As discussed in this report, the proposed height on the site is appropriate, supports the Town's urban structure hierarchy for intensification, and will not result in unacceptable built-form impacts or impede upon the redevelopment potential of the surrounding land uses. Through the design and massing of the tower and podium element, shadow impacts on surrounding streets, parks, and open spaces have been limited. Moreover, appropriate separation distances have been achieved from adjacent lot lines. The proposed building height and massing conforms with the built-form policies of the Official Plan and has appropriate regard for the Livable by Design Urban Design Manual and Designing Midtown Oakville Urban Design Guidelines.

Based on the foregoing, it is our opinion that the proposed development represents good land use planning and urban design and constitutes an excellent opportunity to redevelop an underutilized site with a new mixed-use building. Accordingly, the Official Plan Amendment and Zoning Bylaw Amendment application is appropriate and desirable and should be approved.



2 Site & Surroundings

2.1 Subject Site

The subject site is located on the south side of Cross Avenue, approximately 45 metres east of Lyons Lane in Midtown Oakville (see **Figure 2**, Aerial Photo - Subject Site). The subject site is comprised of an assembly of five properties municipally known as 118, 122, 126, 128 and 132 Cross Avenue.

The subject site is rectangular in shape, with a frontage of 65.6 metres along Cross Avenue, and a depth of 37.8 metres, resulting in a site area of 2,466.3 square metres. The site is currently occupied with four single-storey detached residential dwellings and one single-storey medical office. A detailed description of the parcels is set out below.



Figure 2 - Aerial Photo - Subject Site



Subject Site, 118 Cross Avenue

118 Cross Avenue

The property at 118 Cross Avenue is occupied with a single-storey detached dwelling that has been converted into a medical office (Dr. Amanda Sanghera and Associates Optometrist). The building is set back approximately 3.5 metres from Cross Avenue to the north, 2.8 metres to the west lot line, 3.8 metres to the east lot line, and 26.0 metres to the south lot line. A surface parking lot is provided at the rear of the lot for visitors of the medical office.

122 Cross Avenue

The property at 122 Cross Avenue is occupied with a single-storey detached residential dwelling. The building is set back approximately 2.4 metres from Cross Avenue to the north, 3.5 metres to the east lot line, 26.0 metres to the south lot line, and is built flush to the west lot line. Parking is provided in the eastern portion of the property and is accessed from a driveway from Cross Avenue.

126 Cross Avenue

The property at 126 Cross Avenue is occupied with a single-storey detached residential dwelling. The building is set back approximately 3.1 metres from Cross Avenue to the north, 4.1 metres to the east lot line, and 27.0 metres to the south lot line, and is built flush to the west lot line. Parking is provided in the eastern portion of the site and accessed from a driveway from Cross Avenue.

128 Cross Avenue

The property at 128 Cross Avenue is occupied with a 1 ½ -storey detached residential dwelling that fronts onto Cross Avenue. The building is set back approximately 3.1 metres from Cross Avenue to the north, 3.4 metres to the east lot line, 18.1 metres to the south lot line, and is built flush to the west lot line. A detached garage is located in the rear portion of the lot and is accessed from a driveway from Cross Avenue, located in the eastern portion of the property.

132 Cross Avenue

The property at 132 Cross Avenue is occupied with a 1 ½ -storey detached residential dwelling that fronts onto Cross Avenue. The building is set back approximately 4.6 metres from Cross Avenue to the north, 3.5 metres to the east lot line, 23.5 metres to the south lot line, and is built flush to the west lot line.



Subject Site, 122 Cross Avenue



Subject Site, 126 Cross Avenue



Subject Site, 128 Cross Avenue



Subject Site, 132 Cross Avenue

With respect to site grading, the subject site is relatively flat along Cross Avenue, however, it slopes down by 0.43 metres from west to east. The site also slopes down by 0.33 metres from north to south along the east property line and by 1.0 metres from north to south along the west property line.

With respect to vegetation, there are various trees, shrubs, and bushes located in the side and rear yards of the detached dwellings that provide a landscaped buffer between the subject site and the large surface parking lot associated with Oakville GO Station. There are also two trees located in the front yards of the properties at 122 Cross Avenue and 132 Cross Avenue. There are no trees located within the public right-of-way along Cross Avenue.

2.2 Area Context

The subject site is located within Midtown Oakville, which has been identified as the Town of Oakville's primary Strategic Growth Area, as well as a PMTSA. The Midtown Oakville area is generally defined by Cornwall Road to the south, Six Mile Creek to the west, South Service Road to the north, and Chartwell Road to the east (see **Figure 3**, Aerial Photo - Area Context).

Midtown Oakville currently consists of various commercial and employment uses which include large-format commercial/retail plazas, automotive dealerships, large parking areas for the Oakville GO Station, office buildings, and hotels. Midtown Oakville also includes a small pocket of residential uses along Cross Avenue, including the dwellings on the subject site. Moreover, over the last two decades, residential uses have been introduced to Midtown Oakville.

Midtown Oakville benefits from access to existing services and amenities including the Oakville GO Station, the Oakville Place Mall (a large shopping mall on the north of the QEW), Downtown Oakville (approximately 2.5 kilometres to the south of the site), and various commercial retail uses including retailers such as Home Depot, LCBO, Dollarama, Whole Foods, Value Village, and others which are located within Midtown Oakville.

In accordance with Official Plan Amendment No. 70 (OPA 70) to the Livable Oakville Official Plan (see **Section 4.13** below), Midtown Oakville is envisioned to evolve over the coming years and accommodate a significant amount of the Town's residential and employment population. It is expected that the majority of the existing uses in the surrounding context will be redeveloped as a part of a Midtown's evolution into a true mixed-use community. Additionally, the Town of Oakville is also planning a series of significant upgrades to the surrounding road and open space network. New roads, parks, and pedestrian connections are expected to be constructed in Midtown which will improve the public realm, improve connections across the QEW, and create an urban, mixed-use centre.

Midtown Oakville has seen new redevelopment activity since the adoption of the 2009 Livable Oakville Official Plan and is in the process of evolving into a transit-oriented, mixed-use community. There is a significant level of development that is being contemplated in Midtown Oakville, including the Oakville Transit-Oriented Community (herein referred to as "Oakville TOC"), and high-rise, multi-building proposals on the east side of Trafalgar Road, as discussed in **Section 2.3**. Development activity within Midtown Oakville is summarized in **Table 1** below.

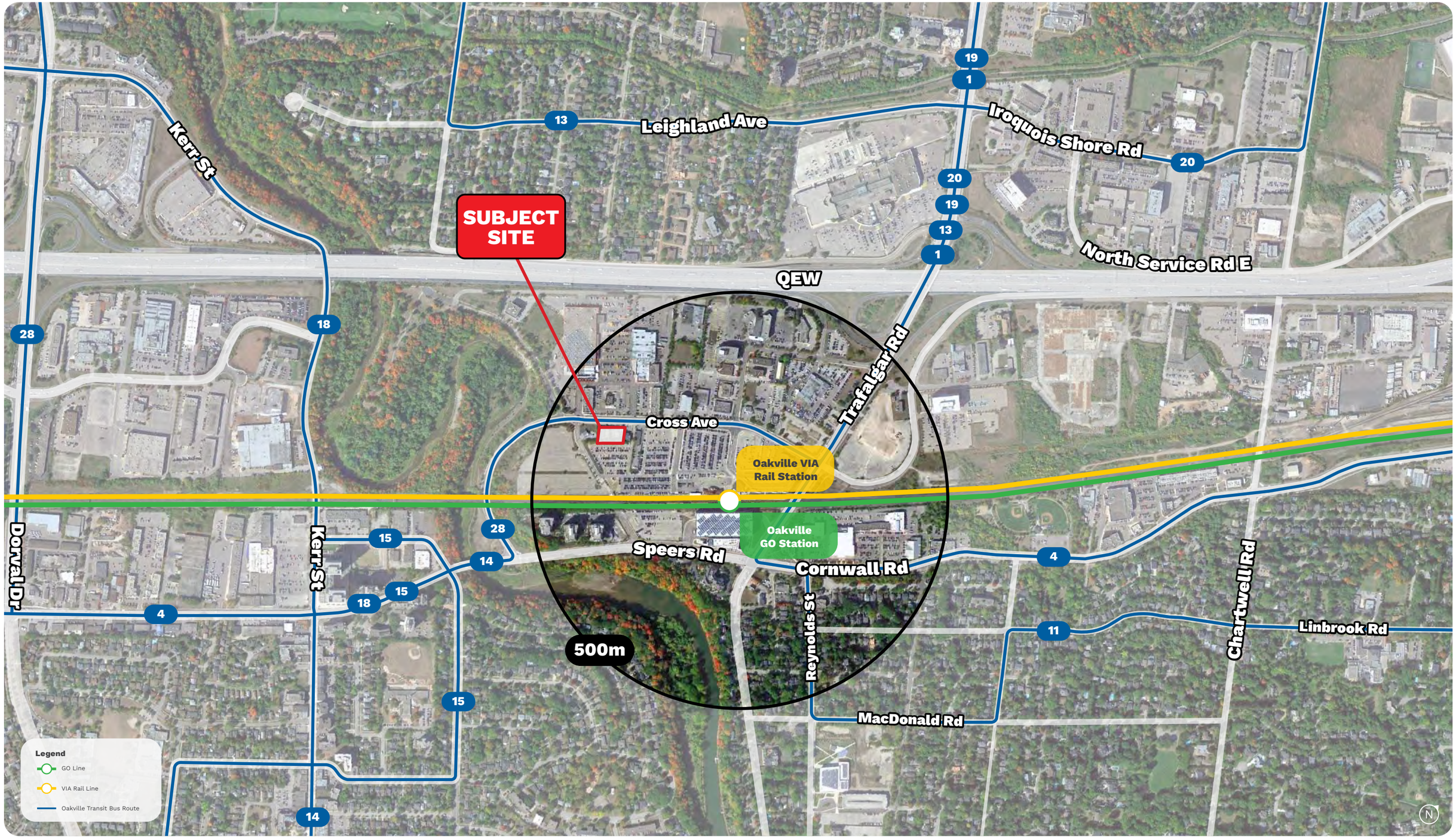


Figure 3 - Aerial Photo - Area Context

2.3 Immediate Surroundings

To the immediate **north** of the subject site, on the north side of Cross Avenue, is a commercial plaza that is comprised of two 1-storey commercial/ retail buildings, that include a stand-alone fast food restaurant with a drive-through (Tim Hortons, 111 Cross Avenue) and a commercial building with a Service Canada, Oakville Cycle and Sports and a Hibachi restaurant (105 Cross Avenue). The two buildings are surrounded by large surface parking areas that are accessed from a private shared driveway located to the east of the properties.

Further north, at 99 Cross Avenue, is a similar big-box retail building with a large surface parking area (Home Depot). To the north of it, is the Queen Elizabeth Way (QEW) highway, which is an 8-lane provincial highway that extends west from the City of Toronto, through Oakville and south to St. Catherines. North of the QEW is a predominantly low-rise residential neighbourhood comprised of single- and semi-detached dwellings and some apartment buildings. Oakville Place, located at the northwest of the QEW and Trafalgar Road, is a commercial mall containing tenants and ample surface parking surrounding the building.



111 Cross Avenue



105 Cross Avenue



99 Cross Avenue

To the **northeast** of the subject site are various commercial properties with large surface parking areas, including a one-storey retail building that is occupied by various restaurants, offices, and personal spa services (117 Cross Avenue). Immediately north of the property at 117 Cross Avenue is a one-storey retail building occupied by various retailers and services, including Value Village, Dollarama, and Oakville Service Canada Centre (125 Cross Avenue). An associated surface parking lot is located at the rear of the building, with access from both Cross Avenue and South Service Road East to the north.



117 Cross Avenue



227 Cross Avenue

Further to the northeast of the subject site are the Oakville Transit-Oriented Community (TOC) Lands. The Oakville TOC Lands are comprised of an assembly of four sites located in Midtown Oakville with a combined area of approximately 4.9 hectares, located generally in the centre of Midtown, west of Trafalgar Road, north of Cross Avenue and south of South Service Road East, municipally known as: 217 and 227 Cross Avenue and 571, 581, 587-595 Argus Road (Site 1), 157-165 Cross Avenue (Site 2), 166 South Service Road East (Site 3), and 590 Argus Road (Site 4). The Oakville TOC Lands are currently occupied by various low-rise commercial, and office uses, including a hotel, and are surrounded by significant surface parking areas



125 Cross Avenue (Site 1)



217 Cross Avenue (Site 1)


581 Argus Road (Site 1)


595 Argus Road (Site 1)

The initial Oakville TOC proposal was submitted on November 14, 2024. The proposal consisted of 11 mixed-use buildings, ranging in height from 46- to 59-storeys. Subsequently, in November of 2025 a revised Oakville TOC proposal was submitted, and the Ministerial Zoning Orders (MZOs) were issued on April 9, 2026. The approved Oakville TOC consists of 11 mixed-use buildings, with heights ranging from 45- to 56-storeys. Together, the Oakville TOC development provides approximately 520,054 square metres of residential GFA and 14,935 square metres of non-residential GFA, which will include retail, and office uses, as well as community spaces in the form of a community centre, proposed daycare, multi-purpose community-oriented space, and a public library, resulting in an overall gross density of 10.8 FSI. The Oakville TOC development will also convey lands to achieve the planned road network in accordance with the Council-adopted Official Plan Amendment (OPA) 70.



157 Cross Avenue (Site 2)



165 Cross Avenue (Site 2)



166 South Service Road East (Site 3)


590 Argus Road (Site 4)

The approved development of Site 1 of the Oakville TOC will feature a mix of retail, office, and residential uses, as well as a public library. The development will also include public realm and landscape improvements, as well as a large, centrally located privately-owned publicly accessible space (POPS) with an area of approximately 2,574 square metres. A landscaped pedestrian connection is proposed to traverse the site from the east-west segment of Argus Road southward to Cross Avenue and the GO Station.

Site 1 is to include three buildings with heights of 49-storeys (181.0 metres, including mechanical penthouse), 52-storeys (186.1 metres including mechanical penthouse), and 56-storeys (200.1 metres including mechanical penthouse). The 49-storey building is situated in the northern part of the site, with frontage along the east-west and north-south segments of Argus Road and is comprised of a 6-storey (29.9 metres) podium element and a 43-storey tower above. The 52-storey building is located in the western portion of the site, facing the north-south segment of Argus Road, and is comprised of a 6-storey (29.9 metres) podium element that steps down to 4-storeys along the north-south segment of Argus Road and 2-storeys to adjacent to the south lot line, and a 46-storey tower above. The 56-storey building is situated at the southeast corner of the site, with frontages on Cross Avenue and a future 20-metre north-south road to the east. The building is comprised of a 6-storey (27.6 metres) podium element, that steps down to 2-storeys towards the central POPS area, and a 50-storey tower above.

The approved development of Site 2 will include retail/commercial, office, daycare, and residential uses. The development will also include a 606 square metre POPS at grade, located at the southeast corner of the site, and framing the intersection of Cross Avenue and the proposed north-south local road.

The development will be comprised of a mixed-use building with two towers that are 52-storeys (183.4 metres, including mechanical penthouse) and 56-storeys (195.2 metres, including mechanical penthouse) in height, positioned above a tiered 3-storey podium element. The podium will have a total height of 3-storeys (15.5 metres), stepping down to 2-storeys (11.0 metres) towards the west property line, and to a single-storey element towards the centre of the site, and the POPS area at the southeast corner of the site.

The approved development of Site 3 will include at-grade retail space, a community centre, and residential uses. The development will feature an approximate 1,926-square-metre POPS space located in the western portion of the site, which will provide an opportunity for an informal east-west mid-block connection to be established in the future, should the adjacent site to the west redevelop.

Site 3 is to include two buildings and three towers with heights of 49-storeys (174.75 metres, including mechanical penthouse), 50-storeys (178.0 metres, including mechanical penthouse), and 56-storeys (202.3 metres, including mechanical penthouse). The first building will occupy the northern and eastern portions of the site, with frontages on South Service Road East and the future local road to the east. The shared podium element will have a height of 3-storeys (15.9 metres) along the street frontages and will step up to 7-storeys (28.5 metres) at the base of Tower 1. At the base of Tower 2, the podium will have a height of 3-storeys along the frontage of the future north-south local road, stepping down to 2-storeys (9.1 metres) towards the POPS. The second building is situated in the southern portion of the site and will be comprised of a 7-storey (28.2 metres) podium that will step down to 3-storeys (16.8 metres) along the future north-south local road to the east and to 2-storeys (9.1 metres) towards the POPS positioned in the interior of the site.

The approved development of Site 4 will incorporate a mix of uses, including retail, office space, a community use and residential units. The development also includes two large courtyard POPS located between the buildings and fronting Argus Road, and a third POPS area at the southwest corner of the site, all of which are envisioned as multi-functional spaces that will accommodate both passive and active activities throughout the year. The public realm along Argus Road will be further enhanced with at-grade retail spaces and landscape elements, including new street trees, as well as a landscaped strip along South Service Road East, within the required 14-metre MTO setback.

Site 4 is to include three buildings with heights of 45-storeys (166.2 metres including mechanical penthouse), 51-storeys (184.4 metres including mechanical penthouse), and 56-storeys (200.2 metres including mechanical penthouse). The towers will be organized atop a shared 'E'-shaped podium, which is divided into three wings. The podium element along South Service Road East will feature a 3-storey streetwall (14.5 metres) in the western and eastern sections, stepping down to 2-storeys (10.3 metres) in the center and towards the POPS areas. Along Argus Road, the podium will have a 6-storey (26.0 metres) streetwall height, that will increase to 12-storeys at the base of each tower, away from Argus Road, through a series of step backs.

The Oakville TOC buildings and their tower elements have been strategically placed to ensure a minimum separation distance of 25 metres between towers is provided, and to mitigate negative impacts from incremental shadowing onto the low-rise community north of the QEW.

To the northeast of the subject site, interspersed with the TOC Lands, are various small-scale retail buildings, including two one-storey buildings occupied by restaurant uses (177 and 187 Cross Avenue), a car dealership (D's Auto Shine, 570 Argus Road), a daycare centre (KidLogic, 580 Argus Road), and a one-storey retail building (JY Jewelry, 207 Cross Avenue).

Further to the northeast, east of the Oakville TOC Lands, towards Trafalgar Road, are a series of low-rise retail, office, and fast-food establishments, along with their associated surface parking lots, and the Oakland Ford Lincoln dealership (570 Trafalgar Road). East of Trafalgar Road, the lands are largely occupied by commercial and office uses with surface storage lots and the CN Oakville Yard located east of Chartwell Road.



580 Argus Road


570 Trafalgar Road

To the immediate **east** of the subject site, on the south side of Cross Avenue, is a 2-storey office building occupied by an accounting firm (S&A Partners Chartered Professional Accountants, 136 Cross Avenue). The building is setback a minimum of approximately 17.0 metres from Cross Avenue to the north, is built flush to its east lot line, is set back a minimum of approximately 1.0 metre from its south lot line and approximately 2.0 metres from its west lot line, abutting the subject site. The east façade of the building, facing the subject site, includes windows in the rear portion of the building. With respect to pedestrian and vehicular access, it is provided from Cross Avenue, and surface parking is provided within the front yard of the property.

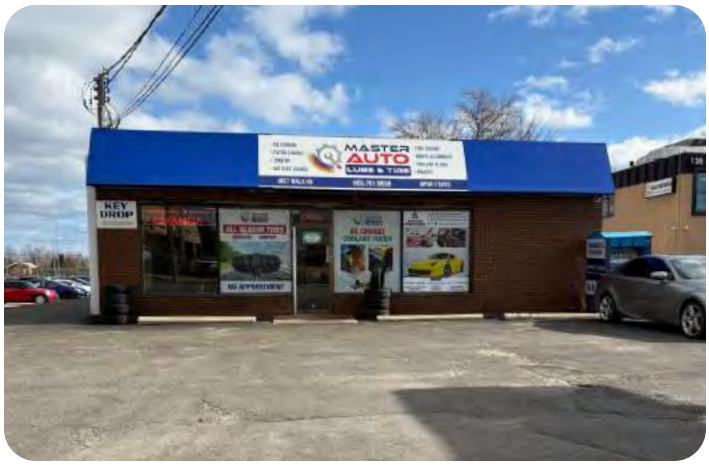
To the east of 136 Cross Avenue, is a driveway that provides access to the surface parking area associated with the Oakville GO Station. Further east, at 142 Cross Avenue, is a single-storey building occupied by a car detailing and oil change service (Master Auto Lube & Tires) with surface parking in the rear.

Continuing east along the south side of Cross Avenue, are three large surface parking areas that are associated with the Oakville GO Station (148-222 Cross Avenue). The parking areas extend east to the property at 238 Cross Avenue, which is located at the southwest corner of Cross Avenue and Trafalgar Road.

South of the parking lots, on the north side of the rail corridor, are entrances to the Oakville GO and VIA Rail platforms as well as the Oakville Bus Terminal. Vehicular access to the parking areas, as well as the Station pick-up/drop-off area is from a north-south road extends south through a signalized intersection. South of the rail corridor is a 6-storey above-ground parking structure and 3-storey GO Transit Network Operations Centre, which fronts onto the intersection of Trafalgar Road and Cornwall Road, as well as a surface parking lot. Pedestrian and vehicular access, as well as pick-up and drop-off, is from Cornwall Road and Trafalgar Road.



136 Cross Avenue



142 Cross Avenue


Oakville GO Parking Structure

To the immediate **south** of the subject site are surface parking areas associated with the Oakville GO Station. South of the parking area, on the north side of the rail corridor, are entrances to the Oakville GO and VIA Rail platforms as well as the Oakville Bus Terminal. The access driveway to the Bus Terminal is from Cross Avenue through a signalized intersection, shared with Argus Road to the north.

Further south, south of the rail corridor is the primary Oakville GO station and surface parking lot. The station is connected to a 6-storey above-ground parking structure and 3-storey GO Transit Network Operations Centre, which fronts onto the intersection of Trafalgar Road and Cornwall Road. Pedestrian and vehicular access to the GO Station is from Cornwall Road and Trafalgar Road.

To the west of the Oakville GO Station parking structure and lot, still south of the subject site, are three 10-storey residential buildings at 40, 50, and 60 Old Mill Road. Immediately east of the residential buildings, at the northwest corner of Cornwall Road and Old Mill Road, is a formerly vacant lot (70 Old Mill Road). In 2022, the property at 70 Old Mill Road was approved for the development of a 12-storey building, and the site is currently under construction. A low-rise residential neighbourhood continues further south, on the opposite side of Sixteen Mile Creek.



Via Rail Building



Oakville GO Station Entrance



40, 50, and 60 Old Mil Road

To the immediate **west** of the subject site, at the southeast corner of Cross Avenue and Lyons Lane, is a hydro substation managed by Oakville Hydro (539 Lyons Lane). The station includes a one-storey building that was formerly used as Oakville Hydro's offices (now vacant) and the hydro substation. The building is situated in the western portion of the property and is set back a minimum of approximately 14 metres from Cross Avenue to the north, approximately 22.5 metres from its east property line abutting the site, 11 metres from its south lot line and 9 metres from its west lot line, adjacent to Lyons Lane. Further west, on the west side of Lyons Lane, is an additional parking lot serving the Oakville GO Station. The parking lot extends west to Sixteen Mile Creek, which is a natural heritage area that features a significant cliff face off Lyons Lane, dropping down to the river below.

To the **northwest** of the subject site, at 599 Lyons Lane is currently a vacant site. In April of 2009, the Ontario Municipal Board (now known as the Ontario Land Tribunal (OLT)) approved an Official Plan Amendment and rezoning application to permit the development of two towers that are 20- and 26-storeys in height. The buildings have not been constructed. To the north of 599 Lyons Lane, at 627 Lyons Lane is currently a 4-storey office building. In 2021, a rezoning application was submitted to permit the redevelopment of the property with a 27-storey (84.3 metres) residential building. The application was subsequently revised in 2022 to propose a 28-storey (87.2 metres) building. The application is under review with Town Staff.



539 Lyons Lane



599 Lyons Lane



627 Lyons Lane

Development activity in the vicinity of the subject site is summarized in **Table 1** below.

Table 1 - Midtown Oakville Development Activity

Address	Proposed Use(s)	Building Height(s)	Status
Oakville TOC Lands (217 & 227 Cross Ave; 571, 581, 587-595 Argus Rd; 157-165 Cross Ave; 166 South Service Rd E; and 590 Argus Rd)	Mixed-Use Development	11 mixed-use buildings with 11 towers that range in height from 45 storeys to 56 storeys (166.2 m to 200.2 m)	Approved MZOs Issued on April 9, 2026
420 South Service Rd E	Mixed-Use Development	Ten mixed-use buildings with 14 towers that range in height up to 38-storeys (132.5 metes)	Approved
177-175 Cross Ave and 580 Argus Rd	Mixed-Use Development	12, 12, & 20 storeys (48, 48, & 72 m)	Approved, not yet built
599 Lyons Ln	Residential Development	20 & 26 storeys (63 & 86 m)	Approved, not yet built
627 Lyons Ln	Residential Development	28-storeys (93.25 m, incl. MPH)	Under Appeal
349 Davies Rd	Mixed Use Development	58 storeys (182 m, incl. MPH)	Under Appeal
70 Old Mill Rd	Residential Development	12 storeys (46 m)	Approved, not yet built
281 & 291 Cornwall Rd (formerly 271 Cornwall Rd and 485 Trafalgar Rd)	Mixed Use Development	14 & 19 storeys (53.7 & 68.9 m)	Approved, not yet built

2.4 Transportation Context

Road Network

As mentioned in **Section 2.1**, the subject site has frontage onto Cross Avenue and is located approximately 45 metres east of Lyons Lane. The site is also located immediately west of a future local road.

Cross Avenue is classified as a Minor Arterial Road by the Livable Oakville Official Plan (see **Figure 4**, Livable Oakville Schedule L3) and is an east-west corridor that runs through Midtown Oakville from Sixteen Mile Creek to Trafalgar Road. The segment of Cross Avenue that abuts the subject site has a current right-of-way width of approximately 20 metres and includes five lanes of vehicular traffic, two lanes travelling west and three lanes travelling east, and pedestrian sidewalks are on both sides of the street. No on-street parking is permitted on either side of the street.

In accordance with the current in-force Livable Oakville Official Plan, Cross Avenue has a planned right-of-way width of 28 metres. However, the Council-adopted Midtown Oakville OPA 70 identified Cross Avenue as a Future Arterial Road with a planned right-of-way width of 36 metres (see **Figure 5**, Midtown Oakville OPA 70 Schedule L3). To accommodate the planned right-of-way width of 36 metres, a 7.8-metre road widening is required along the northern property boundary.

Furthermore, Schedule L5 of OPA 70 illustrates a new Local Road with a planned right-of-way width of 20 metres to the east of the subject site. The road alignment of the Local Road was confirmed with Town Staff and will abut the eastern lot line of the subject site, with a planned right-of-way width of 22 metres.

Lyons Lane is a north-south Local Road with an existing right-of-way width of approximately 18.5 metres. Lyons Lane has three lanes of vehicular traffic, including two lanes travelling north and one lane travelling south. Lyons Lane extends towards South Service Road East to the north, to the west of the subject site, before terminating at the Oakville GO railway corridor south of the site. There is a pedestrian sidewalk on the west side of the street, and no street-parking is permitted on either side of the street.

In accordance with both the current Livable Oakville Official Plan and the Council-adopted OPA 70, the segment of Lyons Lane to the west of the subject is planned to be removed (see **Figures 4** and **5**).

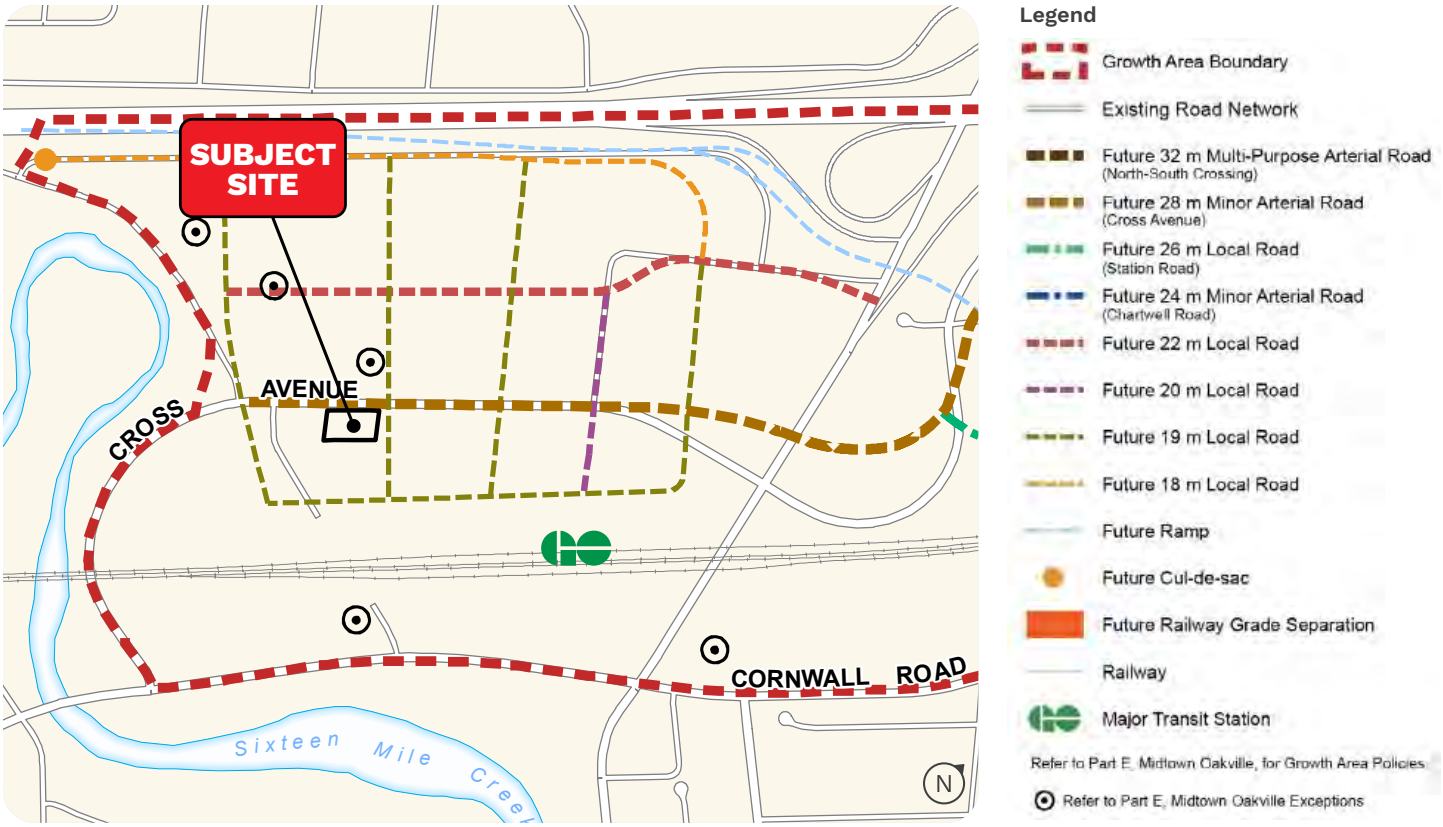


Figure 4 - Livable Oakville Schedule L3, Midtown Oakville Transportation Network

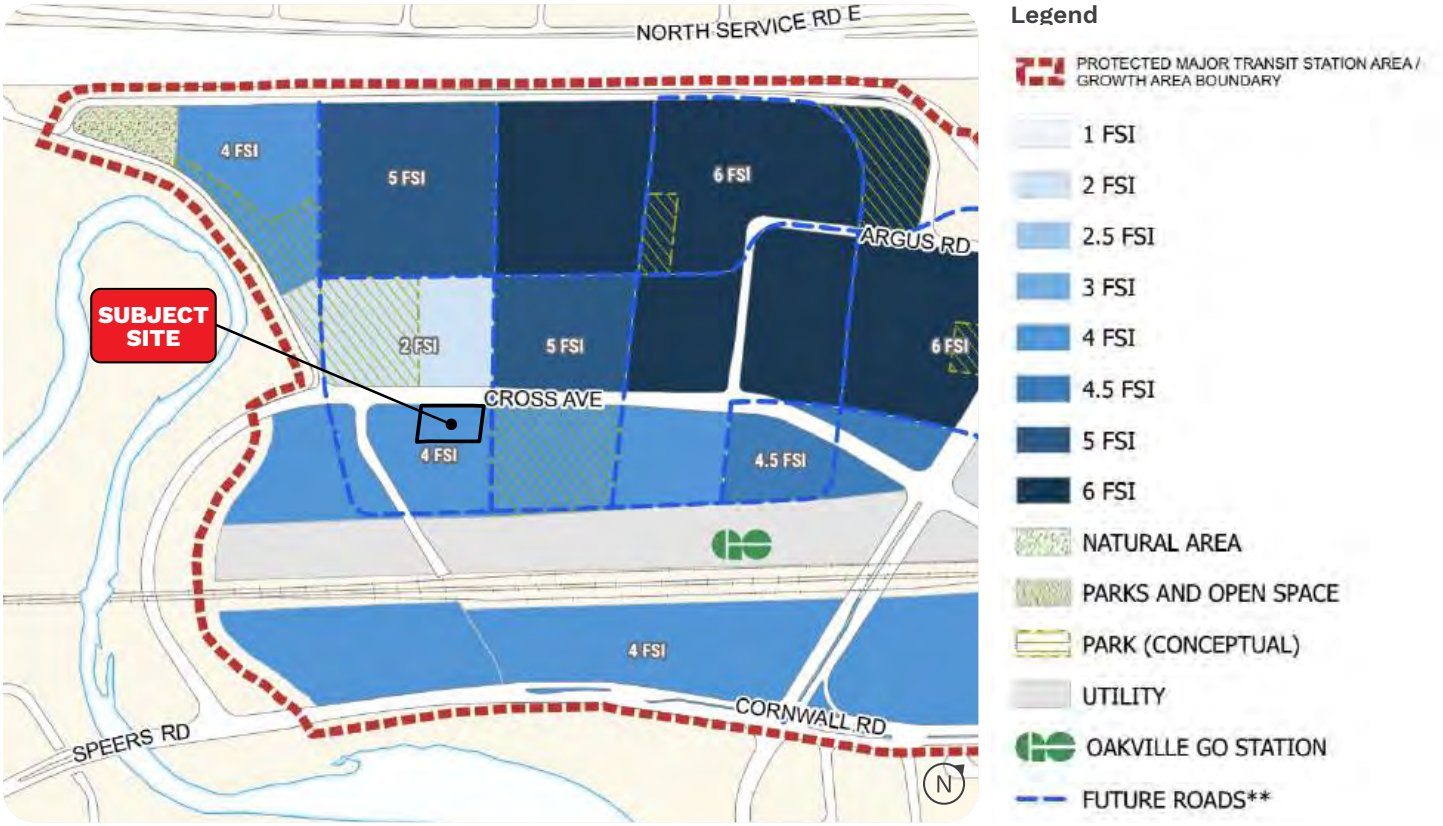


Figure 5 - Midtown Oakville OPA 70 Schedule L3

Transit Network

Existing Transit Network

From a public transit perspective, the subject site is well served by existing public transit services. The subject site is located approximately 185 metres (radius distance) northwest of the Oakville GO Station and bus terminal, and approximately 290 metres (walking distance) from the nearest entrance, representing a 4- to 5-minute walk (see **Figure 6**, Aerial Photo, Oakville GO Station). The GO Station consists of a central station building, a large, structured parking garage on the south side of the GO corridor, and large areas of surface parking. Combined, the parking garage and surface parking areas provide over 2,700 vehicular parking spaces for commuters.

The Oakville GO Station is serviced by 16 of Oakville Transit's bus services, all day, frequent GO Transit commuter rail service and regular VIA Rail and Amtrak rail connections to inter-regional destinations. Oakville Transit's bus terminal provides service to the majority of the Town of Oakville (see **Figure 7**, Oakville Transit Map). Frequent services are provided in all directions from the station, particularly along Trafalgar Road towards Uptown Oakville and Dundas Street to the north. Below is a description of the 16 bus route services:

- **Route 1, Trafalgar:** the bus route operates in a north-south direction between the Oakville GO Station and the Trafalgar/407 GO Carpool lot along Trafalgar Road. It operates every 15 to 30 minutes between the hours of 6 a.m. and midnight on weekdays, 7 a.m. and 11 p.m., on Saturdays, and 8 a.m. and 8 p.m. on Sundays.
- **Route 4, Speers-Cornwall:** Speers-Cornwall: the bus route operates generally in the east-west direction between the Clarkson GO in Mississauga and Bronte GO in Oakville. The bus operates every 30 minutes from 6 a.m. to midnight on weekdays and every 60 minutes from 7 a.m. to 11 p.m. on Saturdays, and from 8 a.m. to 8 p.m. on Sundays.
- **Route 5 and 5A, Dundas:** the bus route operates generally in the east-west direction between the Oakville GO and Dundas/ 407 GO Carpool in Burlington. Route 5 operates along Dundas Street and Route 5A operates along Sixteen Mile Drive. The bus operates every 30 minutes on weekdays between the hours of 6 a.m. and 12 a.m., every 30 minutes on Saturdays between the hours of 7 a.m. and 12 a.m., and every 30 minutes on Sundays between the hours of 8 a.m. and 8 p.m.
- **Route 10 West Industrial:** the bus route operates in an east-west direction between the Oakville GO and Bronte GO Stations during the weekdays only, and between 6 a.m. and 10 a.m., and 2 p.m. and 5 p.m. every 30 minutes.
- **Route 11 Linbrook:** the bus route operates in an east-west direction between Oakville GO Station and Clarkson GO Station. The bus operates from 6 a.m. to 9 p.m. every hour, during the weekdays only.
- **Route 13 Westoak Trails:** the bus route operates between the Oakville GO and Bronte GO Stations. It differs from Route 10 as it provides connections to neighbourhoods in north Oakville, including West Oak Trails, located north of Highway 403. The bus operates between the hours of 6 a.m. and 11 p.m. every 30 minutes on weekdays, between 7 a.m. and 10 p.m. every hour on Saturdays and 8 a.m. and 7 p.m. every hour on Sundays and holidays.
- **Route 14 and 14A Lakeshore West:** the bus route operates between the Oakville GO and Appleby GO Stations in Burlington, generally in an east west direction. The bus operates on weekdays every 30 minutes between the hours of 6 a.m. and midnight, on Saturdays every 30 minutes between 7 a.m. and midnight and on Sundays and holidays every 30 minutes between 8 a.m. and 7 p.m.

- **Route 15 Bridge:** the bus operates between the Oakville GO Station and South Oakville Centre running along Bridge Road. The bus operates every 30 minutes between the hours of 6 a.m. and 8 p.m. on weekdays, every hour between 8 a.m. and 8 p.m. on Saturdays and every hour between 9 a.m. and 8 p.m. on Sundays and holidays.
- **Route 18 Glen Abbey South:** the bus route operates between the Oakville GO and Bronte GO Stations providing connections to Nottinghill and Abbey wood. The route operates every 30minutes between the hours of 6 a.m. and 9 p.m. on weekdays, every hour between 7 a.m. and 8 p.m. on Saturdays and every hour between 8 a.m. and 8 p.m. on Sundays and holidays.
- **Route 19 River Oaks:** the bus route runs generally in the north-south direction between the Oakville GO Station and Uptown Core in Oakville. The bus operates every 30 minutes between 6 a.m. and 11 p.m. on weekdays, every hour between 7 a.m. and 9 p.m. on Saturdays and every hour between 9 a.m. and 8 p.m. on Sundays.
- **Route 20 Northridge:** the bus route runs generally in the north-south direction between the Oakville GO Station and Uptown Core, along Eight Line. The bus operates every 30 minutes between 6 a.m. and 9 p.m. on weekdays, every hour between 7 a.m. and 8 p.m. on Saturdays and every hour between 8 a.m. and 8 p.m. on Sundays.
- **Route 26 Falgarwood:** the bus route loops between the Oakville GO Station and Lancaster and Grosvenor and operates once a day at 6 p.m. on weekdays only.
- **Route 28 Glen Abbey North:** the bus route operates between the Oakville GO Station and Bronte GO, providing a connection to the Glen Abbey neighbourhood. The bus operates on weekdays every 30 minutes between 6 a.m. and 10 p.m., on Saturdays every hour between 6 a.m. and 8 p.m. and on Sundays and holidays every hour between 8 a.m. and 8 p.m.



Figure 6 - Aerial Photo, Oakville GO Station

- **Route 120 East Industrial: the** bus loops between Oakville GO station and Laird and Ridgeway in a generally north-south connection. The bus operates on weekdays only between the hours of 6 a.m. and 9 a.m. and 3 p.m., and 6 p.m., every 30 minutes.
- **Route 190 River Oaks Express:** the bus route operates between the Oakville GO Station and the Glenashton and Trafalgar area on weekdays only, between 6 a.m. and 8 a.m., and 5 p.m. and 7 p.m. every 30 minutes.



Figure 7 - Oakville Transit Map

Planned Transit Network

Proposed Trafalgar Road BRT

Metrolinx is currently working to improve GO Transit operations to and from the City of Toronto through the Lakeshore West GO expansion project. Additionally, both the Region of Halton and Metrolinx's Transportation Master Plans recommend Bus Rapid Transit (BRT) service along Trafalgar Road, connecting Midtown Oakville to Highway 407. The subject site is approximately 465 metres west of Trafalgar Road.

In December of 2021, Town of Oakville Council endorsed Oakville Transit's top seven priority projects aiming to reduce greenhouse gas emissions, ease traffic congestion and ensure there are convenient and viable options for residents and visitors to travel to, from and within the Town of Oakville. The Trafalgar Road BRT, as well as the Dundas BRT, were included as two of the seven priority projects.

The planned Trafalgar Road BRT is anticipated to operate within a dedicated lane for buses, allowing for faster and more reliable frequent transit. The proposed BRT will form a link for businesses and residents along the Trafalgar Corridor, from Oakville GO Station to Trafalgar Road at Highway 407 Park and Ride (providing services to GO Transit bus routes). Schedule L5 of the Council-adopted OPA 70 proposes a BRT stop adjacent to the Oakville GO Station, which is located to the southeast of the subject site. The BRT stop would provide residents direct access to the proposed Trafalgar Road BRT and will support connections between the Oakville GO Station, Midtown Oakville, as well as the broader local and regional transit network.

The Town of Oakville is currently working with Metrolinx to support this initiative and has requested the installation of High Occupancy Vehicle ("HOV") lanes on the route until the BRT is built. While the timeline for the implementation of the project is not yet determined, Town Staff have acknowledged the importance of the project in supporting the anticipated population and employment growth in Midtown Oakville.

Active transportation

Midtown Oakville currently lacks active transportation infrastructure, such as dedicated bike lanes. However, a network of active transportation routes are proposed for the area through the Council-adopted OPA 70, including dedicated bicycle lanes along Cross Avenue, a new multi-use path along Trafalgar Road, and a pedestrian bridge connecting Midtown Oakville to the Oakville Place shopping mall by crossing the QEW. The proposed active transportation network as part of OPA 70 is discussed in greater detail in **Section 4.13** of this report.



3 Proposal

3.1 Description of Proposal

The transit-oriented proposal will redevelop an underutilized site with a 38-storey mixed-use building. The overall proposed height and density seek to optimise the site and provide for significant reinvestment in a transit-rich area. In this regard, the proposed redevelopment seeks to contribute to the creation of a new complete community that is supportive of the existing higher-order transit service (Oakville GO Station), the future planned Trafalgar BRT service, and supports active transportation that will support the evolution of Midtown Oakville into the envisioned transit-oriented complete community.

As described below, the proposal contemplates a mixed-use building with an overall height of 38-storeys (131.5 metres, including a 7.0-metre mechanical penthouse), inclusive of a 5-storey (20.0 metre) base building. The building will contain 31,980.6 square metres of GFA, 580.5 square metres of which is non-residential GFA, and 429 residential units, resulting in a density of 12.97 FSI.

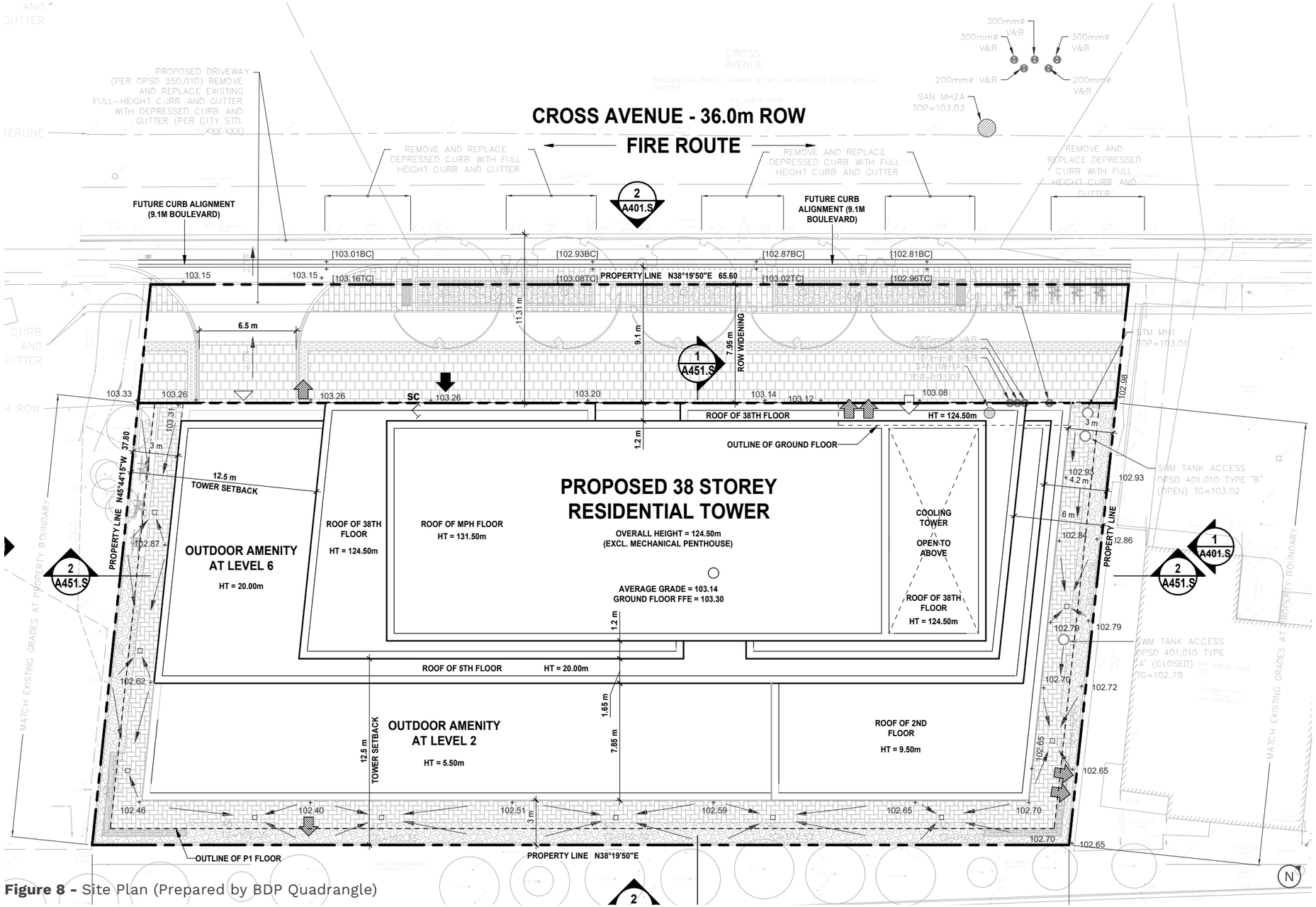


Figure 8 - Site Plan (Prepared by BDP Quadrangle)

North

East

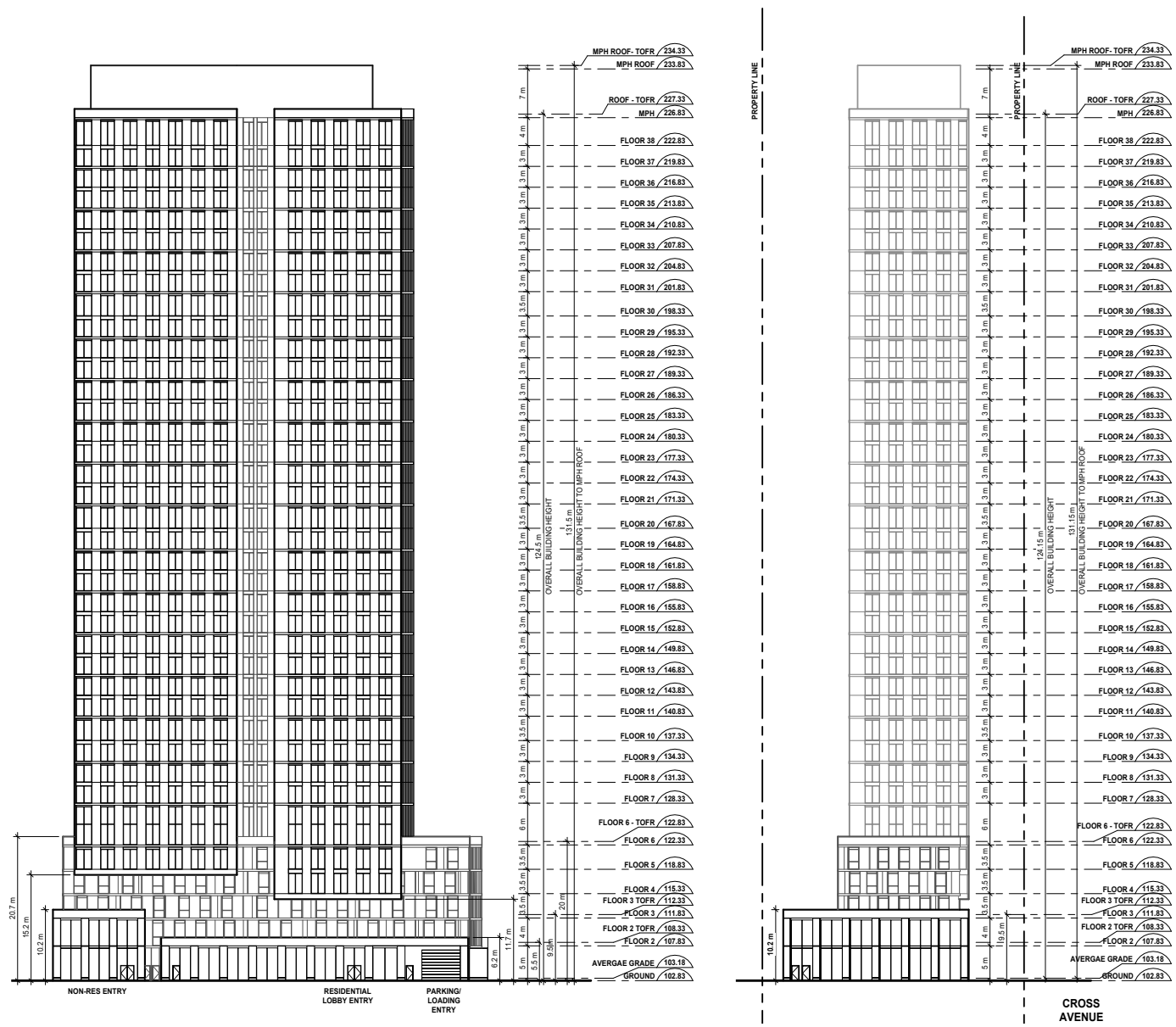
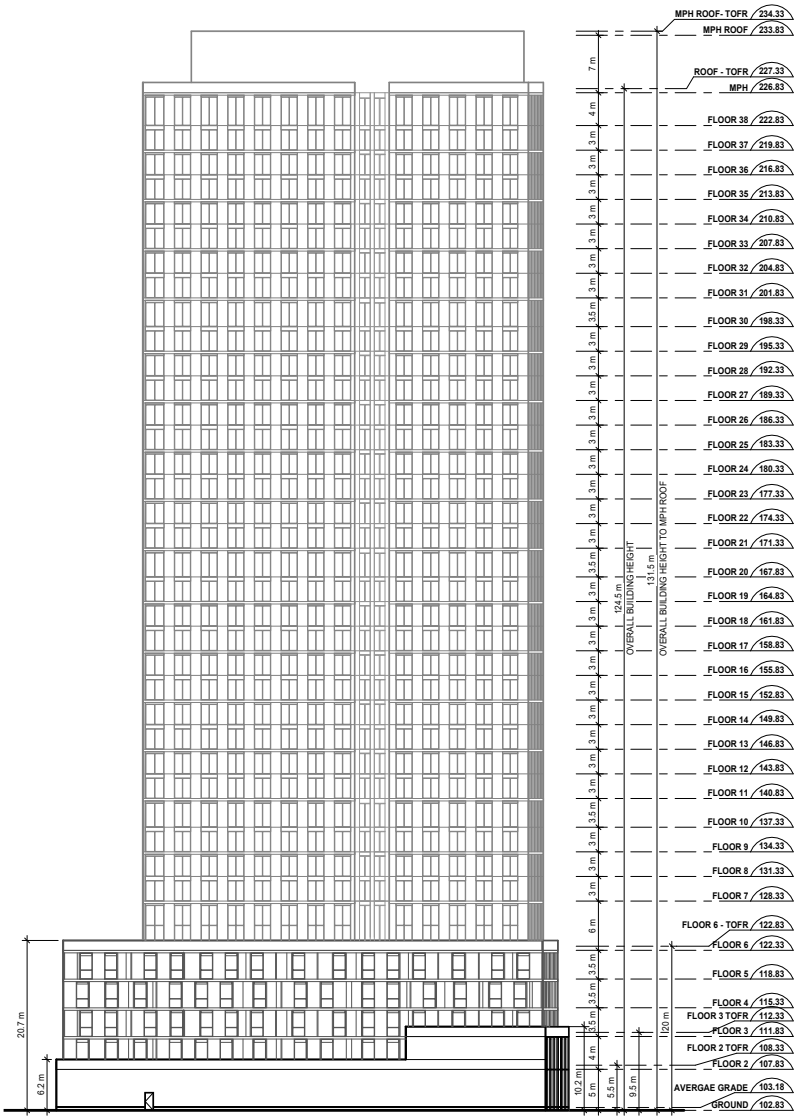
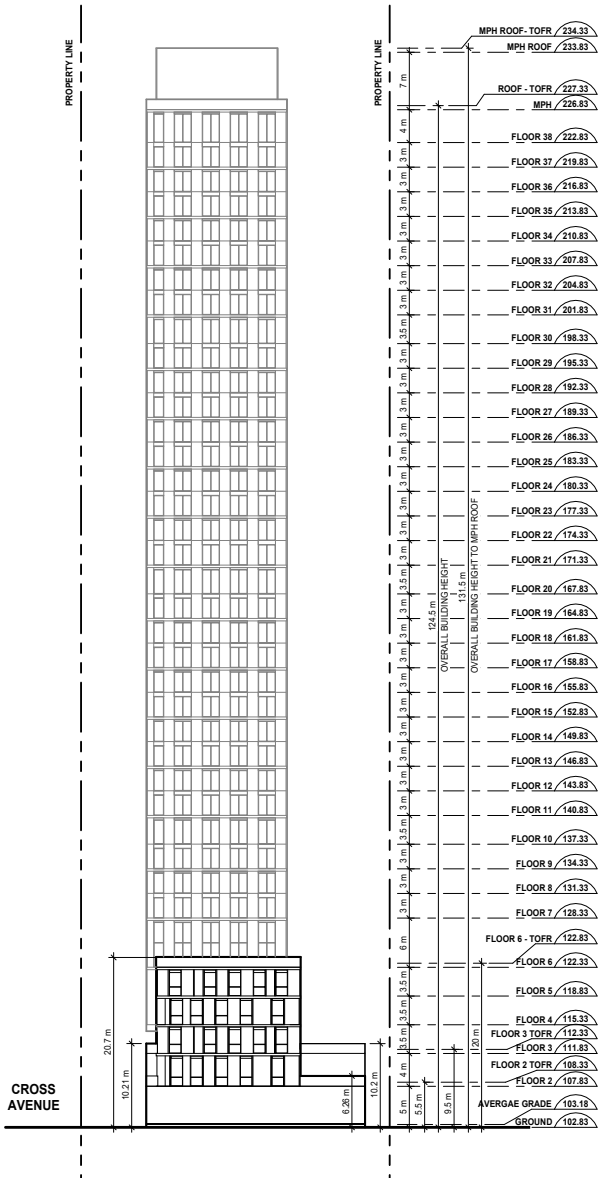


Figure 9 - Elevations (Prepared by BDP Quadrangle)

South


MPH ROOF- TOFR 234.33
MPH ROOF 233.83
ROOF - TOFR 227.33
MPH 226.83
FLOOR 38 222.83
FLOOR 37 219.83
FLOOR 36 216.83
FLOOR 35 213.83
FLOOR 34 210.83
FLOOR 33 207.83
FLOOR 32 204.83
FLOOR 31 201.83
FLOOR 30 198.33
FLOOR 29 195.33
FLOOR 28 192.33
FLOOR 27 189.33
FLOOR 26 186.33
FLOOR 25 183.33
FLOOR 24 180.33
FLOOR 23 177.33
FLOOR 22 174.33
FLOOR 21 171.33
FLOOR 20 167.83
FLOOR 19 164.83
FLOOR 18 161.83
FLOOR 17 158.83
FLOOR 16 155.83
FLOOR 15 152.83
FLOOR 14 149.83
FLOOR 13 146.83
FLOOR 12 143.83
FLOOR 11 140.83
FLOOR 10 137.33
FLOOR 9 134.33
FLOOR 8 131.33
FLOOR 7 128.33
FLOOR 6 - TOFR 122.83
FLOOR 6 122.33
FLOOR 5 118.83
FLOOR 4 115.33
FLOOR 3 TOFR 112.33
FLOOR 3 111.83
FLOOR 2 TOFR 108.33
FLOOR 2 107.83
AVERGAE GRADE 103.18
GROUND 102.83
OVERALL BUILDING HEIGHT 124.5 m
OVERALL BUILDING HEIGHT TO MPH ROOF 131.5 m
20.7 m
6.2 m
10.2 m
5.5 m
9.5 m
120 m

West


PROPERTY LINE
CROSS AVENUE
20.7 m
10.21 m
6.26 m
10.2 m
MPH ROOF- TOFR 234.33
MPH ROOF 233.83
ROOF - TOFR 227.33
MPH 226.83
FLOOR 38 222.83
FLOOR 37 219.83
FLOOR 36 216.83
FLOOR 35 213.83
FLOOR 34 210.83
FLOOR 33 207.83
FLOOR 32 204.83
FLOOR 31 201.83
FLOOR 30 198.33
FLOOR 29 195.33
FLOOR 28 192.33
FLOOR 27 189.33
FLOOR 26 186.33
FLOOR 25 183.33
FLOOR 24 180.33
FLOOR 23 177.33
FLOOR 22 174.33
FLOOR 21 171.33
FLOOR 20 167.83
FLOOR 19 164.83
FLOOR 18 161.83
FLOOR 17 158.83
FLOOR 16 155.83
FLOOR 15 152.83
FLOOR 14 149.83
FLOOR 13 146.83
FLOOR 12 143.83
FLOOR 11 140.83
FLOOR 10 137.33
FLOOR 9 134.33
FLOOR 8 131.33
FLOOR 7 128.33
FLOOR 6 - TOFR 122.83
FLOOR 6 122.33
FLOOR 5 118.83
FLOOR 4 115.33
FLOOR 3 TOFR 112.33
FLOOR 3 111.83
FLOOR 2 TOFR 108.33
FLOOR 2 107.83
AVERGAE GRADE 103.18
GROUND 102.83
OVERALL BUILDING HEIGHT 124.5 m
OVERALL BUILDING HEIGHT TO MPH ROOF 131.5 m
120 m
5 m
5.5 m
9.5 m

Base Building (Levels 1-5)

The proposed 5-storey (20.0 metre) base building stretches along the majority of the site's frontage along and is situated in an east-west orientation along Cross Avenue.

At grade, the base building is set back between 0 metres and 1.5 metres from the newly established lot line along Cross Avenue to the north, providing for a total curb-to-building face set back of approximately 9.1 metres. The base building will also be set back a minimum of 3.0 metres from the east, south and west lot lines.

The ground floor is proposed to have a floor-to-ceiling height of 5.0 metres and will be comprised of at-grade non-residential uses in the eastern portion of the building, the main residential lobby, loading and servicing areas, and a bicycle storage area.

On Level 2, the base building is set back between 0 metres (in the eastern portion) and 1.2 metres (in the western portion) from the newly established north lot line. To the east and west, minimum setbacks of 3.0 metres are maintained. To the south, the eastern portion of the building continues to be set back 3.0 metes from the south lot line, and a stepback of 7.7 metres is provided in the western portion of the building, providing for a 303.6 square metre outdoor amenity area.



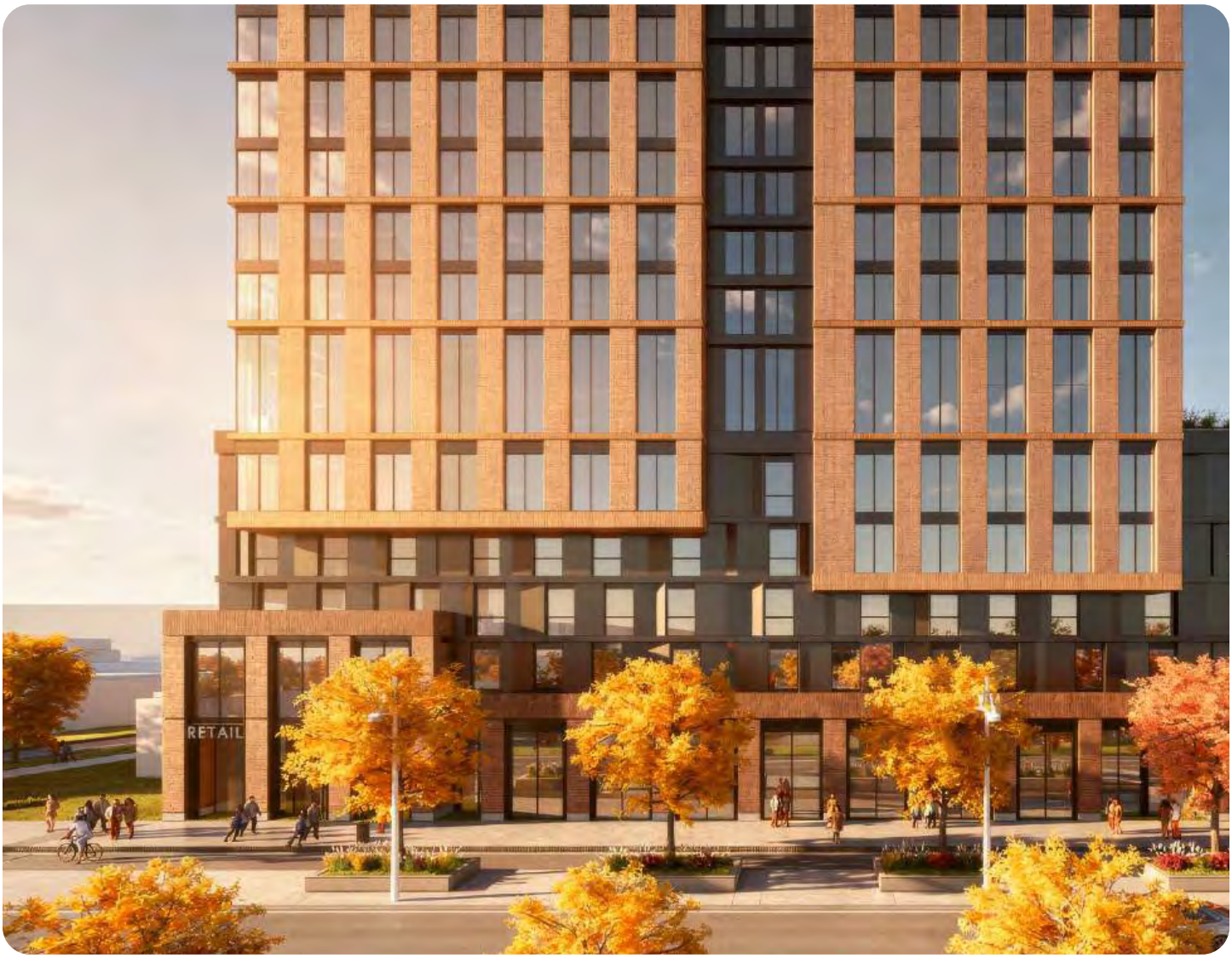
Project rendering looking southwest along Cross Avenue (Provided by BDP Quadrangle)

Level 2 is comprised of non-residential uses located in the eastern portion of the building and a 422.3 square metre indoor amenity area, connected to the outdoor amenity terrace located in the southern portion of the building.

On Level 3, a continuous setback of 1.2 metres is provided along the entire Cross Avenue frontage. To the east, a stepback of 1.2 meters is provided, resulting in a minimum setback of 4.2 metres. To the south, a continuous setback of 10.8 metres is provided and to the west, the minimum setback of 3.0 meters is maintained.

On Levels 4 and 5, the minimum setbacks are maintained to the east, south and west. However, the minimum setback to the north, along Cross Avenue varies between 0 metres and 1.2 metres, as portions of the building cantilever to the north, and other portions are inset, creating breaks in the building mass.

With respect to programming, Levels 3 to 5 are comprised of residential units only, with 14 units located on each level.



Project rendering looking southeast from Cross Avenue (Provided by BDP Quadrangle)

Tower (Levels 6-38)

The tower element is comprised of Levels 6 to 38 and is generally sited in an east-west direction in the northern portion of the site, along Cross Avenue to allow for appropriate setbacks and separation distances from adjacent properties. The tower is rectangular in shape with a length of approximately 47 metres and a width of 17 metres, resulting in a tower floor plate size of 794 square metres gross construction area (GCA).

On Level 6, the base building steps back an additional 9.5 metres to the west, providing for a 231.1 square metre outdoor amenity space. The building also provides a stepback of 1.8 meters from the east lot line, resulting in a minimum setback of 6.0 metres, 1.7 metres from the south lot line, resulting in a minimum set back of 12.5 metres. Level 6 of the building is comprised of amenity uses only, including 574 square metres of indoor amenity space, connected to the outdoor amenity terrace located in the western portion of the building.

Levels 7 to 39 maintain the same minimum setbacks of 0 meters from the north lot line, 6.0 meters from the east lot line and 12.5 metres from the south and west lot line. Levels 7 to 39 of the building are comprised of only residential dwelling units, in a mix of unit types. No balconies are proposed.

Lastly, the mechanical penthouse will have a height of 7.0 metres and will be stepped back from the building below.

Public Realm

With respect to the public realm, the proposed development will convey a 7.9-metre-wide strip of land in the northern portion of the site to accommodate the planned right-of-way width of Cross Avenue of 36 metres, in accordance with the Council-adopted Midtown Oakville OPA 70.

The proposed development also includes a number of elements that will activate and enhance the streetscape along Cross Avenue and the new future local road to the immediate east of the subject site, including the provision of at-grade retail uses, new hard and softscape elements, and 4 new street trees.

Unit Distribution & Amenity Space

The proposed development includes a total of 429 residential units, with a mix of residential unit types, including 32 studio units (7.5%), 250 one-bedroom units (58.2%), 109 two-bedroom units (25.4%) and 38 three-bedroom units (8.9%).

With respect to amenity space, a total of 1,543 square metres of amenity space is proposed, including 1,008 square metres of indoor amenity space and 535 square metres of outdoor amenity space. This equates to a minimum of 3.5 square metres of amenity space per dwelling unit, comprised of approximately 2.3 square metres of indoor amenity space per dwelling unit and 1.2 square metres of outdoor amenity space per unit.

Amenity space is provided on Levels 2 and 6 of the building. On Level 2, a total of 422.3 square metres of indoor amenity space is provided, and 303.6 square metres of adjoining outdoor amenity space is located at the southern portion of the building. Level 6 is exclusively used for amenity space, and includes 567.9 square metres of indoor amenity space, connecting to a 231.1 square metre amenity terrace in the western portion of the building.

Access, Parking & Loading

Vehicular parking for the site is proposed to be accommodated within a 3 ½-level below-grade parking garage, accessed from a driveway off of Cross Avenue, at the northwest corner of the site, and connecting to a ramp in the southern portion of the building. The proposed development will provide a total of 84 residential parking spaces, including 21 parking spaces for the combined use of residential visitor and non-residential uses.

The development will also provide a total of 32 bicycle parking spaces, including 30 for residential uses and 2 for non-residential uses. The bicycle parking spaces are proposed to be located within bicycle storage areas located at grade.

The proposal will provide one loading space that is 6.0 meters wide, 18.0 metres long and has a height clearance of 7.5 metres. The loading space is to be located at grade internal to the base building. The loading space will be accessed from the driveway from Cross Avenue and will be located adjacent to a series of staging and bulk storage areas, as well as a moving room.

3.2 Key Statistics

A summary of the key project statistics is provided in **Table 2** below.

Table 2 - Summary Statistics

Site Area	**2,466 m²**
Gross Floor Area ("GFA")	**31,980.6 m²**
Residential GFA	31,400.1 m²
Non-Residential GFA	580.5 m²
Density	**12.97 FSI**
Total Units	**429 units (100%)**
Studio Units	32 (7.5%)
One-Bedroom Units	250 (58.2%)
Two-Bedroom Units	109 (25.4%)
Three-Bedroom Units	38 (8.9%)
Amenity Space	**1,543 m² (3.5 m²/unit)**
Indoor Amenity Space	1,008 m² (2.3 m²/unit)
Outdoor Amenity Space	535 m² (0.95 m²/unit)
Vehicular Parking	**84 spaces**
Residential	63 spaces
Combined Residential Visitors & Non-Residential	21 spaces
Bicycle Parking	**32 spaces**
Residential	30 spaces
Non-Residential	2 spaces
Loading Spaces	**1 Oakville Loading Space**

3.3 Required Approvals

In our opinion, the proposed development is consistent with the Provincial Planning Statement, conforms with the Region of Halton Official Plan, and maintains the intent of the Livable Oakville Plan (The Town of Oakville Official Plan 2009), including the in-force Midtown Oakville Growth Area policies, and has appropriate regard for the Council-adopted Midtown Oakville OPA 70, which is not yet approved by the Province and is therefore not in force and effect.

It is our opinion that an Official Plan Amendment is not required to permit the proposed development and in particular, the proposed heights and density. With respect to the proposed tower height, it is noted that the in-force Official Plan policies specifically provide that for the purposes of bonusing in Midtown Oakville, there is no prescribed building height limit, and no Official Plan amendment shall be required to increase building height as a result of bonusing. In light of this, an Official Plan Amendment is being submitted out of an abundance of caution and to secure the alignment and widths of Cross Avenue to the north of the subject site.

The proposed development would also require an amendment to the Town of Oakville Zoning By-law No. 2014-014, as amended, in order to increase the permitted height and revise other development standards as necessary to implement the proposal.

A Site Plan Approval application will also be required and is intended to be submitted as the development review process progresses.



4 Policy & Regulatory Context

4.1 Overview

As set out below, the proposal has regard for matters of provincial interest and is supportive of numerous policy directions set out in the Provincial Planning Statement (2024), the Metrolinx Regional Transportation Plan, the Region of Halton Official Plan and the in-force Town of Oakville Official Plan, all of which promote the efficient use of land and infrastructure within built-up areas, specifically in PMTSAs and others areas planned for growth.

On August 20, 2024, the Ministry of Municipal Affairs and Housing released a new Provincial Planning Statement which came into effect on October 20, 2024. The new 2024 Provincial Planning Statement (the "2024 PPS" or "PPS") replaced the 2020 Provincial Policy Statement and the 2020 Growth Plan for the Greater Golden Horseshoe. As such, the policies of 2024 PPS prevail, and the policies of the 2020 Growth Plan for the Greater Golden Horseshoe are no longer applicable. The policies of the 2024 PPS are outlined in **Section 4.3** below.

4.2 The Planning Act

Section 2 of the Planning Act, R.S.O. 1990, c. P.13 (the "*Planning* Act") sets out matters of provincial interest to which Councils (as well as the Minister, local boards, planning boards, and the Tribunal) shall have regard, among other matters, in carrying out their responsibilities pursuant to the legislation. The following are of particular relevance to the proposal:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the orderly development of safe and healthy communities;
- the adequate provision of a full range of housing, including affordable housing;
- the appropriate location of growth and development;
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and
- the promotion of built form that is well-designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Section 2(1) requires that when approval authorities make a decision under subsection 17(34) of the Planning Act or the Tribunal makes a decision in respect of an appeal, it shall have regard to:

a. any decision that is under the Act by a municipal council or by an approval authority and relates to the same planning matter; and

b. any information and material that the municipal council or approval authority considered in making the decision described in clause (a).

In our opinion, the proposed development has regard for matters of provincial interest as provided above.

4.3 Provincial Planning Statement (2024)

On August 20, 2024, the Ministry of Municipal Affairs and Housing released the Provincial Planning Statement, 2024, which came into effect on October 20, 2024. As noted in **Section 4.1** above, the 2024 PPS prevails over the policies of the 2020 Provincial Policy Statement, and the policies of the Growth Plan for the Greater Golden Horseshoe no longer apply.

The new 2024 PPS provides policy direction on matters of Provincial interest related to land use planning and development and will apply to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024. In accordance with Section 3(5) of the *Planning Act,* all decisions that affect a planning matter are required to be consistent with the PPS. In this regard, Policy 6.1 provides that the PPS "shall be read in its entirety and all relevant policies are to be applied to each situation".

As compared with the 2020 Provincial Policy Statement and 2019 Growth Plan, the 2024 PPS is intended to reduce and streamline planning rules, simplify approvals to build homes and eliminate duplication between planning documents. It emphasizes flexibility, with the intent of helping get more homes built across the province, while continuing to protect agricultural lands, cultural heritage and natural areas.

Chapter 1 of the PPS sets out the Province's current vision for Ontario, emphasizing the importance of building housing to serve a fast-growing province:

> *"More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031. Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come."*

Chapter 1 goes on to describe Ontario's land use planning framework, stating that this framework and the decisions that are made within it:

> *"...shape how our communities grow and prosper. Prioritizing compact and transit-supportive design, where locally appropriate, and* ***optimizing*** *investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians." (our emphasis)*

One of the key policy directions that continues to be expressed in the PPS is to build complete communities with a mix of housing options and promoting efficient development and land use patterns.

Policy 2.1.6 provides that planning authorities should support the achievement of complete communities by, among other things, accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs.

With respect to housing, Policy 2.2.1(a) provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households.

Policy 2.2.1(b) provides that this should also be done by permitting and facilitating all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, and all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with Policy 2.3.1.3 (see below).

Further, Policy 2.2.1(c) and (d) direct that an appropriate range and mix of housing options and densities is provided by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation, and by requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations.

Section 2.3 of the PPS contains policies related to Settlement Areas. As it relates to the subject site, Policy 2.3.1.1 directs that settlement areas shall be the focus of growth and development, and that within settlement areas, growth should be focused in, where applicable, "strategic growth areas", including "major transit station areas". Policy 2.3.1.2 goes on to state that land use patterns within settlement areas should be based on densities and a mix of land uses which: efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; are transit-supportive, as appropriate; and are freight-supportive.

Policy 2.3.1.3 directs planning authorities to support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Section 2.4 includes policies related to "strategic growth areas", all of which are relevant to the subject site. With respect to major transit station areas, Policy 2.4.2.1 directs planning authorities to delineate the boundaries of major transit station areas on higher order transit corridors through a new official plan or official plan amendment adopted under Section 26 of the *Planning Act*, adding that the delineation shall define an area within an approximately 500 to 800 metre radius of a transit station and that maximizes the number of potential transit users that are within walking distance of the station.

In this regard, the subject site is located within a "major transit station area" as defined by the 2024 PPS. The PPS defines a "major transit station area" as "the area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800-metre radius of a transit station".

In turn, "higher order transit" is defined as "transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. Higher order transit can include heavy rail (such as subways, elevated or surface rail, and commuter rail), light rail, and buses in dedicated rights-of-way". In this regard, the Region of Halton Official Plan Amendment 48 delineates the major transit station area around the Oakville GO Station.

As noted in **Section 2.3** of this report, the site is located approximately 290 metres from the nearest entrance of the Oakville GO Station, representing a 4- to 5-minute walk. Accordingly, the subject site is located within the delineated boundary of the Midtown Oakville Major Transit Station Area and would be considered part of a major transit station area, as per the 2024 PPS.

Policy 2.4.2.2 of the PPS provides that, within major transit station areas on higher order transit corridors, planning authorities shall plan for a minimum density target of: 200 residents and jobs combined per hectare for those that are served by subways; 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit; or 150 residents and jobs combined per hectare for those that are served by commuter or regional rail. In this regard, a minimum population and employment target of 150 residents and jobs combined per hectare would be required for Midtown Oakville.

Policy 2.4.2.3(a) encourages planning authorities to promote development and intensification within major transit station areas, where appropriate, by planning for land uses and built form that supports the achievement of minimum density targets. In this regard, Policy 6.1.12 clarifies that density targets represent minimum standards and planning authorities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Provincial Planning Statement or any other provincial plan.

Section 2.9 of the PPS addresses energy conservation, air quality and climate change. Policy 2.9.1 directs planning authorities to plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that: support the achievement of compact, transit-supportive, and complete communities; incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities; support energy conservation and efficiency; promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.

Chapter 3 of the PPS includes policies related to infrastructure and facilities. Generally, the infrastructure policies set out in Chapter 3, place an emphasis on the need to integrate land use planning and investment in both infrastructure and transportation.

Policy 3.1.1 provides that infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs, and that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are financially viable over their life cycle, leverage the capacity of development proponents, where appropriate, and are available to meet current and projected needs.

The need to make good use of existing infrastructure is emphasized by Policy 3.1.2, which provides that, before consideration is given to developing new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized, and opportunities for adaptive re-use should be considered, wherever feasible.

Section 3.9 addresses the need for public spaces, including parks, trails and open space. Policy 3.9.1 of the PPS promotes the development of healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity. The policy also promotes planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation including facilities, parkland, public spaces, open space areas, trails and linkages.

With respect to implementation, Policy 6.1.6 requires that planning authorities keep their zoning by-laws up to date with their official plans and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning Statement, or before other applicable planning instruments have been updated accordingly, Policy 6.1.7 directs that it must still make a decision that is consistent with the Provincial Planning Statement.

For the reasons set out in **Sections 5.1** and **5.2** of this report, it is our opinion that the proposed development and the requested Official Plan Amendment and Zoning By-law Amendment are consistent with the 2024 PPS, specifically the policies relating to intensification and the efficient use of land and infrastructure.

4.4 Bill 98 - Building Homes & Improving Transportation Infrastructure Act (2026)

On March 30, 2026, the Province of Ontario introduced Bill 98, the *Building Homes and Improving Infrastructure Act, 2026*, which introduced legislative changes and proposed regulations with the goal of further streamlining the development approval process and reducing the cost of new homes. Bill 98 received Royal Assent on June 2, 2026.

Bill 98 includes amendments to 9 statues, including the *Planning Act*, the *Development Charges Act, 1997*, and the *City of Toronto Act, 2006*, among others.

A number of relevant changes to the Planning Act, as well as the proposed regulations, are summarised below and include but are not limited to the following:

- Putting in place a standard structure for Official Plans. The proposed structure includes a standardized set of land use designations to be used in local official plans, with the ability for the Minister to set out further direction on implementing the designations. The amendment is to come into force on a day to be named by order of the Lieutenant Governor in Council.
- As discussed in **Section 4.5** of this report, in 2022, Bill 23 introduced proposed changes to the parkland regime which would allow landowners to convey encumbered land. On July 1, 2026, the amendments to section 42 of the Planning Act came into force, together with the associated regulations. The amendments enable landowners to have statutory mechanisms to compel municipalities to accept encumbered or partial interest in land — including stratified parcels, land burdened by an easement or below-grade infrastructure, and POPS — in satisfaction of parkland dedication obligations, backed by a right of appeal to the OLT. Moreover, Bill 98 provides that a parkland dedication credit for the encumbered parkland is required to be provided at a minimum rate of 70 percent (or larger), as determined by the municipality.
- Bill 98 proposes a change to the scope of a Site Plan application, and introduces consultation on whether the Site Plan approvals process should be eliminated. Bill 98 amends the Planning Act to make it clear that elements of "sustainable design" cannot be included as part of Site Plan application. With respect the consultation on Site Plan Control, the potential reform noted on the now closed Environmental Registry of Ontario (ERO) include:
  - The removal of Site Plan Control as a land use planning tool;
  - Should Site Plan Control remain, circulation would be limited to three rounds, followed by a meeting to work through outstanding issues;
  - Scoping the review process to a standardized checklist;
  - Establishing an arbitration process as an alternative to a Tribunal appeal; and
  - Establishing different Site Plan streams, with different levels of requirement.
- Bill 98 proposes to give the Minister the power to set a minimum residential lot size on urban residential land outside of the Greenbelt. The minimum lot dimensions are to be prescribed by a future regulation.
- The government also consulted on a proposal for regulations to provide consistency for the types of studies that can be required for applications to be deemed 'complete' under the Planning Act. The ERO posting is now closed.

4.5 Bill 23 - More Homes Built Faster Act (2022)

On October 25, 2022, the Province of Ontario introduced Bill 23, the More Homes Built Faster Act, 2022, which introduced legislative changes to facilitate and streamline the construction of new homes over the next 10 years to address Ontario's housing crisis. Bill 23 received Royal Assent on November 28, 2022.

Notable changes include, but are not limited to, introducing a five-year phase-in of new development charge increases, as well as requiring municipalities to update zoning and establish minimum as-of-right heights and densities within approved major transit station areas. Furthermore, Bill 23 encouraged "gentle density" through increased permissions regarding additional units in low-rise dwelling types, capping and allowing for flexibility with regard to parkland dedication, removing approval authority from upper-tier municipalities, limiting appeal rights, and reducing the scope and applicability of site plan control.

In relation to the subject site, Bill 23 requires municipalities to establish minimum densities within approved major transit station areas, which as discussed in **Section 4.11** below, the Oakville GO Station major transit station area has been delineated through Region of Halton Official Plan Amendment ("ROPA") 48 and has a minimum density target of 200 residents and jobs combined per hectare.

Moreover, Bill 23 removes approval planning authority from the Region of Halton, and finally, Bill 23 also caps parkland dedication to 10 percent of the site area and cash-in-lieu of parkland to 10 percent of the land value, and enabled landowners to propose to provide land that is encumbered as parkland dedication, allowing for land conveyed on a stratified basis (for example with below-grade parking or other uses beneath), land encumbered with below-grade infrastructure, and POPS to be eligible as a parkland dedication.

Bill 23 also amended Section 16(15) of the *Planning Act*, which authorized the Minister of Municipal Affairs and Housing by regulation to establish limits on the percentage of units and gross floor area that municipalities can require as affordable housing, and a maximum period those units must remain affordable.

To implement the amendment of Section 16(15) of the *Planning Act* (as per Bill 23), on May 12, 2025, the Province filed Ontario Regulation 54/25 Inclusionary Zoning (O.Reg. 54/25) limiting the number of affordable housing units to be provided through inclusionary zoning in protected major transit stations areas to 5 percent of the total residential units or 5 percent of the total floor area of all residential units that are part of the development or redevelopment, not including common areas. O.Reg. 54/25 also established the period of time for which affordable housing units would be maintained as affordable to a maximum of 25 years.

4.6 Bill 185 - Cutting Red Tape to Build More Homes Act (2024)

On April 10, 2024, the Province of Ontario introduced Bill 185, the Cutting Red Tape to Build More Homes Act. Bill 185 proposed to repeal a number of legislative changes, including several new additional policies aimed at increasing the construction and supply of housing in Ontario. Bill 185 received Royal Assent on June 6, 2024.

As it relates to this application, Bill 185 prohibits parking minimums in protected major transit station areas and in areas where minimum densities are required by official plans or provincial policies. Bill 185 also eliminates Community Infrastructure and Housing Accelerator ("CIHA") orders and introduces new criteria for MZOs that is to be used by the Minister in considering requests for MZOs, which require that a proposed MZO either have municipal support or deliver on a provincial priority.

Additionally, through Bill 185, planning responsibilities were removed from several upper-tier municipalities, including Halton Region. As of July 1, 2024, upper-tier municipalities are no longer the approval authority for Official Plan and Zoning By-law Amendment applications, draft plans of subdivision, consents or minor variances. In accordance with the *Planning Act*, Halton Region is considered an "upper-tier municipality without planning responsibilities."

Additionally, in accordance with the *Planning Act*, the portions of an official plan of an upper-tier municipality without planning responsibilities that were in effect immediately before the effective date of the legislation and that apply to any area of a lower-tier municipality are deemed to constitute an official plan of the lower-tier municipality, and the official plan remains in effect until the lower-tier municipality revokes or amends it. As it relates to the subject site, we acknowledge that Halton Region's review of the proposed development would be limited to non-planning related matters.

4.7 Bill 17 - Protect Ontario by Building Faster & Smarter Act (2025)

On May 12, 2025, the Province of Ontario introduced Bill 17, the Protect Ontario by Building Faster and Smarter Act, which introduced changes to numerous statutes, including the *Development Charges Act*, *Planning Act*, *Building Transit Faster Act* and the *Transit-Oriented Communities Act*, among others, with the goal of advancing new housing supply in Ontario. Bill 17 received Royal Assent on June 5, 2025.

With respect to transit, the Minister of Infrastructure has been given the authority through Order in Council 589/2025, which was approved on May 8, 2025, to enact Minister's Zoning Orders under Section 47 of the *Planning Act* for transit-oriented community land designated under the Transit-Oriented Communities Act, 2020. Bill 17 also amends the Building Transit Faster Act, 2020 to expand the definition of "priority transit projects" and the measures of the Act to all provincial transit projects, such as the GO Expansion program, and any future subway, LRT, or BRT projects.

Additionally, Bill 17 establishes regulation-making authority for the Ministry of Municipal Affairs and Housing to allow certain variations to zoning by-laws to be permitted "as-of-right" if a proposal is within a prescribed percentage of setback requirements in specific lands. The proposed regulation ERO No. 025-0463 provides that variations will be permitted "as-of-right" if a proposal is within 10 percent of the setback requirements applicable to the subject lands. Bill 17 also grants the Minister authority to impose conditions that must be met before an MZO comes into effect, including conditions related to the use of land or the erection, location or use of buildings or structures.

4.8 Bill 60 - Fighting Delays, Building Faster Act (2025)

On October 23, 2025, the Province of Ontario introduced Bill 60, the Fighting Delays, Building Faster Act, 2025, which introduced legislative changes aimed at accelerating housing infrastructure and transit delivery. Bill 60 received Royal Assent on November 27, 2025.

Bill 60 includes amendments to 15 statues, including the *Planning Act*, the *Transit-Oriented Communities Act, 2020*, the *Development Charges Act, 1997*, etc. and introduces a new *Water and Wastewater Public Corporations Act, 2025*.

The changes to the *Planning Act* are summarized below and include but are not limited to the following:

- Introduced regulation-making authority for "as-of-right" variations from zoning performance standards. This change builds upon changes that were introduced under Bill 17, the Protect Ontario by Building Faster and Stronger Act, discussed in **Section 4.7** of this report. Bill 60 expands on Bill 17 by adding regulations identifying other zoning performance standards. In this regard, on November 21, 2025, the Province released new Regulation (O.Reg.257/25) for as-of-right variations from setback requirements, allowing a 10 percent reduction to required setbacks, as-of-right, subject to certain restrictions.
- Decisions of the Ministry of Municipal Affairs and Housing would not be required to be consistent with the 2024 Provincial Planning Statement, except for Greenbelt Lands.
- Ministerial Zoning Orders would become non-regulatory orders.
- Approval from the Minister of Municipal Affairs and Housing will not be required for official plan amendments that only amend policies identifying the authorized uses of land, buildings, or structures within PMTSAs and for which residential use would be authorized on the land.
- Removed barriers to enable the flexible use of Community Improvement Plans, which allow municipalities to make grants or loans to pay for certain costs. The amendments also provide upper-tier municipalities with powers to establish regional Community Improvement Plans and financially support lower-tied municipalities.

4.9 Provincial & Municipal Housing Targets

On October 25, 2022, the Province issued a bulletin on its Environmental Registry Office (ERO) setting out Municipal Housing Targets identifying a target for the Province to build 1.5 million new homes by 2031. The 29 fastest growing municipalities have been assigned municipal housing targets with the Town of Oakville's being 33,000 dwelling units. The bulletin stated that Municipal Housing Pledges will identify the tools and strategies to achieve their housing targets including, but not limited to, priorities for site-specific planning decisions to expedite housing in priority areas and plans to streamline the development approval process.

In response, Town Council adopted a housing pledge to achieve or exceed this provincial housing target. The pledge highlights 18 specific actions that Oakville needs from the Province to support its pledge, including funding and delivering capital projects in and around Oakville. The Province's anticipated surge in population will also require a provincial commitment to build supporting institutions such as schools, hospitals, daycares, and long-term care facilities, in addition to continued investment and support for local and regional public transit.

At the Council Meeting on March 20, 2023, Council directed Staff to send Oakville's Housing Pledge Report to Halton Region, requesting the Region's continued support to deliver the necessary infrastructure and advance Oakville's required housing units. The report and a letter were sent to the Minister of Municipal Affairs, demonstrating Oakville's response to the Province's Housing Pledge.

4.10 Metrolinx Regional Transportation Plan

On March 8, 2018, Metrolinx adopted a new Regional Transportation Plan ("2041 RTP") that builds on the previous RTP (The Big Move), adopted in 2008. The key goals and directions set out in the new 2041 RTP are summarized below, particularly as they apply to the subject site. The 2041 RTP identifies the Midtown GO Station/Lakeshore West Line as existing Regional Rail and Rapid Transit and Frequent Regional Express Bus routes. Moreover, the 2041 RTP identifies Trafalgar Road as a BRT/LRT route.

The RTP 2041 uses the Growth Plan 2017's planning horizon of 2041, which is ten years later than the 2031 horizon used in earlier version of the Regional Transportation Plan referred to as The Big Move. The 2041 RTP sets out a series of goals and strategies. The five strategies include:

- **Strategy 1:** Complete the delivery of current regional transit projects;
- **Strategy 2:** Connect more of the region with frequent rapid transit;
- **Strategy 3:** Optimize the transportation system;
- **Strategy 4:** Integrate transportation and land use; and
- **Strategy 5:** Prepare for an uncertain future.

The 2041 RTP recognizes that, to achieve the vision for the transportation system, investments and decisions must align with land use plans. As such, the 2041 RTP contains actions to better integrate transportation planning and land use, especially around transit stations and mobility hubs.

In addition to the transit projects that are in delivery and in development, one of the priority actions under Strategy 2 identified in the 2041 RTP is to build additional LRT/ BRT projects by 2041. In this regard, Trafalgar Road is identified as a proposed BRT/LRT on Map 5, Frequent Rapid Transit Network of the 2041 RTP (see **Figure 11**, 2041 Regional Transportation Plan, Map 5). Bus rapid transit ("BRT") is defined as transit infrastructure and service with buses running in their own exclusive right-of-way, fully separated from traffic, typically with signal priority measures in place and longer spacing between stops than conventional bus routes (typically 500 metres to 1 kilometre) to maintain higher average speeds and ensure reliability of the service. It may include additional features to improve operational efficiency and enhance the customer experience, such as off-board fare collection, platform level boarding, and real-time passenger information.

With respect to Strategy 4, the 2041 RTP identifies several approaches to integrate transportation and land use planning, including among others:

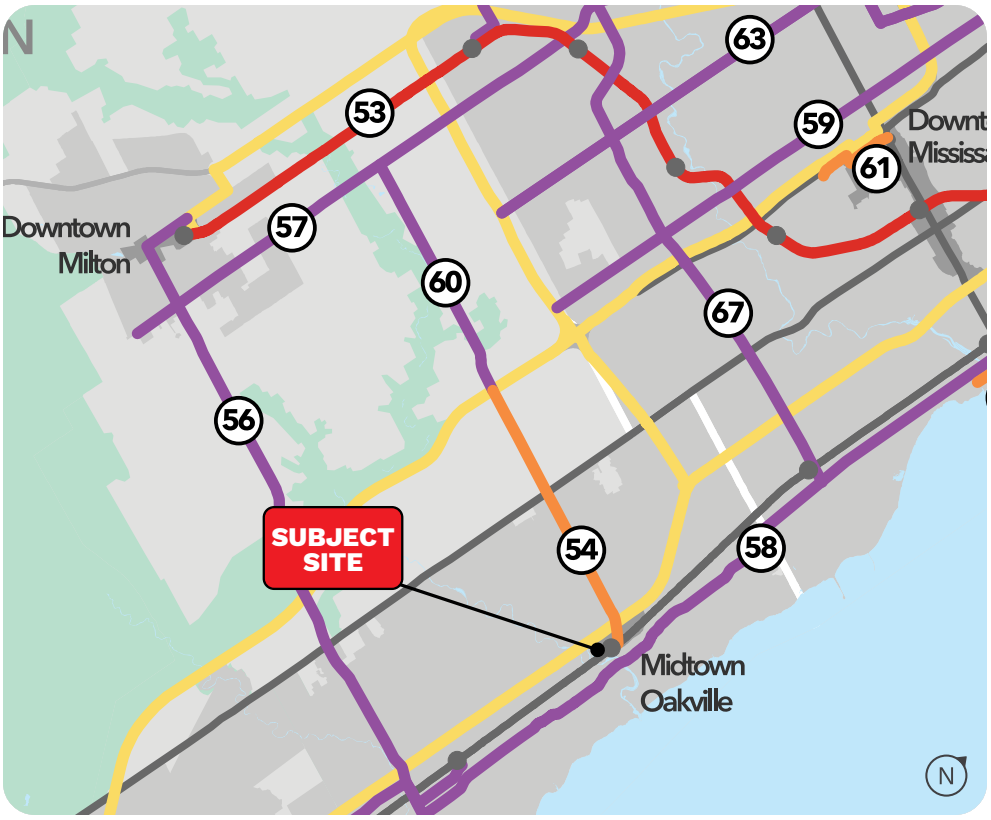
- make investment in transit projects contingent on transit-supportive planning being in place;
- focus development at mobility hubs and major transit station areas along priority transit corridors identified in the Growth Plan;
- evaluate financial and policy-based incentives and disincentives to support transit-oriented development;
- plan and design communities, including development and redevelopment sites and public rights-of-way, to support the greatest possible shift in travel behavior; and
- embed TDM in land use planning and development.

With respect to the second approach, Mobility Hubs continue to be an important planning concept in the 2041 RTP. They are "major transit station areas" at key intersection points on the frequent rapid transit network. Mobility Hubs are intended to create important transit network connections, integrate various modes of transportation, and accommodate an intensive concentration of places to live, work, shop, or play. They are particularly significant because of their combination of existing or planned frequent rapid transit service with an elevated development potential.

Midtown Oakville is identified as an Anchor Mobility Hub (or "Anchor Hub") on Schedule 1 (15- Year Plan) (see **Figure 12**, The Big Move, Schedule 1). Mobility Hubs are places of connectivity between regional rapid transit services and places where different modes of transportation come together seamlessly. They have, or are planned to have, an attractive, intensive concentration of employment, living and shopping around a major transit station, and are generally forecast to achieve a minimum density of approximately 10,000 people and jobs within an 800-metre radius.

Policy 7.14 of the RTP provides that Anchor Hubs shall be identified and incorporated into municipal Official Plans and Transportation Master Plans. Policy 7.15 requires that municipalities prepare detailed master plans for each mobility hub, which will among other matters: optimize transit-oriented development; identify and implement incentives to promote transit-oriented development; and establish a surface parking reduction strategy.

As set out in detail in **Section 5.0** of this report, it is our opinion that the proposed development supports the objectives and policies of the Regional Transportation Plan. In particular, the proposed development will optimize transit-oriented development potential in Midtown Oakville, an anchor mobility hub.



Legend

- Urban Growth Centre
- GGH Built Boundary
- Greenbelt Designation
- Expressway / Provincial Highway
- Existing or In Delivery GO Rail Station
- Planned GO Rail Station
- International Airport
- Potential Future Airport
- Existing, In Delivery & In Development Regional Rail and Rapid Transit

Frequent Rapid Transit

- Subway
- LRT / BRT
- GO Rail - 15-min Two-Way All-Day
- Priority Bus / Priority Streetcar
- Frequent Regional Express Bus
- TTC Streetcar Network

Regional Rail

- GO Rail - Two-Way All-Day

45. Waterfront West LRT Extension
53. Milton Line 15-min
54. Trafalgar
56. Bronte/Regional Road #25
57. Derry
58. Harvester/Speers/Cornwall
59. Eglinton Mississauga
60. Trafalgar North
61. Downtown Mississauga Transitway
63. Britannia/Matheson
67. Erin Mills/Mississauga Rd.

Figure 11 - 2041 Regional Transportation Plan - Map 5



Legend

- Controlled-Access Expressway
- New Transportation Corridor
- Approved 2006 Settlement Area (Conceptual)
- Greenbelt Area
- Urban Growth Centre
- International Airport
- Proposed International Airport
- Major Port

Regional Rapid Transit

- Express Rail
- Regional Rail (full day, 2-way)
- Regional Rail (peak)
- Subway
- Other Rapid Transit (BRT/LRT/AGT)
- BRT on Controlled-Access Expressway in Mixed Traffic with Congenstion Management
- Possible Regional Rail Extensions Beyond the GTHA

Mobility Hubs

- Anchor Hub
- Gateway Hub

Figure 12 - The Big Move, Schedule 1

4.11 Halton Region Official Plan (2024 Office Consolidation)

The Halton Region Official Plan ("ROP") governs the use of land within its four lower-tier municipalities, including the Town of Oakville. The development of land within Halton Region, such as the subject site, must conform to the ROP. However, the Region is no longer the approval authority of land use decisions due to the recent legislative changes imposed by Bill 185. As noted in **Section 4.6** of this report, the Region of Halton is now considered an "upper-tier municipality without planning responsibilities", as per the *Planning Act*. In this respect, the planning responsibilities of the Halton Region were dissolved as of July 1, 2024, and were downloaded to the lower-tier municipalities. The Regional Official Plan, in effect as of July 1, 2024, is now considered a Local Plan.

The ROP was originally adopted by Regional Council on March 30, 1994, and approved, with modifications, by the Minister of Municipal Affairs and Housing on November 27, 1995. Between 2006 and 2009, the Region undertook a planning exercise called Sustainable Halton which resulted in the adoption of Regional Official Plan Amendment 38 on December 16, 2009. Further amendments to the ROP were made through Official Plan Amendment No. 48 ("ROPA 48") and Official Plan Amendment No. 49 ("ROPA 49") more recently between 2021 and 2022. The most recent Office Consolidation of the ROP is dated May 16, 2024.

ROPA 48 establishes the hierarchy of strategic growth areas in the Regional Official Plan and achieves conformity to the 2019 Growth Plan. ROPA 48 advances local plans and priorities that are of strategic importance to the Region and will contribute to the successful implementation of the Region's Integrated Growth Management Strategy, which remains in progress. ROPA 48 also provides updated growth targets to the 2051 planning horizon and defines a Regional Urban Structure by establishing a hierarchy of Strategic Growth Areas in the ROP.

ROPA 49 also provides a framework for accommodating growth in Halton Region to the 2051 planning horizon. The amendment included changes to the policies and mapping related to existing Settlement Area boundaries, the Regional Urban Structure, Strategic Growth Areas, and Employment Areas, as well as forecasts and targets for population and employment growth, intensification, density, and Regional Phasing.

On December 6, 2023, Bill 150, *Planning Statute Law Amendment Act, 2023* received Royal Assent. This legislation results in specific decisions issued under the *Planning Act* by the Minister of Municipal Affairs and Housing being deemed to have never been made, including the Minister's November 4, 2022, decision to approve ROPA 49, with modifications.

As a result, ROPA 49 as adopted by Regional Council on June 15, 2022, is in effect as of November 4, 2022. Bill 150 also implements three modifications related to corridor protection policies and mapping (Modifications #18, #19 and #39 in the Minister decision on ROPA 49), which are also in effect as of November 4, 2022. The policies included below reflect the regulatory framework that is in effect at the date of this application.

Halton's Planning Vision

Part II of the ROP sets out the Region's planning vision and identifies that there will be three primary land use categories in the ROP: 1) settlement areas; 2) the rural countryside; and 3) the natural heritage system.

Part II, Policy 31 provides Halton's planning vision for a healthy community. Policy 31(3) states that a healthy community is one that is physically designed to minimize the stress of daily living and meet the life-long needs of its residents; (4) where a full range of housing, employment, social, health, educational, recreational and cultural opportunities are accessible for all segments of the community; and (5) where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system and nonmotorized travel modes.

With respect to development, Part III, Land Stewardship Policies, provides development criteria and states that development is to be directed to environmentally suitable areas with the appropriate land use designation in accordance with the goals, objectives, and policies of the ROP (Policy 57). Further, Policy 58 provides that uses are permitted as specified for each land use designation provided that:

- the site is not considered hazardous to life or property due to conditions such as soil contamination, unstable ground or soil, erosion, or possible flooding;
- adequate supply of water and treatment of wastewater for the proposed use has been secured to the satisfaction of the Region; and
- development meets all applicable statutory requirements, including regulations, Official Plan policies, zoning by-laws and municipal by-laws.

Urban Area & The Regional Urban Structure

The subject site is located within a Strategic Growth Area as the site falls within the Midtown Oakville GO Urban Growth Centre / Major Transit Station Area (the "Midtown Oakville GO UGC/MTSA") on Map 6a (see **Figure 13**, Midtown Oakville GO UGC/MTSA – Map 6A). Policy 72.1 of Part III of the ROP sets out a series of objectives for designated Urban Areas, including:

- to accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently;
- to support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships, and fosters a strong and competitive economy;
- to provide a range of identifiable, inter-connected and complete communities of various sizes, types, and characters, which afford maximum choices for residence, work, and leisure;
- to establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages complete communities, and is consistent with the policies of this Plan;
- to identify a Regional Urban Structure that directs growth to Strategic Growth Areas and protects Regional Employment Areas;
- to plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation; and
- to facilitate and promote intensification and increased densities.

Policy 75 provides that the Urban Area is to be planned to accommodate the distribution of population and employment as set out in Table 1, which identifies the Town of Oakville as planned to have a population of 313,460 and 160,880 jobs by 2041. Table 2, Intensification and Density Targets, provides that the Town of Oakville is to add a minimum of 19,400 new housing units to the built-up area between 2022 and 2041.

The Regional Official Plan provides further targets for Urban Growth Centres and MTSAs. Table 2b provides a minimum density target of 200 residents and jobs combined per hectare for the Midtown Oakville Urban Growth Centre.

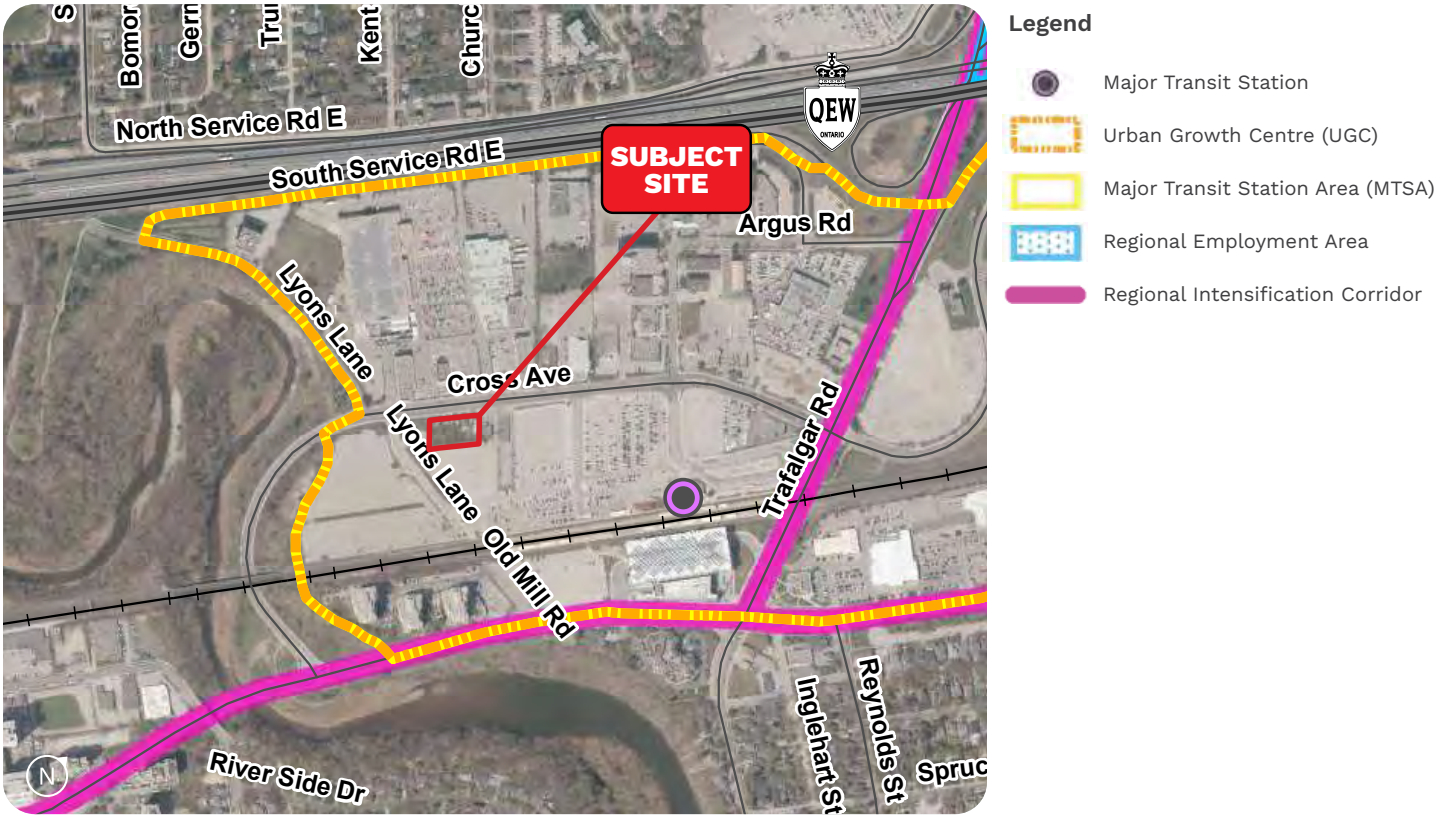


Figure 13 - Halton Region Official Plan – Midtown Oakville GO UGC/MTSA – Map 6A

Regional Urban Structure

Policies 78 to 78.1 of Part III of the ROP provide Regional Urban Structure Policies. Policy 78.1 provides the objectives of the Regional Urban Structure, including:

- to provide a structure and hierarchy in which to direct population and employment growth within the Urban Area to the planning horizon of this Plan;
- to focus significant proportion of population and certain types of employment growth within Strategic Growth Areas though mixed-use intensification supportive of the local role and function and reflective of its place in the hierarchy of Strategic Growth Areas identified in this Plan;
- to provide increased opportunities for the development of affordable housing particularly within Strategic Growth Areas;
- to identify Regional Employment Areas and to protect them for long-term employment use, while providing flexibility to address changes in the role and function of these areas in relation to prevailing trends in the economy of the Region; and
- to support climate change mitigation by directing growth to areas that will support achieving complete communities and the minimum intensification and density targets of this Plan as well as reducing the dependence on the automobile and supporting the existing and planned transit and active transportation.

Policy 79 provides objectives for Strategic Growth Areas, including:

- to provide an urban form that is complementary to existing developed areas, uses space more economically, promotes live-work relationships, fosters social interaction, enhances public safety and security, reduces travel by private automobile, promotes active transportation, and is environmentally more sustainable in order to promote the development of complete communities;
- to provide opportunities for more cost-efficient and innovative urban design;
- to provide a range of employment opportunities, facilities and services in centralized locations that are readily accessible by public transit;
- to provide a diverse and compatible mix of land uses, including residential and employment uses, to support neighbourhoods;
- to create vibrant, diverse, and pedestrian-oriented urban environment;
- to cumulatively attract a significant portion of population and employment growth;
- to provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places to promote the development of complete communities;
- to support transit and active transportation for everyday activities;
- to generally have higher densities than the surrounding areas;
- to achieve an appropriate transition of bult form to adjacent areas; and
- to conserve cultural heritage resources in order to foster a sense of place and benefit communities in Strategic Growth Areas.

Policy 79.1 provides that Strategic Growth Areas are integral to the Regional Urban Structure within the Urban Area and consist of Urban Growth Centres, Major Transit Station Areas, Primary and Secondary Regional Nodes, Regional Intensification Corridors and Local Nodes and Local Intensification Corridors, which have a concentration of residential and/or employment uses with development densities and patterns supportive of active transportation and public transit.

Policy 79.3 (1) states that it is the policy of the Region to direct development with higher densities and mix of uses to Strategic Growth Areas. Policy 79.3 (2) requires Local Official Plans to identify Strategic Growth Areas with detailed boundaries in accordance with the objectives and policies of this plan, and for Urban Growth Centres, MTSAs and Primary Regional Nodes, in accordance with the boundaries provided on Map 1H and Map 6. Policy 79.3 (6) requires the Local Municipalities to ensure the proper integration of Strategic Growth Areas with surrounding neighbourhoods through pedestrian walkways, cycling paths and transit routes, and the protection of the physical character of these neighbourhoods through urban design.

Policy 79.3 (7) requires the Local Municipalities to a) include Official Plan policies and adopt Zoning By-laws to meet intensification and mixed-use objectives for Strategic Growth Areas; b) prescribe in Official Plans and Zoning By-laws minimum development densities for lands within Strategic Growth Areas; c) prohibit site-specific reductions to development density within a Strategic Growth Area unless it is part of a review of the Local Official Plan or review of the Area-Specific Plan for the Strategic Growth Area and only where it is demonstrated that the change will not impact the ability to achieve the growth targets; and d) promote development densities that will support existing and planned transit services. Policy 79.3 (8) encourages the Local Municipalities to adopt parking standards and policies within Strategic Growth Areas to promote the use of active transportation and public transit. Policy 79.3 (9) encourages the Local Municipalities to consider planning approval, financial and other incentives to promote the development of Strategic Growth Areas.

Policy 80 provides the objectives for the Urban Growth Centres, including:

- to serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses;
- to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
- to serve as high density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and
- to function as the primary Strategic Growth Areas of the Regional Urban Structure hierarchy where a significant share of population and employment growth will be accommodated.

Policy 80.2 (1) requires Urban Growth Centres to be planned to achieve a minimum development density target of 200 residents and jobs combined per gross hectare by 2031 or earlier. Policy 80.2 (2) requires Local Official Plans to show how policies have been developed to plan to achieve the development density target for Urban Growth Centres under Section 80.2(1).

ROPA 48 added Policy 81 which sets out the objectives of the MTSA, including:

- to leverage infrastructure investments and the development of public service facilities to support a significant share of growth, and achieve transit supportive densities through existing or planned frequent transit service;
- to provide a range and mix of transit-supportive uses, such as residential, retail, office, and public uses, as well as public service facilities and parks and open spaces that support the area in a pedestrian-oriented urban environment;

- to function as an important Strategic Growth Area component of the Regional Urban Structure and leverage infrastructure investment and frequent transit service to accommodate increased densities and transit supportive growth;
- to achieve multimodal access to stations and support complete communities;
- to plan for a diverse mix of uses, including additional residential units and Affordable Housing, where appropriate;
- to protect existing employment uses within MTSAs by ensuring land use compatibility with adjacent new development is achieved; and
- to maximize the number of potential transit users within walking distance of a station, while considering contextually appropriate intensification opportunities within stable residential neighbourhoods to ensure the protection of neighbourhood character, to be determined through the preparation of Area-Specific Plans.

Policy 81.2 (1) directs development with higher densities and mix of uses to MTSAs. Policy 81.2 (2) requires Local Official Plans to plan to achieve the minimum density target for each MTSA as prescribed in Table 2b, which may be achieved beyond the planning horizon of this Plan, and a general target proportion of residents and jobs within each MTSA in according with Section 55.3 and Table 2 of the Plan. As previously mentioned, the density target for the Midtown Oakville MTSA is 200 residents and jobs per combined hectare and the general target proportion of residents and jobs is 65% residents and 35% jobs. Policy 81.2(4)(h) directs Local Municipalities to encourage alternative development standards, including reduced parking standards in MTSAs.

Housing Policies

Policies 84 to 86 of the ROP provide the goals, objectives, and policy framework with respect to housing in Halton Region. The Region's housing goal is to provide an adequate mix and variety of housing types to satisfy differing physical, social, and economic needs. The Region's objectives for housing are, among other things to:

- establish housing targets by type and appropriate density for the Local Municipalities and the Region as a whole;
- coordinate, improve upon, and expedite the development approval process so as to reduce the overall cost of housing;
- make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods; and
- encourage the Local Municipalities to maintain the quality of the existing housing stock.

New development applications are monitored by the Region to achieve, at all times, a minimum three-year supply of draft approved and/or registered residential units for the Region as a whole. In this regard, the Regional Official Plan provides the following housing targets: that the percent of new housing units produced annually in Halton in the form of the townhouses of multi-storey buildings be at least 65 percent to 2031 and at least 75 percent each year thereafter; and that at least 30 per cent of new housing units produced annually in Halton be Affordable or Assisted Housing.

The Region requires the Town of Oakville, through their Official Plan and Zoning By-laws to provide an appropriate mix of housing by density, type, and affordability, consistent with current and projected demands reflecting socio-economic and demographic trends. In this regard, the proposed development will implement the Region's housing objectives through the provision of an appropriate mix of housing options not currently available in the area.

Healthy Communities

Policy 152 (1) in Part IV, Healthy Communities provides that it is the policy of the Region to develop and adopt Healthy Communities Guidelines which include:

- a description of general characteristics of a healthy community;
- a desirable mix of land uses within the community;
- community design features that will promote integration of the community and accessibility by residents to services within and outside the community through active transportation and public transit (among others);
- physical design features that will promote health and safety of the community's inhabitants;
- land use regulatory tools for promoting the shared use of land or facility by compatible uses or activities to facilitate the local delivery of human services;
- suggested level of service and facility requirement for the provision of human services over the full human lifecycle and under special circumstances, and
- other community features, facilities, programs, and plans that will promote a healthy lifestyle based on the principles of sustainability, including access to local food supplies, reduction in automobile use, use of renewable energy sources, measures of conservation and stewardship of the environment.

Transportation

Sections 171 to 173 of the ROP provide the goals, objectives, and policy framework with respect to transportation in the Region. Regional objectives with respect to transportation are:

- to develop a balanced transportation system that:
  - reduces dependency on automobile use;
  - includes a safe, convenient, accessible, affordable, and efficient public transit system that is competitive with the private automobile; and
  - promotes active transportation.
- to support seamless public transit services in Halton that:
  - provide a high level of service internally within Halton,
  - include continuous enhancements of the GO Transit system within Halton,
  - are connected to a higher order transit network throughout the Greater Toronto and Hamilton Area,
  - are complemented and supported by a network of active transportation facilities, and
  - are fully integrated both internally and externally in terms of fare and service.
- to support the early introduction of public transit service in new development and redevelopment areas and in Intensification Areas;
- to ensure development is designed to support active transportation and public transit; and
- to support the provision of public transit service, within reasonable walking distance and at reasonable cost, to all sectors of the public, including persons with a physical disability.

In our opinion, the development proposal conforms with the policies of the Halton Region Official Plan (2024 Consolidation), and in particular, the policies pertaining to the Regional Urban Structure, housing, healthy communities, and transportation. The subject site will promote sustainable, orderly growth through the creation of a complete community that will optimize existing and future improvements to transit infrastructure. Moreover, the subject site will provide for a pedestrian friendly and transit-supportive built form containing an appropriate range and mix of housing opportunities and non-residential uses.

4.12 Town of Oakville Official Plan (2025 Consolidation)

The Oakville Official Plan (also referred to as the "Livable Oakville" Plan) was adopted by the Council of the Corporation of the Town of Oakville on June 22, 2009, and approved by the Regional Municipality of Halton on November 30, 2009, with modifications. As a number of parties appealed the Region's approval, the Ontario Municipal Board (now known as the Ontario Land Tribunal) ultimately approved Livable Oakville with further modifications on May 10, 2011. The most recent Office Consolidation of Livable Oakville is from April 22, 2025.

Part B, Section 2.2 of Livable Oakville provides Guiding Principles and Policy 2.2.1(b) speaks to preserving and creating a livable community in order to direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated. Policies 2.2.2 (a) and (b) speak to providing choice throughout the Town to enable the availability and accessibility of a wide range of housing, jobs, and community resources to meet the diverse needs of the community through all stages of life and providing choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails.

Part C, Section 3 of Livable Oakville relates to the Town's urban structure, which is a framework for where and how the Town will grow and how to determine Oakville's character and form. According to Schedule A1 (Urban Structure), the subject site is located in the Midtown Oakville Node, and the Oakville GO Station is identified as both a Regional Transit Node and a Major Transit Station. Trafalgar Road, which is located approximately 465 metres east of the subject site, is identified as a Regional Transit Priority Corridor (see **Figure 14**, Schedule A1). Moreover, Livable Oakville further defines the boundaries of the Midtown Oakville Urban Growth Centre though Schedule A2 (Built Boundary and Urban Growth Centre). As illustrated in **Figure 15**, Schedule A2, the subject site is located within the Midtown Oakville Urban Growth Centre.

With respect to the Town's Nodes and Corridors, Policy 3.7 provides that these are key areas of the Town and the focus for mixed use development and intensification. The policy acknowledges that within Livable Oakville, Nodes and Corridors are referred to as Growth Areas and corridors. Policy 3.7 also provides that Nodes and Corridors comprise the Town's strategic growth areas, as the term is defined in the Growth Plan. Midtown Oakville is identified as an Urban Growth Centre in the Growth Plan and is planned to accommodate a significant portion of Oakville and Halton's required intensification.

Policy 3.13 provides that regional transit priority corridors and mobility links are identified in the Town-wide grid network that is key to connecting people via transit throughout the region as well as to local destination including nodes, mobility hubs, major transit station areas and employment areas. The policy adds that regional transit priority corridors provide a key focus for transit-supportive development.

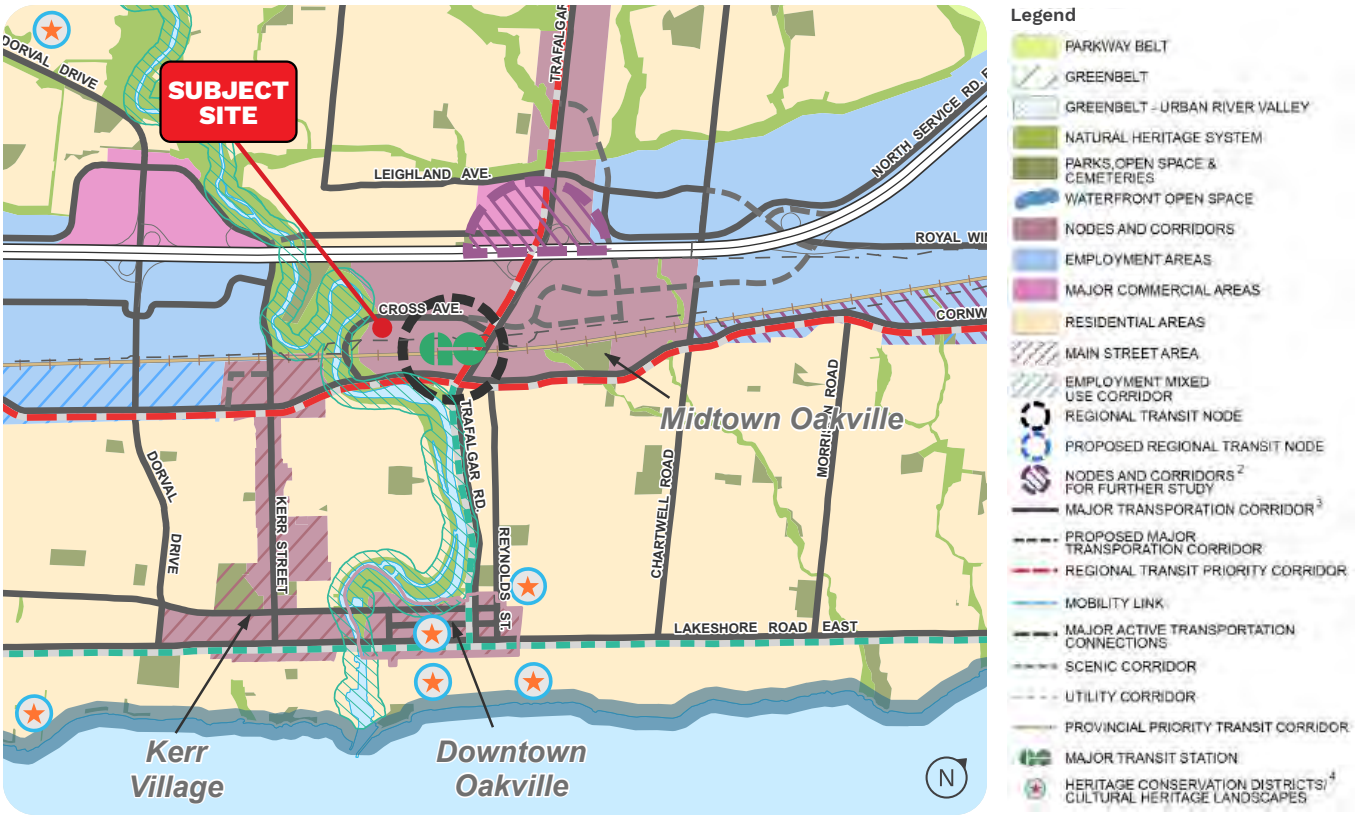


Figure 14 - Livable Oakville Plan, Schedule A1 (Urban Structure)

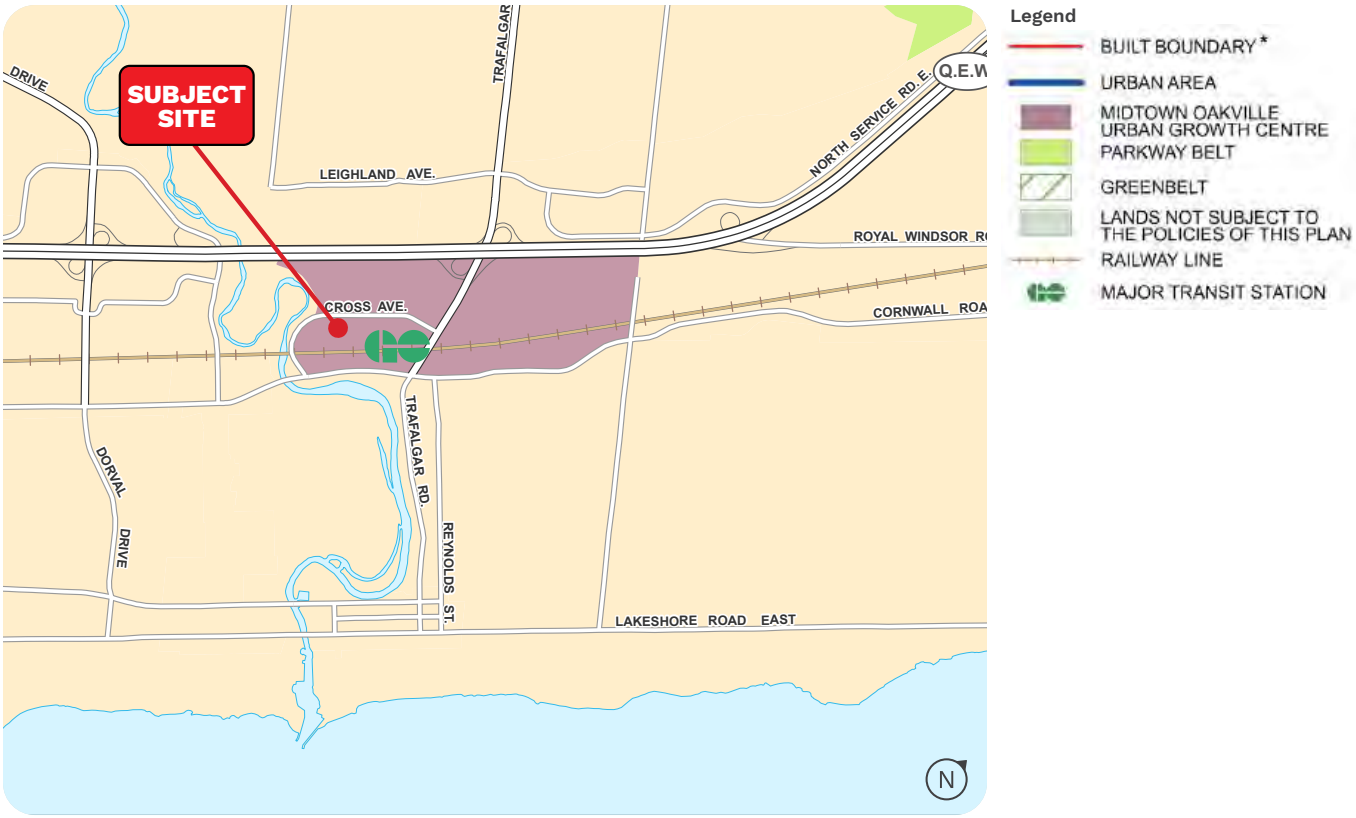


Figure 15 - Livable Oakville Plan, Schedule A2 (Built Boundary and Urban Growth Centre)

Policy 3.16 speaks to major transit stations, regional transit nodes and proposed transit nodes and states that they are at key locations to integrate with the Town-wide transportation system and to provide a focus for transit supportive development that facilitates first mile-last mile connections and solutions. The term, "transit supportive development" is defined by Livable Oakville as compact, mixed use development that has a high level of employment and residential densities to support frequent transit service.

Part C, Section 4 of Livable Oakville provides policies regarding the management of growth and change. Table 2 of this Section sets out the Town-wide population and employment forecasts up to the year 2031. We acknowledge that these forecasts have been revised as per the Regional Official Plan. The preamble text in Section 4 further provides that,

> *"In managing growth and change, the use of existing infrastructure and public service facilities should be optimized wherever feasible before consideration is given to the development of new infrastructure. Infrastructure investment shall be cost-effective and coordinated to support and facilitate intensification. The Town will consider planning approval, financial and other incentives to support the development of intensification areas"*

Policy 4.1 provides that majority of intensification in the Town is to occur within the Growth Areas, which includes Midtown Oakville, among others as primary Growth Areas. These areas will accommodate the highest level of intensification and are intended to be developed as mixed-use centre with transit-supportive development focused around major transit station areas and along corridors. The Growth Areas, including Midtown Oakville, have been the subject of detailed, comprehensive land use studies or secondary planning exercises that have resulted in objectives and policies to provide for intensification opportunities.

In addition to Midtown Oakville being a Growth Area as per Livable Oakville, Policy 4.2 provides that Midtown Oakville is an urban growth centre identified by the Growth Plan for the Greater Golden Horseshoe, 2006 (the Growth Plan). The policy goes on to state that the greatest levels of height and density in the Town are planned for Midtown Oakville, and it is to be a primary intensification area with employment, commercial and residential uses concentrated within the major transit station area.

In this regard, Policy 4.2 provides that Midtown Oakville is planned to achieve a minimum gross density of 200 jobs and residents combined per hectare by 2031, in accordance with the Growth Plan. The policy goes on to state that reductions in minimum heights or densities within Midtown Oakville will not be permitted. As discussed later in this section, the Midtown Oakville Growth Area policies prescribe maximum height and densities for lands within Midtown Oakville, subject to the Plan's bonusing policies.

Policy 4.4 provides that the Town of Oakville is to achieve 14,390 new residential units within the built boundary by 2031. This intensification target of 14,390 residential units within the built boundary is intended to provide for units which can be built as a result of developments that conform to Livable Oakville. The policy further states that the number of units built within the built boundary by the year 2015, and each year thereafter, will be monitored to ensure conformity with the Region's requirement under the Growth Plan. As discussed, the Town of Oakville Official Plan was updated to conform with the Growth Plan and Halton Region's ROPA 48 and 49.

Urban Design

Part C, Section 6 of Livable Oakville sets out the urban design policies, with Policy 6.1.1 establishing the Town's general urban design objectives, including:

- diversity, comfort, safety, and compatibility with existing communities;
- attractive, barrier-free, and safe public spaces;
- innovative and diverse urban form and excellence in architectural design; and
- the creation of distinctive places and locales, including Midtown Oakville, the other Growth Areas, and high-profile locations such as gateway to the Town.

Policy 6.1.2 (a) provides that development shall be evaluated in accordance with the urban design direction set out in the Livable by Design Manual, as amended, to ascertain conformity with the urban design policies of this Plan. The policy further adds that alternative design approaches to those found in the Livable by Design Manual may be proposed, with appropriate justification and after consultation with the Town, provided that they meet the intent and purpose of the urban design policies of the Plan.

Policy 6.2.1 provides that the design of the public realm should promote creativity and innovation and include:

- a network of streets accommodating choices for pedestrians, cyclists, transit, and vehicles;
- walkable street lengths for pedestrians;
- a network of accessible, interconnected, and predictable pedestrian-oriented spaces and routes;
- comfortable and accessible public spaces that respond to their surroundings; and
- furnishings, trees and landscaping, wayfinding, and public art that provide orientation and a sense of identity.

Policy 6.3.1 directs that the design of new streets and enhancement of existing streets shall incorporate the following attributes of complete streets, where appropriate:

- multi-modal choices;
- circulation alternatives and convenient connections;
- priority pedestrian, cyclist and transit usage;
- comfortable, barrier-free and safe routes;
- ecologically sustainable features; and,
- quality spaces for public life.

Policy 6.4.1 provides that streetscapes shall, among other aspects, provide cohesion and seamless transitions between the public and private realms. Policy 6.4.2 further provides that new development should contribute to the creation of a cohesive streetscape by, among others:

- placing the principal building entrances towards the street and towards corner intersections;
- framing the street and creating a sense of enclosure;
- providing variation in façade articulation and details;
- connecting active uses to the public realm to enhance the liveliness and vibrancy of the street;
- incorporating sustainable design elements such as trees, plantings, furnishings, lighting, etc.; and
- coordinating improvements in building setback areas to create transitions from the public to private realms.

The built form policies are discussed in Section 6.9 of Livable Oakville, and include the following:

- Policy 6.9.1: buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping, and signage
- Policy 6.9.2: building design and placement should be compatible with the existing and surrounding built form context and carried out in a creative and innovative approach manner
- Policy 6.9.3: to achieve compatibility between different land uses, development shall be designed to accommodate an appropriate transition between different land uses through landscape buffering, spatial separation, and compatible built form;
- Policy 6.9.4: in Growth Areas and along intensification corridors, buildings should incorporate distinctive architecture, contribute to a sense of identity, and be positioned on and oriented towards the street frontage(s) to provide interest and comfort at ground level for pedestrians;
- Policy 6.9.5: buildings should present active and visually permeable façades relative to all adjacent streets and amenity spaces through the use of windows, entry features, and human-scaled elements;
- Policy 6.9.6: main principal entrances to buildings should be oriented to the public sidewalk;
- Policy 6.9.7: development should be designed to include variation in building mass, façade treatment and articulation to avoid sameness;
- Policy 6.9.8: buildings located on corner lots shall provide a distinct architectural appearance with a high level of detailing and articulated façades that continue around the corner to address both streets;
- Policy 6.9.9: new development shall ensure that proposed building heights and form are compatible with adjacent existing development by employing an appropriate transition of height and form from new to existing development, which may include setbacks, façade step backs or terracing in order to reduce adverse impacts on adjacent properties and/or the public realm;
- Policy 6.9.10: continuous streetwalls of identical building height are discouraged; variety rooflines should be created through subtle variations in roof form and height;
- Policy 6.9.11: where appropriate, the first storey of a building shall have a greater floor to ceiling height to accommodate a range of non-residential uses;
- Policy 6.9.12: new development should be fully accessible, including universal design principles to ensure barrier-free pedestrian circulation;
- Policy 6.9.13: rooftop mechanical equipment shall not be visible from view from the public realm;
- Policy 6.9.14: outdoor amenity areas should incorporate setbacks and screening elements to ensure compatibility with the local context; and
- Policy 6.9.15: buildings should be sited to ensure maximum solar energy, adequate sunlight, and sky views, minimize wind conditions on pedestrian spaces and adjacent properties and avoid excessive shadows.

Section 6.10 sets out a series of landscape design policies which provide that landscaping associated with new development should:

- enhance the visual appeal and human scale of development;
- create an attractive environment for pedestrian movement;
- frame desired views or focal objects;
- define and demarcate various functions within a development; and
- provide seasonal variation in form, colour, and texture.

Sections 6.11 to 6.13 set out policies pertaining to pedestrian and vehicular access and circulation, and parking, which include:

- Policy 6.11.1: pedestrian walkways should be barrier-free;
- Policy 6.11.2: development should incorporate safe and direct access and circulation to and through the site that connects pedestrians to principle building entrances, amenity areas and parking areas, the public sidewalks and transit facilities as well as adjacent developments, where appropriate;
- Policy 6.11.3: in areas with high levels of pedestrian traffic, walkways should be extended from curb to building face and enhanced by appropriate landscaping treatment;
- Policy 6.11.4: transit stops should be located in close proximity to principal building entrances and connected by a pedestrian walkway.
- Policy 6.11.5: walkways should provide continuous routes across driveway entrances, drive aisles and through parking areas;
- Policy 6.12.1: development should incorporate safe and direct vehicular access and circulation routes with defined internal drive aisles to direct traffic, establish on-site circulation and frame parking areas;
- Policy 6.12.2: consolidated driveway accesses are encouraged to maximize landscaped space, minimize public sidewalk interruptions and expansive paved areas; and
- Policy 6.13.3: barrier-free parking spaces should be located in close proximity to principal building entrances.

Section 6.16 relates to the design of service, loading and storage areas:

- Policy 6.16.1: servicing and loading areas should be located and orientated away from pedestrian and vehicular circulation both on-site and in the public right-of-way; accessible but not visible from the public realm; and, separated and buffered from residential areas;
- Policy 6.16.2: the visual and noise effects of activities associated with service and loading areas on the surrounding environment should be minimized by locating such areas behind buildings, erecting noise walls and fences, as well as screening with tree and shrub plantings;
- Policy 6.16.3: for all development in the Growth Areas and on lands adjacent to residential land uses, service and loading areas should be located internal to the building or appropriately screened from the public realm and, where required, from adjacent uses; and
- Policy 6.16.4: site servicing and utilities should be located within the rear yard or away from or screened from public streets, adjacent residential areas, and other sensitive land uses.

Transportation

Part C, Section 8, relates to the Town's transportation system. In accordance with Schedule C (Transportation Plan), within the boundary of Midtown Oakville, Cross Avenue is classified as a minor arterial road, and Trafalgar Road is classified as a major arterial road (see **Figure 16**, Schedule C). The existing and proposed rights-of-ways within Midtown Oakville are discussed in a subsequent section in more detail.

Policy 8.5.2 provides that major changes to existing road allowance widths identified as special in Table 5 (Note 2) are not anticipated. However, operational improvements, development, bus bay development, channelization and improvements of a similar nature may be undertaken as the need arises and may be required as a condition of development approval. We acknowledge that the Town has reviewed the proposed rights-of-ways and road orientation as part of Official Plan Amendment No. 70, discussed in greater detail in **Section 4.13** below.

Policy 8.9.2 states that the Town will encourage transit-supportive development within major transit station areas and around transit terminal facilities. Similarly, Policy 8.12.1 provides that the Town will coordinate land use and transportation planning to maximize the efficient use of land.

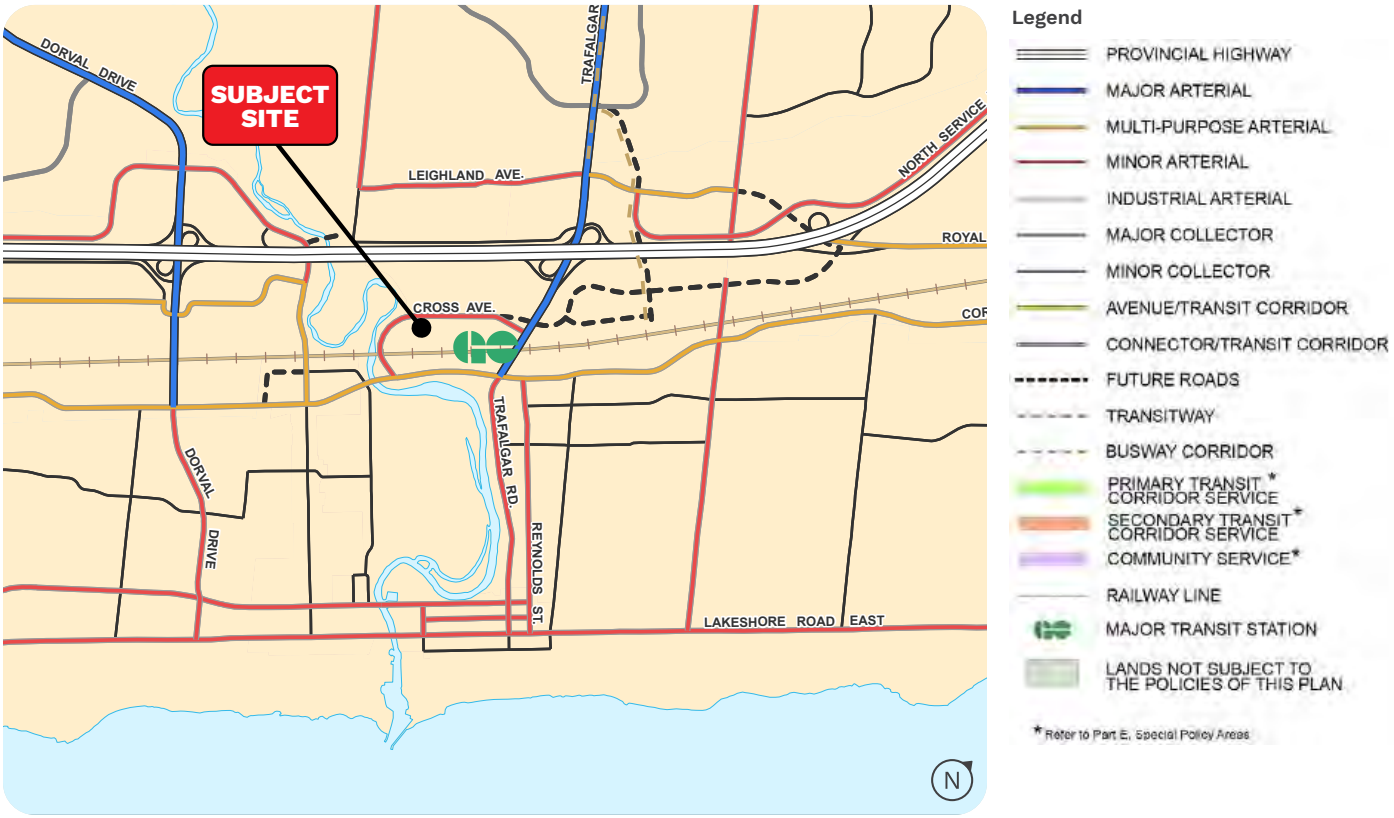


Figure 16 - Livable Oakville Plan, Schedule C (Transportation Plan)

Policy 8.12.2 provides that development plans shall be designed with specific regard to the safe, convenient and efficient provision of public transit as well as pedestrian and cycling facilities. In particular, to facilitate the development of a transit-supportive urban structure, the following measures will be reflected in all development proposals:

- densities supportive of transit, which are commensurate with the type and frequency of transit service planned for the area and/or corridor, particularly near transit stops and stations;
- a road pattern and related pedestrian and cycling facilities network that provide for direct pedestrian and cycling access to transit routes and stops;
- documentation of walking distances to ensure that all areas within the Plan area are adequately served by transit; and
- transit stops and bus bays on primary and secondary transit corridors and major arterials and, where appropriate, incorporation of these features into road design requirements.

Schedule D (Active Transportation Plan) of Livable Oakville outlines a proposed cycling facility (bike lane) along Cross Avenue (see **Figure 17**, Schedule D). Policy 8.10.5 provides that development proposals, and upgrades to existing roads, will be required to incorporate pedestrian and cycling facilities in accordance with Schedule D and have regard for the implementation guidelines set out in the Active Transportation Master Plan.

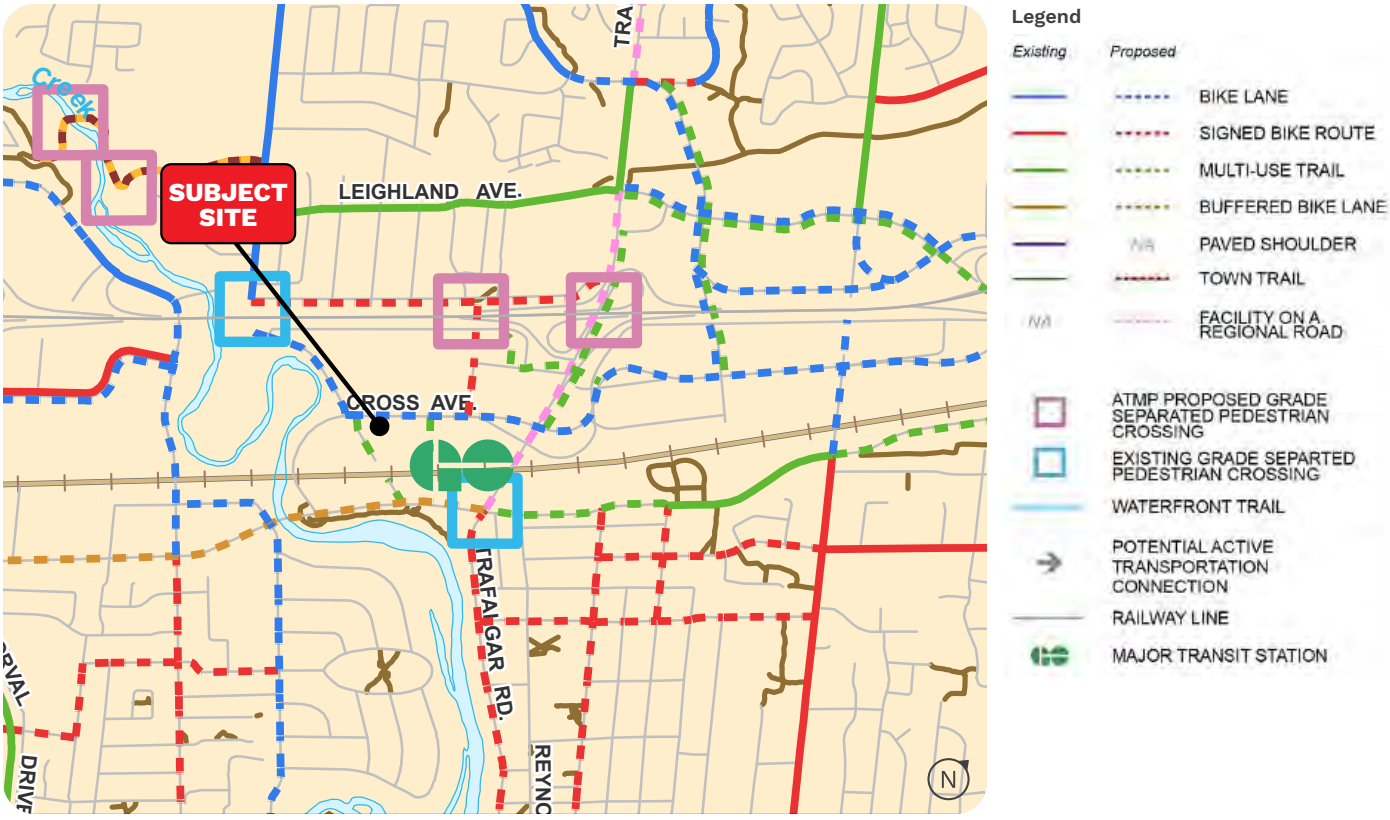


Figure 17 - Livable Oakville Plan, Schedule D (Active Transportation Plan)

Land Use

Part D of Livable Oakville set out the land use designations and policies. Schedule G (South East Land Use) identifies the subject site, and its immediate surroundings, as being within a Growth Area (see **Figure 18**, Schedule G). More specifically, the subject site is designated *Urban Core and Urban Centre* as per Schedule L1 (Midtown Oakville Land Use, see **Figure 19**, Schedule L1). The properties generally north, east, and south share the *Urban Core* and *Urban Centre* land use designations, whereas the properties to the west of Lyons Lane are designated *High Density Residential,* and the properties further east of the site are designated *Urban Centre*.

The *Urban Core* and *Urban Centre* designations are within the Mixed Use land use category, a category that is to be focused on the lands within the Growth Areas including Midtown Oakville. Section 12 of the Plan provides that the Mixed Use designations provide areas where residential, commercial and office uses are integrated in a compact urban form at higher development intensities. Mixed Use areas are to be pedestrian-oriented and transit supportive.

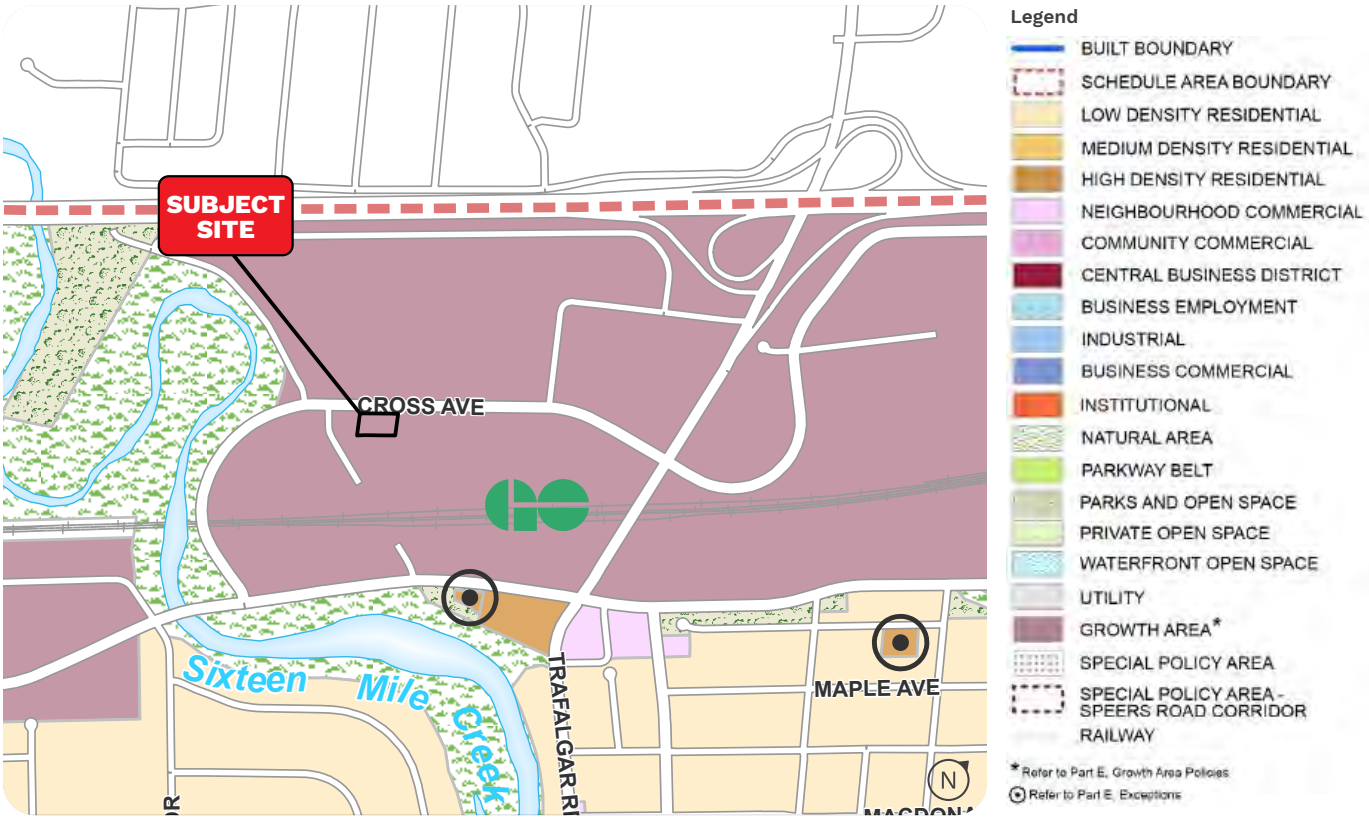


Figure 18 - Livable Oakville Plan, Schedule G (South East Land Use)

Policy 12.1.1 provides that the intent of the Mixed Use designations is to allow for a diversity of residential commercial and office uses which are integrated in buildings to provide for the efficient use of municipal services and infrastructure. Policy 12.1.2 states that mixed use development will be focused on lands located within Oakville's Growth Areas and along identified corridors. Policy 12.1.3 provides that the Mixed Use designations are intended to create animated streets by providing retail and service commercial uses on the ground floor of mixed use buildings, fronting onto the street and other pedestrian environments.

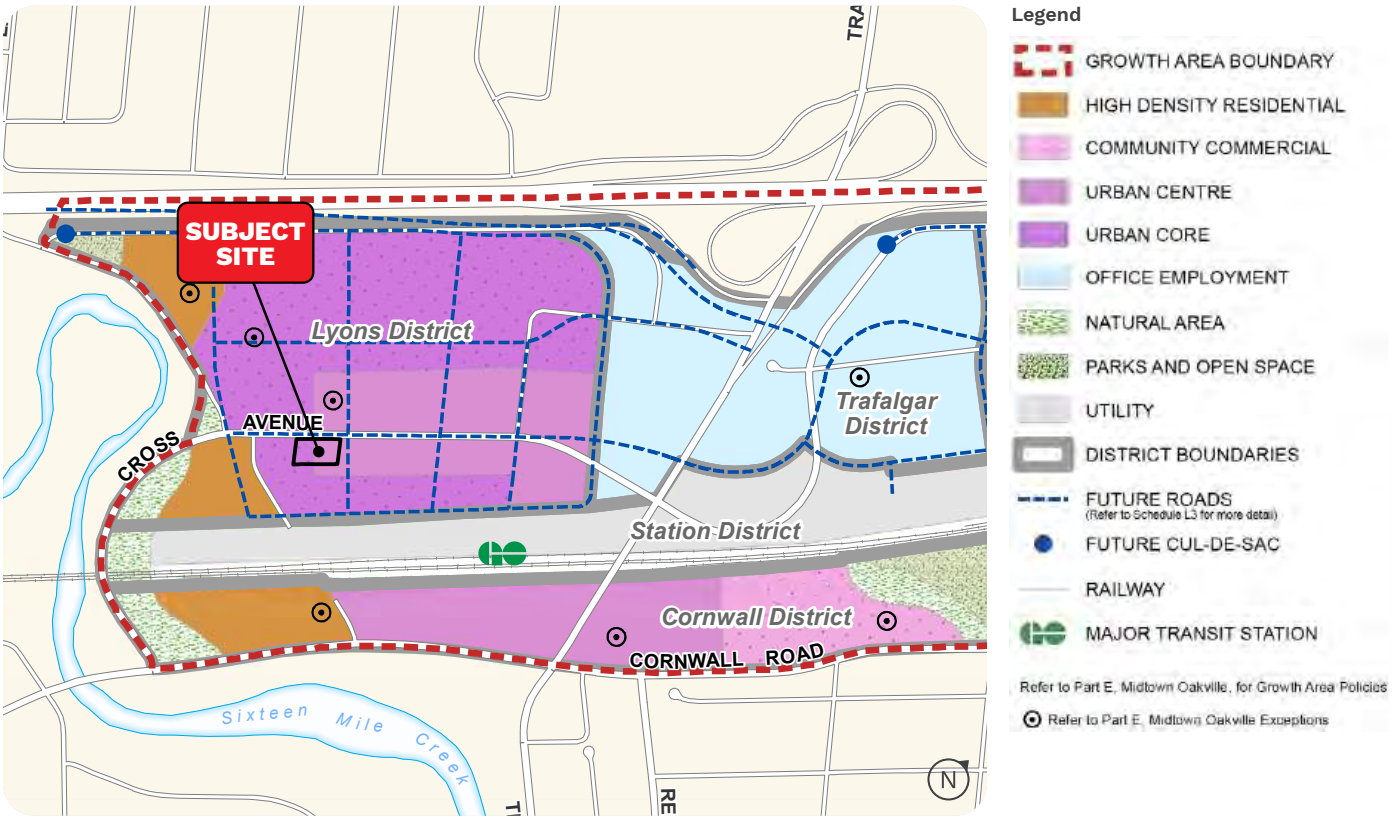


Figure 19 - Livable Oakville Plan, Schedule L1 (Midtown Oakville Land Use)

Urban Centre Land Use Designation

Policy 12.4 provides that the *Urban Centre* designation shall incorporate a mix of uses including retail and service commercial, major office, offices, and residential uses. Development should be oriented to the street and shall contribute to a high-quality pedestrian-oriented and transit-supportive environment. Policy 12.4.1(a) outlines the permitted uses which include a wide range of retail and service commercial uses, including restaurants, commercial schools, major office, offices, and residential uses may be permitted in the *Urban Centre* designation. The policy adds that retail and service commercial uses shall be provided on the ground floor of mixed use buildings that directly front a public street. These uses may also extend to other floors.

Places of entertainment, indoor sports facilities, and hotels may also be permitted. Office uses and ancillary residential uses may be provided on the ground floor and/or above the ground floor. Policy 12.4.1(b) provides that the size and location of uses shall be determined through the development process and regulated by the implementing zoning.

Buildings within the *Urban Centre* designation shall be a minimum of 6-storeys in height and a maximum of 8-storeys in height (Policy 12.4.2(a)), however additional building height may be considered in accordance with the applicable bonusing policies in this Plan (Policy 12.4.2(b)).

Policy 12.4.3 provides that underground and/or structured parking shall be encouraged, and surface parking should not be permitted between buildings and the adjoining streets. However, consideration may be given to limited surface parking within these areas for the purpose of visitor or commercial parking.

Urban Core Land Use Designation

Policy 12.5 provides that the *Urban Core* designation is envisioned to have a strong urban focus and incorporate retail and service commercial, office and residential uses. Development should be oriented to the street and shall contribute to a high-quality pedestrian oriented and transit-supportive environment. Midtown Oakville and the Uptown Core are the primary location for this designation.

A wide range of retail and service commercial uses, including restaurants, commercial schools, offices, and residential uses may be permitted in the *Urban Core* designation. Retail and service commercial uses shall be provided on the ground floor of mixed use buildings that directly front a public street. These uses may also extend to other floors. The size and location of uses shall be determined through the development process and regulated by the implementing zoning (Policy 12.5.1.b).

Buildings within the *Urban Core* designation shall be a minimum of 8-storeys in height and a maximum of 12-storeys in height (Policy 12.5.2(a)). Additional building height may be considered in accordance with the applicable bonusing policies in the Plan (Policy 12.5.2(b)). Policy 12.5.3 provides that underground and/or structured parking shall be encouraged, and surface parking should not be permitted between buildings and the adjoining streets. However, consideration may be given to limited surface parking within these areas for the purpose of visitor or commercial parking.

Midtown Oakville Growth Area Policies

Goals & Objectives

Part E of the Livable Oakville Plan set out policies for the Growth Areas and Special Policy Areas. Section 20 of the Livable Oakville Plan pertains to the Midtown Oakville. The preamble text in this Section states that,

> *"The interchange of Trafalgar Road and the QEW and the Oakville Station are major entry points to the Town and distinguish Midtown Oakville as a strategic location to accommodate both population and employment growth. The accessibility by major roads and local and inter-regional transit, combined with a large amount of vacant and underutilized land, provide the infrastructure and development opportunity to create a complete urban community comprised of a mix of high density residential and employment uses."*

Further to this, Policy 20.1 provides that Midtown Oakville will be a vibrant, transit-supportive, mixed use urban community and Employment Area.

Section 20.2 of Livable Oakville sets out the objectives the Town will use to guide decisions as Midtown Oakville develops:

- Policy 20.2.1: to create transit-supportive development by:
  - ensuring the entire area is developed as a pedestrian-oriented environment focused on access to, and from, transit;
  - improving internal road circulation and connections to, and through, Midtown Oakville for public transit, pedestrians, cyclists and vehicles; and
  - promoting a compact urban form with higher density and higher intensity land uses;
- Policy 20.2.2: to create a vibrant and complete new community by:
  - providing a mix of residential, commercial, employment, civic, institutional, cultural and recreational uses, complemented by public open spaces and public art, to attract different users throughout the day;
  - directing major office and appropriate large scale institutional development to Midtown Oakville;
  - ensuring high quality urban design that complements and contributes to the vitality of both Midtown Oakville and the Town;
  - providing a transition between the concentration, mix and massing of uses and buildings in Midtown Oakville and neighbouring areas and properties;
  - facilitating public investment in transit, infrastructure and civic facilities to support future growth; and
  - promoting district energy facilities and sustainable building practices;
- Policy 20.2.3: to achieve required growth targets by:
  - promoting and enabling the evolution of Midtown Oakville as an urban growth centre and the Town's primary Growth Area;
  - ensuring a minimum gross density of 200 residents and jobs combined per hectare — a combined total of approximately 20,000 residents and jobs — by 2031 in accordance with the Growth Plan;
  - providing opportunities for increased building height through bonusing; and
  - ensuring that development occurs in a comprehensive and progressive manner by monitoring key development indicators at regular intervals.

Development Districts

As illustrated in Schedule L1 (Midtown Oakville Land Use), Midtown Oakville is comprised of five development districts: Station District, Trafalgar District, Lyons District, Chartwell District and Cornwall District (refer to **Figure 19**, Schedule L1). Each of the five districts shall have a distinct character in terms of land use and built form. The subject site falls within the boundary of the Lyons District.

Policy 20.3.3 provides that the Lyons District shall evolve from its current focus on strip malls and large format retail uses into a compact mixed use neighbourhood. Cross Avenue is intended to be an attractive central spine animated by at-grade retail uses, cohesive streetscapes and open spaces that enhance the experience of the public realm. Taller residential buildings shall be located in the vicinity of Sixteen Mile Creek and the railway.

The Road Network

Section 20.4 provides the following functional policies that are applicable to the Midtown Oakville. With respect to transportation, Policy 20.4.1 provides that significant road, transit and active transportation infrastructure, to Midtown Oakville, is needed to accommodate the growth the Town is required to achieve in Midtown Oakville. The policy goes onto state that many existing roads shall be realigned, widened, extended or replaced.

As it relates to the subject site, Schedule L3 (Midtown Oakville Transportation Network) illustrates the local road network within Midtown Oakville, as well as the planned rights-of-way widths of the existing and future road network (see **Figure 20**, Schedule L3). In this regard, the subject site fronts onto Cross Avenue, with a new local road planned to the immediate east.

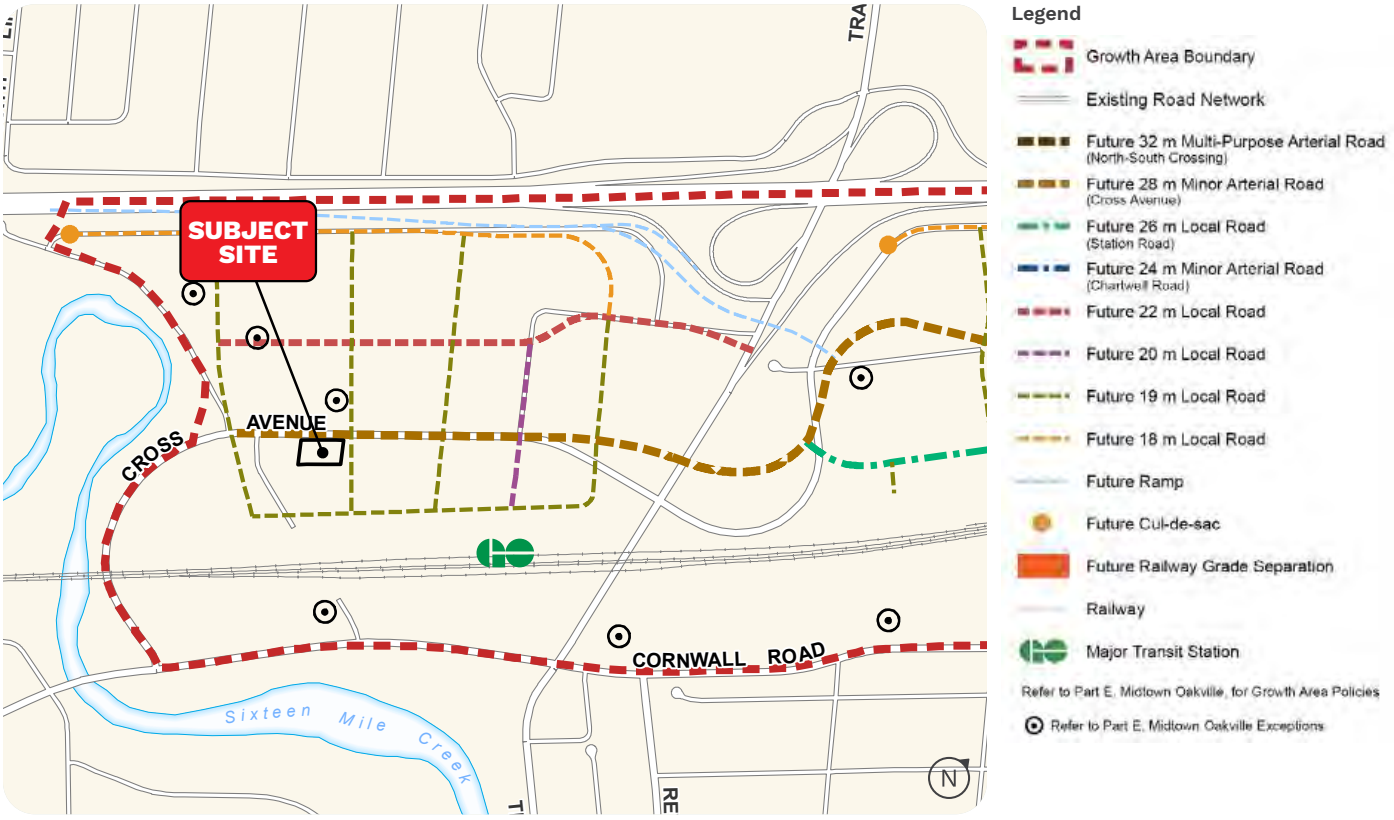


Figure 20 - Livable Oakville Plan, Schedule L3 (Midtown Oakville Transportation Network)

Schedule L3 illustrates two future local roads to the east and west of the site, with planned right-of-way widths of 19 metres. Cross Avenue which frames the subject site to the north is identified as a Minor Arterial Road with a planned right-of-way width of 28 metres.

Policy 20.4.1(b) provides that the Town may secure rights-of-way on alignments shown on Schedule L3 through the planning approval process. Final rights-of-way shall be consistent with the Midtown Oakville Class Environmental Assessment, 2014, and shall otherwise be determined through detailed transportation studies, environmental assessments where required, and the planning approval process.

Further to this, Policy 20.4.1(c) states that subject to Section 8.2.3 of Livable Oakville, changes to the requirements, location or alignment of new transit services, roads and pedestrian linkages, as shown on Schedule L3, will not require an amendment to the Plan provided that the general intent and purpose of this Plan is maintained, and intensification opportunities are not precluded.

With that, the rights-of-way of future roads shall be required to achieve the maximum widths identified on Schedule L3 (Policy 20.4.1(d)).

Policy 20.4.1(e) provides that development shall not preclude, amongst others: the realignment and extension of Cross Avenue from Lyons Lane to Chartwell Road as a multi-purpose arterial road; a new multi-purpose arterial road (the North-South Crossing) across the QEW to link to the extension of Cross Avenue, east of Trafalgar Road, and Station Road; and the future local road network as identified on Schedule L3.

With respect to the parking, Policy 20.4.1(j) provides that parking structures are preferred for the provision of required parking, and that surface parking lots are discouraged. However, where surface parking is provided, it shall be in the side or rear yard, and the visual impact shall be mitigated by a combination of setbacks and significant landscaping in accordance with the Livable by Design Manual and the Designing Midtown document. Moreover, reduced parking standards may be considered in the implementing zoning and shared driveways, and parking facilities shall be encouraged. The policy goes on to state that access to parking, service and loading areas should be from local roads or service lanes, and to the side of rear of buildings, and that the implementation of the Midtown Oakville Parking Strategy shall be undertaken.

Urban Design

With respect to the urban design, Policy 20.4.2(a) provides that development and the public realm shall address the urban design direction provided in the Livable by Design Manual and the Designing Midtown Oakville document, in addition to the urban design policies of this Plan.

Policy 20.4.2(b) provides that Midtown Oakville shall be designed as a regional destination and an urban centre with a focus on creating a safe and attractive public realm that encourages walking, cycling and transit use. New development shall support this objective through its form, scale, and detail.

Policy 20.4.2 (e) indicates that it is intended that some of the Town's tallest buildings locate in Midtown Oakville. These buildings shall be designed to the highest architectural quality and detail to create landmark buildings and contribute to a distinct skyline.

Height & Density

With respect to building heights, Policy 20.4.2(f) provides that the minimum and maximum building heights shall be permitted in accordance with Schedule L2 (Midtown Oakville Building Heights). The heights permitted on the subject site range between 6- and 20- storeys (see **Figure 21**, Schedule L2, Midtown Oakville Building Heights). The policy further adds that additional building heights may be considered in accordance with bonusing policies.

The Plan's bonusing policies are set out in Part E, Section 20.7 and Part F, Section 30.8 of Livable Oakville. With respect to bonusing, Policy 20.7.2(a) provides that the Town may allow increases in building height in the areas of Midtown Oakville delineated on Schedule L2, without amendment to this Plan, in exchange for the provision of public benefits as listed in section 30.8.2, and with priority given to those public benefits in section 20.7.2(c).

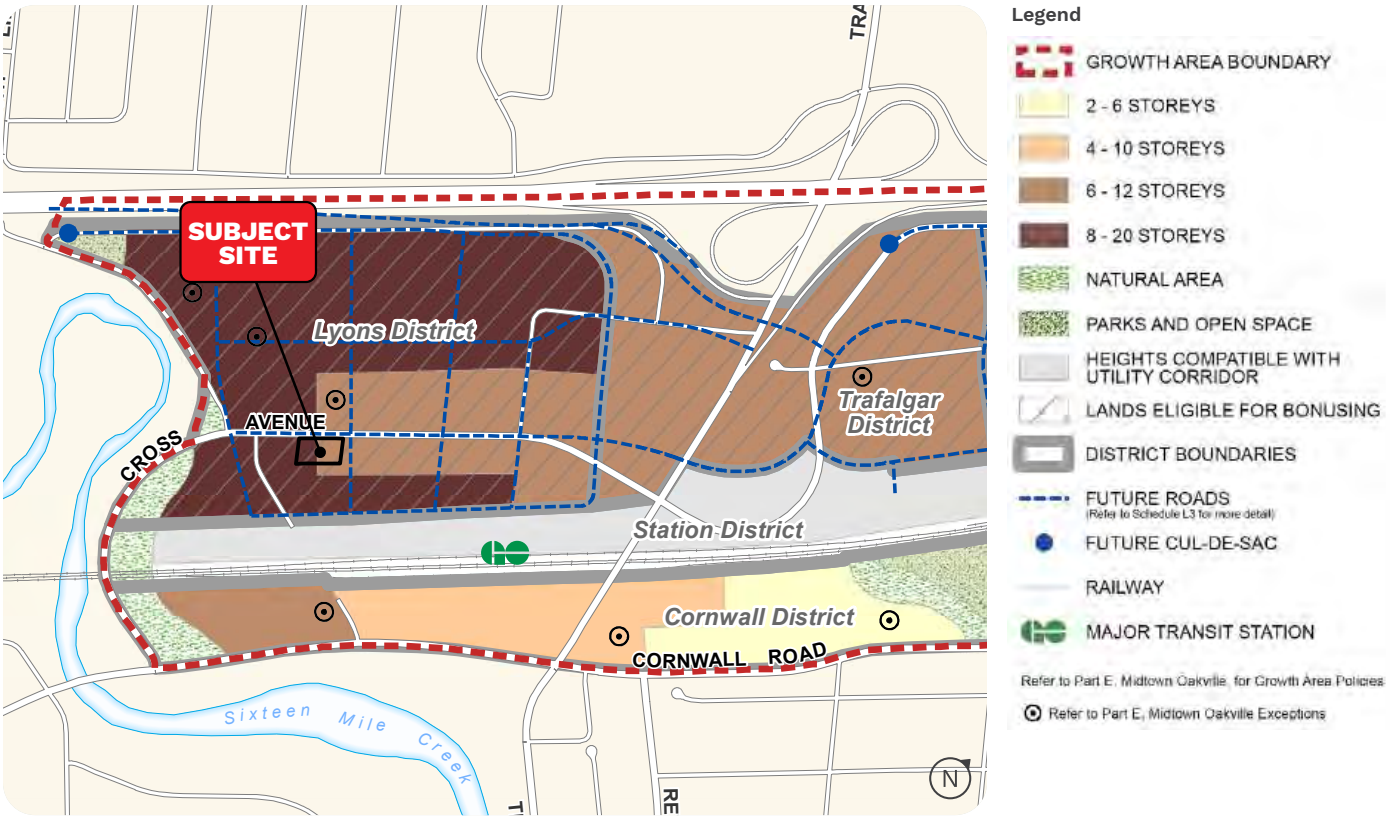


Figure 21 - Livable Oakville Plan, Schedule L2 (Midtown Oakville Building Heights)

Policy 20.7.2(b) states that bonusing shall only be permitted if in conformity with section 20.7.1 and is supported by a transportation impact analysis which confirms that the additional development will not adversely impact the transportation network, or where cumulative impact impacts are identified, such impacts are accommodated through road and transit improvements which are to be provided through agreement with the applicant.

Policy 20.7.2(c) provides that public benefits considered appropriate for the application of increased height and density in Midtown Oakville may include, but are not limited to:

- grade separated pedestrian and cycling facilities across the QEW, railway tracks or Trafalgar Road;
- community facilities such as a creative centre, including a studio office, exhibition, performance, and retail space, and a library;
- improved local transit facilities and transit user amenities;
- parkland improvements beyond the minimum standards for public squares and plazas; and
- public art.

Further to this, the public benefits referred to in Policy 30.8.2 include, but are not limited to:

- public transit infrastructure, facilities, services and improved pedestrian access to public transit;
- public parking;
- affordable housing for a wide array of socio-economic groups;
- conservation and preservation of cultural heritage resources;
- protection and/or enhancement of natural features and functions;
- community centres and/or facilities and improvements to such centres and/or facilities; g) parkland and improvements to parks;
- day care centres;
- public art;
- integration of office uses in mixed use developments;
- green buildings; and,
- other local improvements that contribute to the achievement of the Town's building, landscape and urban form objectives as set out in this Plan and supporting documents

Policy 30.8.4 provides that bonus by-laws should only be considered where such increases can be accommodated by the existing or improved infrastructure. Studies supporting the increased height and/or density proposed may be required to address infrastructure capacity for the subject development as well as the impacts on the surrounding area. Policy 30.8.5 goes on to state that bonus by-laws shall only be considered where such increases are compatible with the surrounding area.

For the purposes of bonusing in Midtown Oakville, there is no prescribed building height limit, and no Official Plan amendment shall be required to increase building height as a result of bonusing. As noted in **Section 3.0,** an Official Plan Amendment is being submitted out of an abundance of caution to secure the alignment and widths of Cross Avenue to the north of the subject site.

With respect to the growth targets, Policy 20.4.4 provides that Midtown Oakville shall provide for a minimum gross density of 200 residents and jobs combined per hectare by 2031, which translates to approximately 20,000 residents and jobs. A mix of approximately 5,900 residential units and between 186,000 – 279,000 square metres of commercial and employment space is accommodated to provide for an estimated 12,000 residents and 8,000 jobs.

It is noted through Policy 20.4.4(b) that for the purpose of gross density calculations, the utility corridor, railway, QEW interchange and Sixteen Mile Creek valleylands shall be excluded from the land area calculation.

Land Use

The Plan acknowledges that land use designations are provided on Schedule L1, and that in addition to the policies in Parts C and D of this Plan, the following policies apply specifically to Midtown Oakville.

Policy 20.5.5 provides that on lands designated *Urban Core* and *Urban Centre*, a creative centre to provide studio, office, exhibition, performance, and retail space for the cultural community may also be permitted. Policy 20.5.6 adds that on lands designated *Urban Core* within the Lyons District, the development of a single-use building, townhouse, and stacked townhouses with a minimum height of 3-storeys, in combination with permitted residential or mixed use buildings may also be permitted.

Policy 20.7.1 speaks to phasing and transition of development related to the vision of a high density and transit supportive area. Policy 20.7.1(a) provides that development is likely to occur over the long-term and be coordinated with the provisions of infrastructure, including:

- transit (conventional and rapid transit);
- road network capacity;
- pedestrian and cycling facilities;
- water and waste water services;
- stormwater management facilities;
- streetscape improvements; and
- utilities.

Policy 20.7.1(b) adds that the initial phases of development shall not preclude the achievement of a compact, pedestrian-oriented, and transit-supportive urban form, or the transportation network.

In our opinion, the proposed development of the subject site conforms with the Livable Oakville Official Plan, in particular the sections and policies pertaining to growth management, urban design, land use, and Midtown Oakville. Midtown Oakville is identified as a primary Growth Area and is intended to be developed as mixed-use centre with transit-supportive development focused around the major transit station area. Midtown Oakville's location within an Intensification Area, its identification as within a Primary Growth Area, and within a PMTSA demonstrates that it is a targeted area for growth containing the greatest mix of land uses, building heights and densities in the urban area.

The subject site is designated *Urban Centre* and *Urban Core* within the Mixed Use land use category, a category that is to be focused on the lands within the Growth Areas including Midtown Oakville. While modifications are required to permit increases in height and density, the proposal conforms with the overall land use plan for Midtown Oakville.

4.13 Council-Adopted Official Plan Amendment No. 70

As part of the Town's review of Livable Oakville, the Town reviewed the existing policies applicable to lands within the Midtown Oakville Growth Area. This review also sought to update the planning framework to implement the Province's land use directions, ensure effective growth management and community building opportunities. This study was referred to as the 'Midtown Oakville Growth Area Review'. Through an Official Plan Amendment, the Town sought to update the land use policies applying to the Midtown Oakville Growth Area in the Livable Oakville Plan to the year 2051, in accordance with the updated Growth Plan, now the 2024 PPS.

In February 2025, Town Council adopted Official Plan Amendment 70 ("OPA 70" or "Council-adopted OPA 70"), which is intended to replace Section 20 of Livable Oakville with new text pertaining to Midtown Oakville, as well as several schedules. OPA 70 has been forwarded to the Minister of Municipal Affairs and Housing for final approval. At the time of writing this report, the Minister had not yet made a decision on OPA 70, therefore its policies are considered draft and not in force and effect. It is our opinion that the in-force Midtown Oakville policies pertaining to the subject site are those set out in Part E, Section 20 of Livable Oakville.

Prior to Council's adoption of OPA 70, there were several iterations of the OPA released for comment, since the Town's Growth Area Review began in 2018. The following section will summarize the evolution of OPA 70, as well as provide a summary of the draft policies that are relevant to the subject site.

Midtown Oakville Growth Area Review

Early Iterations

The first iteration of the draft policies for Midtown Oakville was released in March 2021, followed by a revised draft in May 2022 (the "May 2022 draft OPA"). Most notably, the May 2022 draft OPA policy framework set out maximum heights and densities for new developments within Midtown Oakville, including a maximum height of 255 metres (which equates to approximately 80-storeys), and a maximum density of 10.0 FSI.

Following consultation with the public and key stakeholders, including feedback provided by members of Town Council, a revised draft of the OPA was released on May 3, 2023 (the "May 2023 draft OPA"). The revised draft was accompanied by additional technical analysis by Town Planning Staff, which was to address feedback from public stakeholders, and respond to an evolving provincial planning policy regime. The May 2023 draft OPA no longer prescribed maximum building heights but continued to cap density at 10.0 FSI for most of the lands within Midtown Oakville. Moreover, the May 2023 draft OPA identified certain elements that could be excluded from the calculation of density, such as affordable housing, community uses, and educational facilities.

A subsequent draft of the policies was released in April 2024 (the "April 2024 draft OPA"), which portrayed a deintensification of Midtown Oakville by introducing a maximum height limit of 35-storeys for the subject site. A fourth iteration was released in September (the "September 2024 draft OPA"), which illustrated height thresholds between 5- to 20-storeys on the subject site, and a maximum density of 4.0 FSI. In September 2024 draft OPA, the Town had introduced policies that would permit additional building height beyond the maximum, through a community development permit or rezoning application, however, the maximum density could not be exceeded.

In December of 2024, the Town released a fifth draft of the OPA for public comment and presented the draft to Planning and Development Council at its meeting on January 20, 2025 (the "December 2024 draft OPA"). While changes had been made specific policies, the December 2024 draft OPA continued to prescribe a maximum height of 20-storeys, and density of 4.0 FSI on the subject site. Similar to the September 2024 draft OPA, the policies that would enable additional height beyond the threshold, while not exceeding the density limits, were maintained.

In February of 2025, Town Staff released a Staff Report containing a table of revisions made to the December 2024 draft OPA. The draft OPA that was ultimately recommended to Town Council was substantively the same as the December 2024 draft OPA, however changes were made to the language in the OPA in response to comments received to provide more clarity and brevity. The changes made are outlined in Appendix B of the Staff Report dated February 4, 2025.

As mentioned, Town Council ultimately adopted Official Plan Amendment 70 during their meeting in February 2025. A summary of how the policies for the Midtown Growth Area have evolved through the policy review process is summarized in **Table 3**. For comparative purposes, we have also included the relevant policies of the Council-adopted OPA 70.

Table 3 - Policy Evolution of the Midtown Growth Area

	May 2022 Draft	**May 2023 Draft**	**April 2024 Draft**	**September 2024 Draft**	**December 2024 Draft**	**Council-Adopted OPA 70**
Maximum Building Height	255 metres (+- 0 storeys)	No maximum	35 storeys	20 storeys	20 storeys	20 storeys
Maximum Building Base Height	No greater than 80% of the width of the adjacent right-of-way and shall not exceed 6 storeys	Equivalent to the building-to-building distances across the adjacent right-of-way, up to a maximum of 25 m	Generally, no greater than 80% of the adjacent right-of-way and should not be greater than 7 storeys	Equivalent to the building-to-building distances across the adjacent right-of-way, up to a maximum of 25 m	Equivalent to the building-to-building distances across the adjacent right-of-way, up to a maximum of 25 m	Equivalent to the building-to-building distances across the adjacent right-of-way, up to a maximum of 25 m
Maximum Density	10.0 FSI	10.0 FSI	Not Provided	4.0 FSI	4.0 FSI	4.0 FSI
Minimum Building Separation Distance	N/A	30 m	30 m	30 m and 35 m above the 25th storey (if applicable)	30 m and 35 m above the 25th storey (if applicable)	30 m and 35 m above the 25th storey (if applicable)
Floor Plate Size	Maximum 750 m^2	Generally, 750 m^2	Not Provided	Not Provided	Not Provided	Not Provided
Bonusing Policies	Not Provided	Not provided	Not provided	New implementation of Community Planning Permit System	New implementation of Community Planning Permit System	New implementation of Community Planning Permit System
Land Use Designation of Subject Site	Urban Core	Urban Core	Urban Core	Urban Core	Urban Core	Urban Core

Official Plan Amendment 70

As mentioned above, OPA 70 is currently before the Minster of Municipal Affairs and Housing for final approval. In this respect, OPA 70 and its policies are considered draft and should be used as an informative document, not determinative. This report has given appropriate regard to the draft policies of OPA 70, as set out in **Section 5.0** of this report.

Midtown Oakville Goals & Objectives

Section 20.1 sets out the goal for Midtown Oakville and provides that:

> *Midtown Oakville will accommodate significant residential and employment growth in a dynamic urban setting where people live, work and play in a vibrant, walkable, mixed-use neighbourhood, connected to the rest of Oakville by pedestrian, cycling, transit and street networks. Within this compact urban community, residents and business will benefit from inter-regional transportation systems, enjoy access to the natural heritage system, and have access to regional-scale commercial, institutional, recreational, and office facilities…Midtown Oakville will foster a community where pedestrians and cyclists feel safe, and public transit predominates over the use of single occupant vehicles.*

Section 20.2 sets out the objectives for Midtown Oakville, including creating a transit-supportive community (Policy 20.2.1), creating a vibrant and complete community (Policy 20.2.2) and achieving the Midtown Oakville Goals (Policy 20.2.3). With respect to growth targets, Policies 20.2.3(b) and (c) provide that the Town's growth target is to achieve a minimum gross density of 200 residents and jobs combined per hectare (a combined total of 20,000 residents and jobs by 2031), while ensuring that development occurs in a comprehensive and progressive manner by monitoring key development indicators at regular intervals in accordance with the Town's official plan review and/or relevant masterplan work.

Development Concepts / Precincts

Council-adopted OPA 70 divides Midtown Oakville into five precincts. The subject site falls within the Lyons Precinct (see **Figure 22**, Schedule E1, Precinct Areas). Policy 20.3.3 provides that the Lyons Precinct will evolve into a highly compact mixed-use and transit-oriented community. The policy also adds that:

- Local roads shall be framed by active at-grade frontages and strategic building setbacks to encourage and support pedestrian activities and movement.
- Development shall support frequent transit services along Cross Avenue to provide reliable access to and from the transit stations.
- Development shall protect views of and provide safe access to Sixteen Mile Creek.

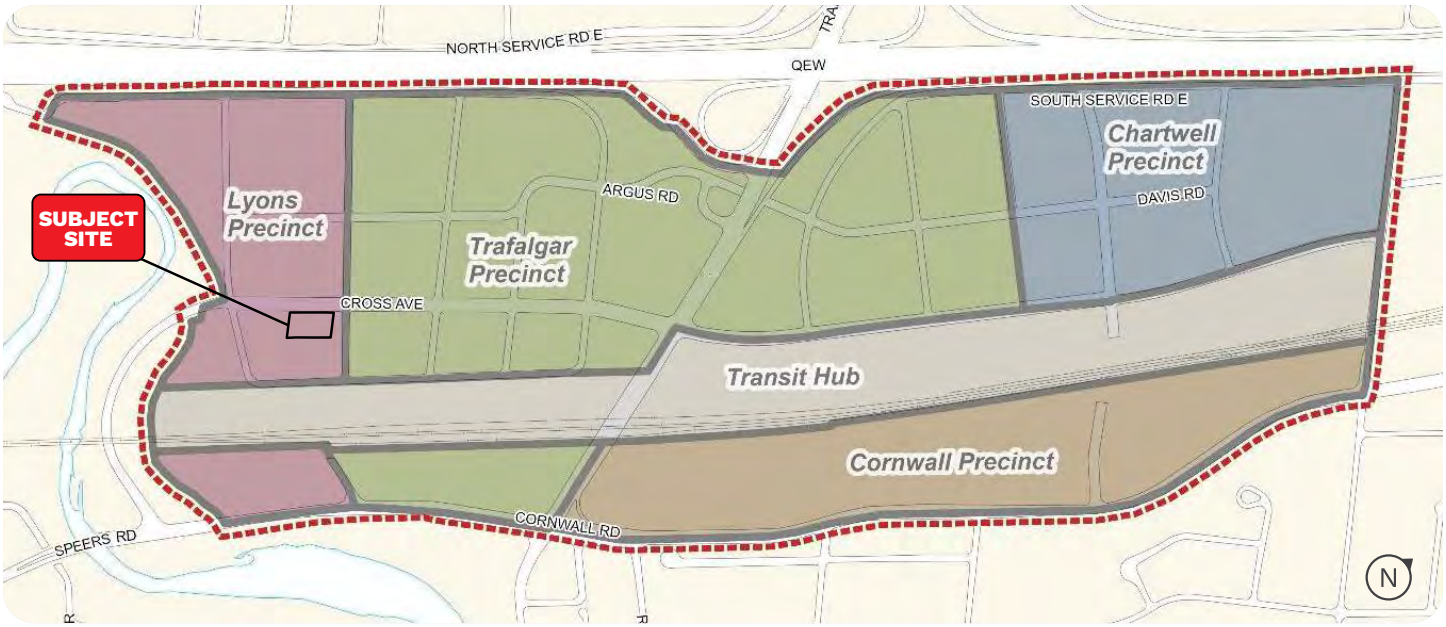


Figure 22 - Council-Adopted OPA 70, Schedule E1 (Precinct Areas)

Land Use Policies

Section 20.4 sets out land use policies in Midtown Oakville. The subject site is designated *Urban Core* (see **Figure 23**, Schedule L1). Policy 20.4.1 sets out general policies for land use and provides that the predominant use of land within Midtown Oakville shall be mixed use, transit-supportive development. The general policies also speak to housing, in particular, Policy 20.4.1(c)(i) provides that where residential uses are permitted, such development should include:

- mid-rise and tall building types, and unit sizes that can accommodate a variety of households, including those with children and residents at different stages of life;
- amenities designed for households with children as well as older adults;
- non-market housing, including emergency, transitional, supportive housing, additional needs housing, and affordable housing; and,
- purpose-built rental housing.

With respect to affordable housing, Policies 20.4.1(c)(ii) provides that when and where in effect, development shall provide affordable housing in accordance with the Town's inclusionary zoning policies and provisions. Policy 20.4.1(c)(iii) adds that multi-unit development, shall provide, at a minimum, 35% of the units with two or more bedrooms. However, additional housing is exempt from policy 20.4.1 (c) (iii).

With respect to non-residential uses, Policy 20.4.1(d)(iii) provides that redevelopment on sites with existing non-residential uses shall provide for the replacement of all existing non-residential gross leasable floor area.

Policy 20.4.1(d)(iv) adds that the replacement of all existing non-residential gross leasable floor area may be modified on a case-by-case basis, without an amendment to this Plan, provided a Non-Residential Needs Analysis demonstrates that an alternative amount of non-residential use within the relevant Precinct can support the long-term employment objectives of this Plan.

The policies pertaining to the *Urban Core* land use designation are within Policy 20.4.2(a). The policy provides that in in addition to permitted uses provided in Part D Sub-Section 12.5.1 of the Plan, lands designated *Urban Core* are subject to the following policies which are provided to ensure that employment objectives and targets, along with the transit supportive, walkable community and social cohesion goals of this plan are met:

- new development shall provide a minimum of 12 percent of the total proposed gross floor area as non-residential uses, such as cultural, community, retail, commercial, and/or office, integrated within a mixed-use building or as a stand-alone building;
- the minimum non-residential requirement may be modified on a case-by case basis, without an amendment to this Plan, provided a Non-Residential Needs Analysis demonstrates that an alternative amount of non-residential use within the applicable Precinct can support the long- term employment objectives of this Plan; and,
- on large sites where more than one building is proposed on a phased-in basis, and the non-residential GFA is proposed after the first phase, the Town shall secure commitments to establish the non-residential development at a subsequent phase through holding provisions, agreements registered on title, and/or other means to the satisfaction of the Town.

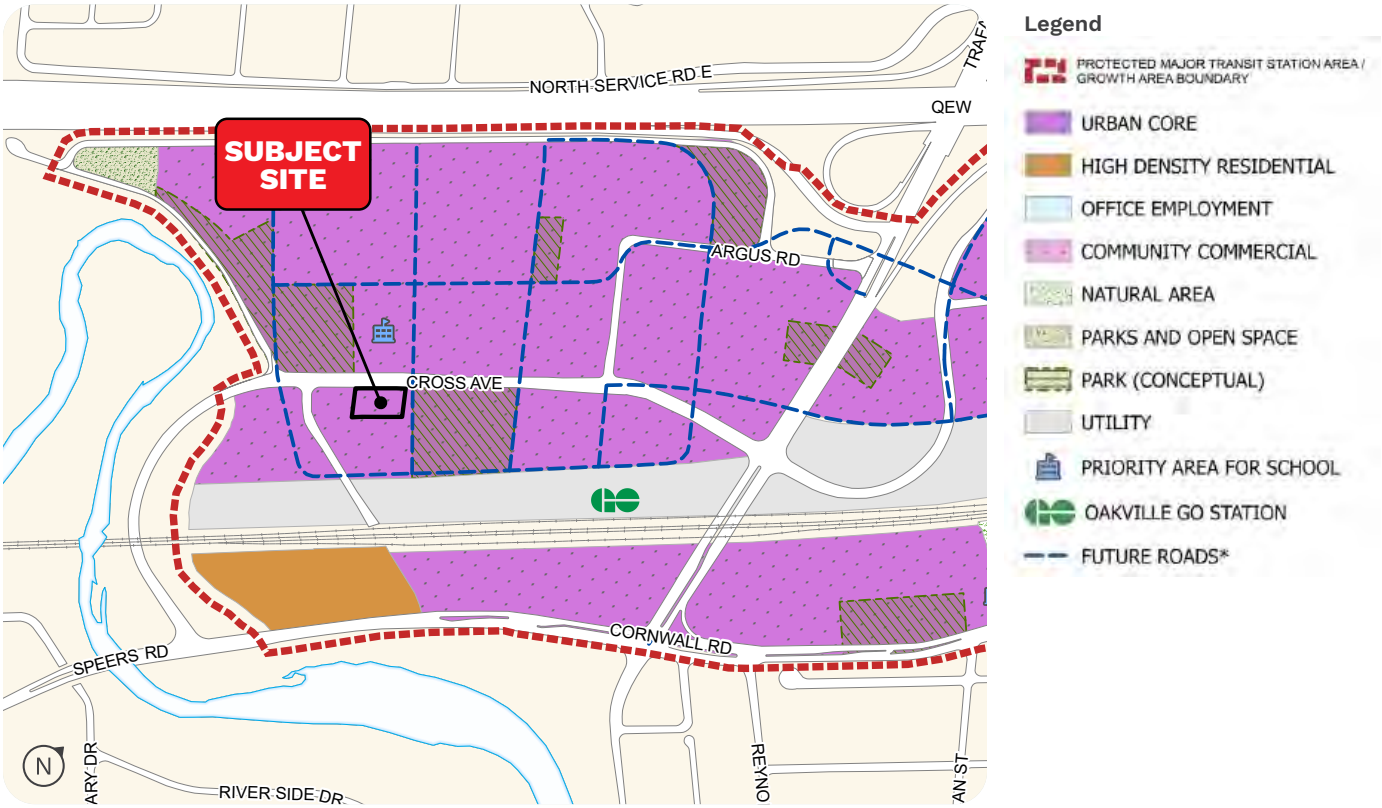


Figure 23 - Council-Adopted OPA 70, Schedule L1 (Land Use)

Public Realm

With respect to the public realm, Policy 20.5.1(b) provides that the public realm is comprised of public streets, parks and open spaces, including privately-owned publicly accessible spaces. It adds that:

- development shall contribute to the creation of a high-quality public realm that is safe and comfortable, universally accessible, encourages active transportation, and contributes to a distinct character;
- buildings shall be oriented to, and have their main entrance(s) facing, the public realm;
- buildings located along all Active Frontage streets shown on Figure E2 shall provide strategic setbacks, and step-backs to achieve appropriate streetwalls designed to frame the street and provide a comfortable pedestrian-oriented environment;
- streetscapes shall reinforce the active transportation-oriented and urban environment and provide a seamless interface between the public and private realms;
- landscaping, preferably with native species should be incorporated into private development to enhance the pedestrian experience and contribute to the area's identity;
- public art is encouraged in strategic locations that create view termini, as well as animate the public realm; and
- service access points, loading and any visible waste collection/management areas shall be located and designed to minimize physical and visual impact on sidewalks and publicly accessible open spaces.

Parks & Open Spaces

With respect to Parks and Open Spaces, Schedule L1 conceptually illustrates the parks and open space system in Midtown Oakville (see **Figure 23**). In this respect, there are no parks or open spaces illustrated on the subject site. Policy 20.5.1(c) (iii) provides that the location and construction of public parks and open spaces shall be coordinated as development progresses to ensure that parks and open spaces are provided for new residents and employees.

Site Density & Building Height

Schedule L2 illustrates the Midtown Oakville Minimum Density while Schedule L3 illustrates the Midtown Oakville Maximum Density. The subject site is permitted to have a minimum density of 2.0 FSI and a maximum density of 4.0 FSI (see **Figures 24** and **25**, Schedules L2 and L3).

With respect to building heights, Schedule L4 illustrates "as of right" building height thresholds, and the subject site is permitted heights between 5- to 20-storeys (see **Figure 26**, Schedule L4). Policy 20.5.1(f)(i) provides that additional height beyond the threshold may be permitted through a development permit or through a rezoning application, provided that the maximum density for the site is not exceeded, and that community benefits or cash-in-lieu of benefits are provided in accordance with town by-laws.

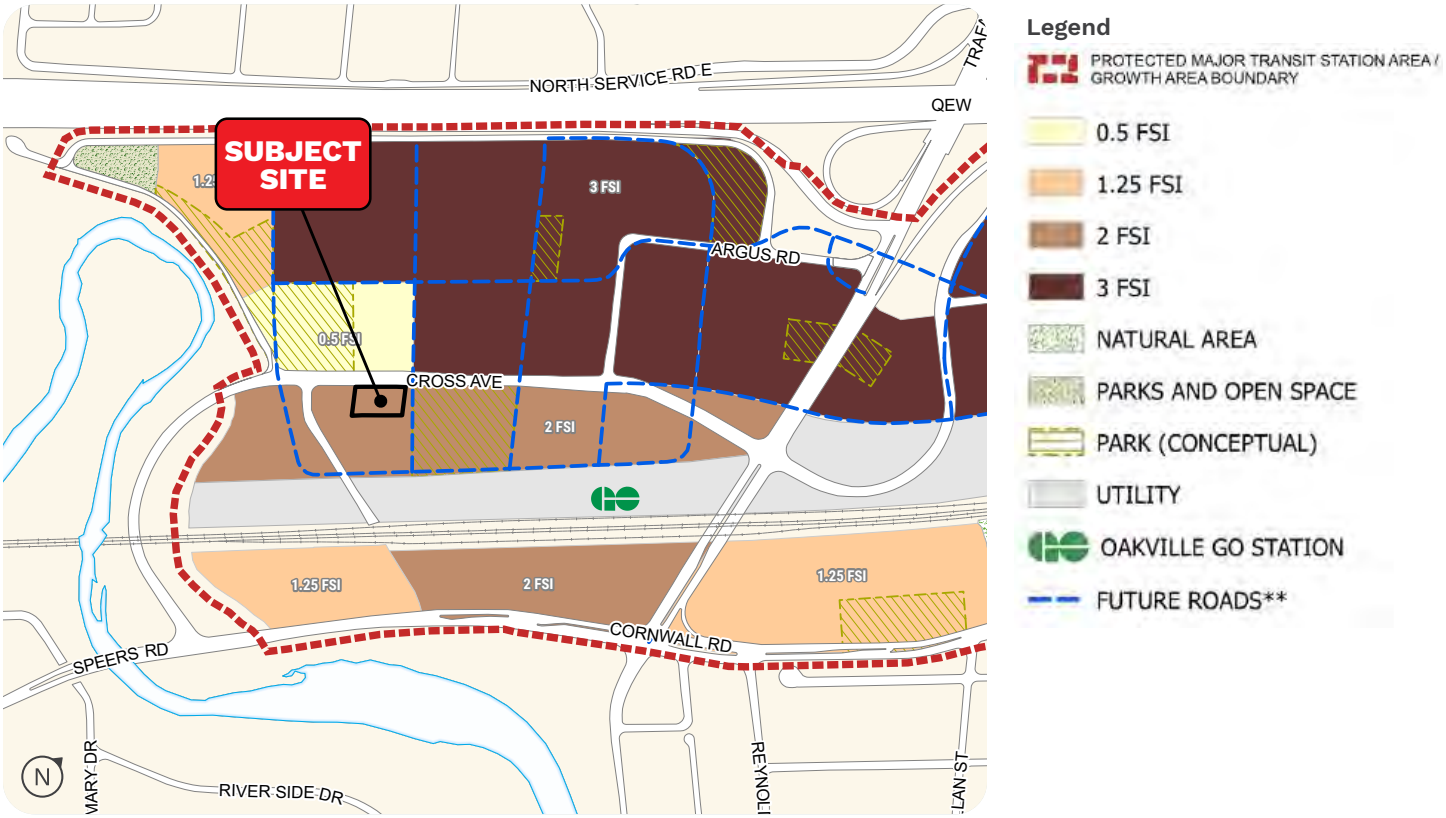


Figure 24 - Council-Adopted OPA 70, Schedule L2 (Minimum Density)

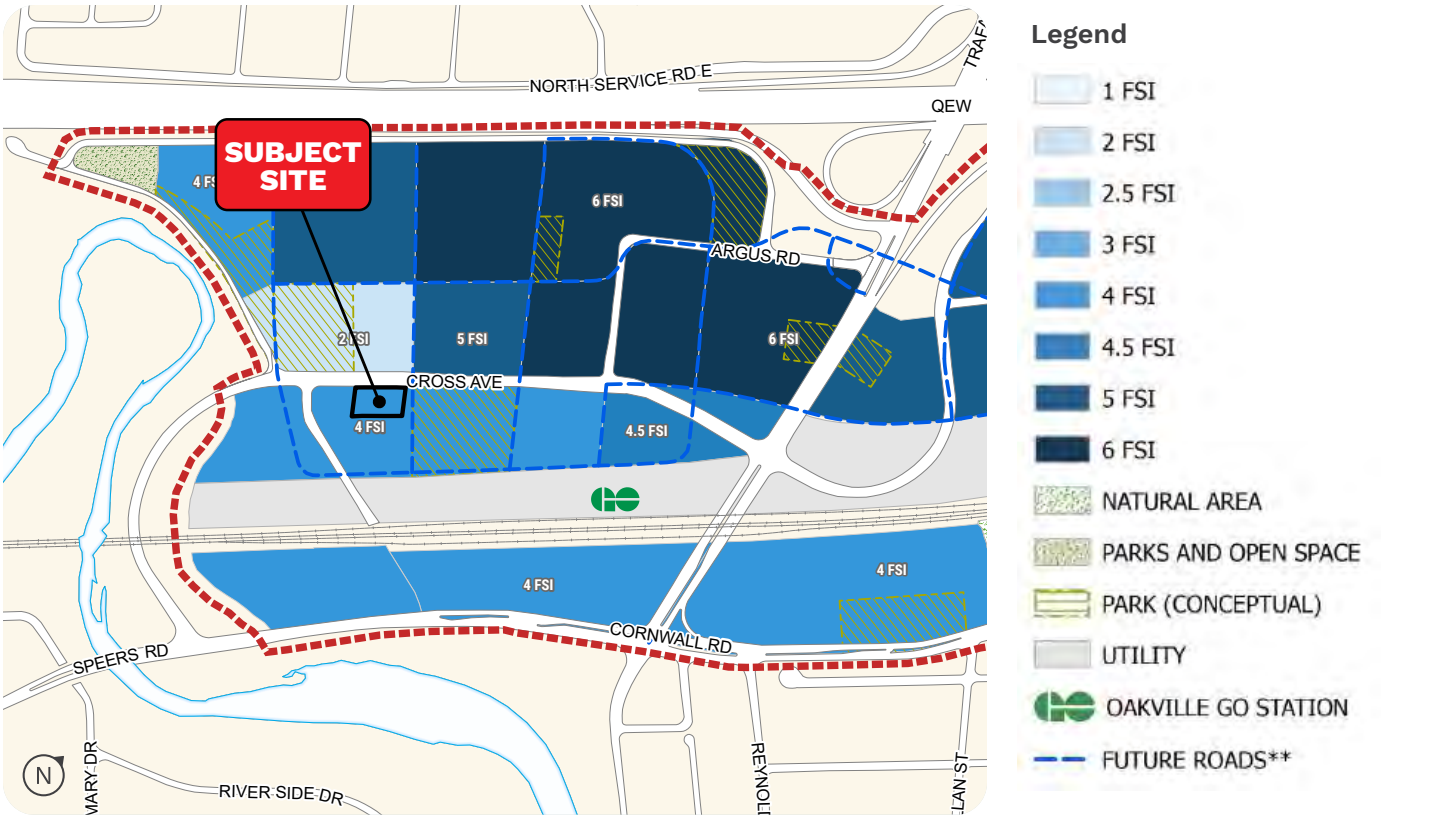


Figure 25 - Council-Adopted OPA 70, Schedule L3 (Maximum Density)

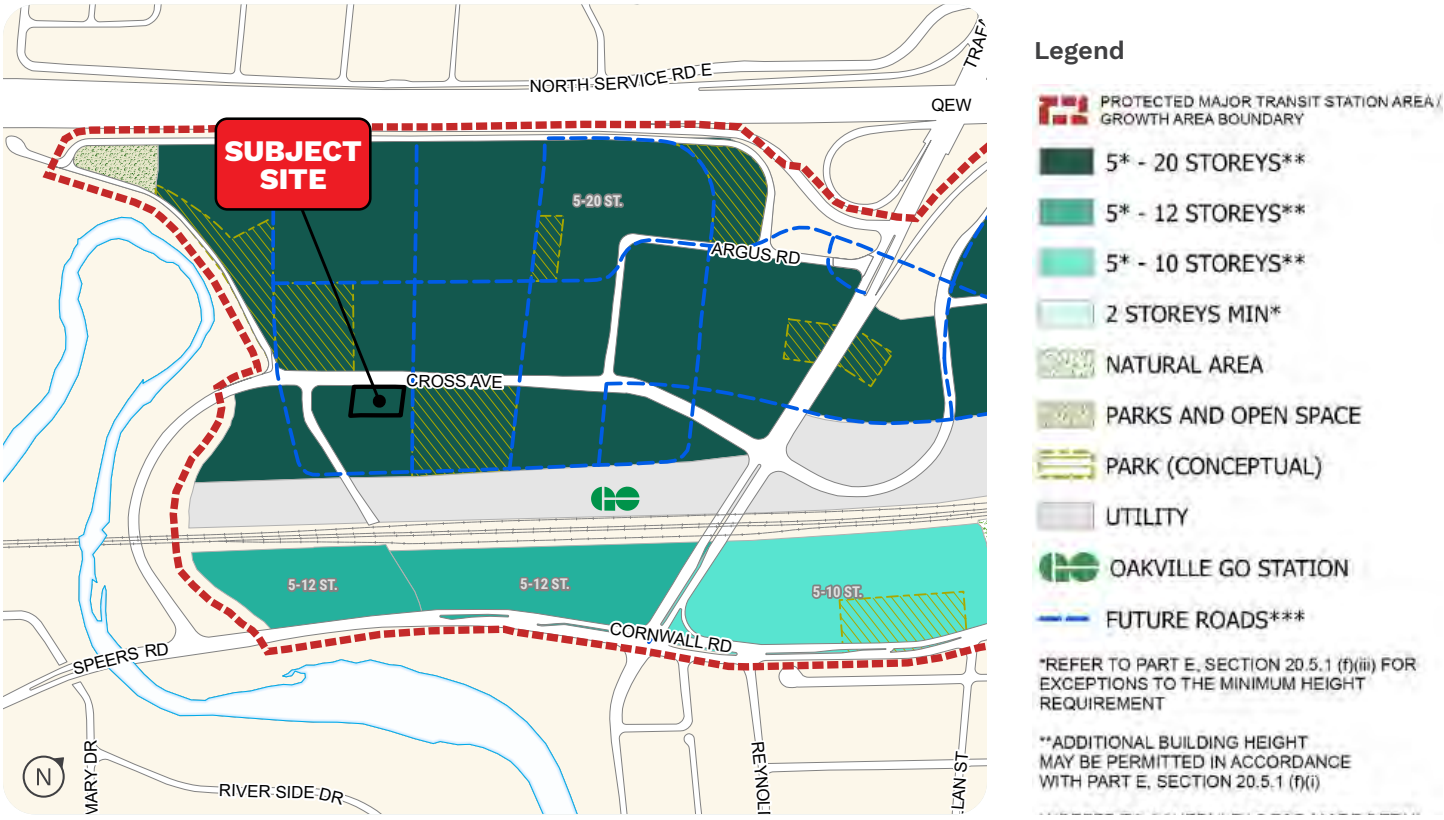


Figure 26 - Council-Adopted OPA 70, Schedule L4 (Building Height Thresholds)

Urban Design & Built Form

With respect to tall buildings, Policy 20.5.1(g) sets out policies for tall buildings and provides that:

- tall buildings are those taller than 12 storeys in height. They shall be designed to the highest architectural quality and detail, and shall ensure a pedestrian-oriented built form and environment, provide active façades oriented to the public realm, and contribute to a distinctive skyline;
- multiple towers within a block, development site, or within close proximity to each other on abutting sites should vary in height from one another in order to create a distinctive skyline for Midtown Oakville;
- the height of the building base (podium) for tall buildings should generally be equivalent to the building-to-building distance across the adjacent right-of-way, up to a maximum of 25 metres in height, in order to frame the street and enhance pedestrian comfort;
- tall buildings along public realm should provide a stepback between the podium base and tower portion to reinforce the character of the public realm;
- the floor plate tall building towers (the portion of the building above the base or podium) shall provide a slender profile to minimize adverse shadowing, maximize sun exposure and enhance the skyline;
- the distance between the facing walls of towers should be a minimum of 30 metres at the tower base, be minimum of 35 metres above the 25th storey, as applicable; and
- the distance between facing walls of podiums, where there are windows on both building faces, should be a minimum of 15 metres.

Policy 20.5.1(i) speaks to building setbacks and provides that setbacks from a building to public streets should be landscaped spaces or extensions of the public boulevard that contributes to the character of an area. Policy 20.5.1(j) addresses to building orientation and states that buildings should be designed and sited to maximize solar gain, ensure adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows on the public realm.

With respect to block design, Policy 20.5.1(l) provides that:

- development blocks are formed by the planned transportation street network and each development block shall be designed comprehensively;
- where properties within a block cannot be consolidated so that development may be coordinated, development on a portion of a block shall not preclude the development of the remainder of the block in accordance with this Plan; and
- mid-block connections, as conceptionally shown on Schedule L6, should be provided within large blocks.

Mobility

Section 20.5.2 sets out mobility policies for Midtown Oakville, including directives for road ways, active transportation mid-block connections and parking.

Schedule L5 illustrates the Midtown Oakville proposed Transportation Network (see **Figure 27**, Schedule L5). Cross Avenue is identified as a future arterial with a planned right-of-way width of 36 metres, whereas the segment of Lyons Lane abutting the subject site is proposed to be removed. There are various roads to the west, east, and south, that are identified as future local roads with planned right-of-way widths of 20 metres.

The Midtown Oakville proposed Active Transportation Network is illustrated on Schedule L6 (see **Figure 28**, Schedule L6). Schedule L6 illustrates that cycling infrastructure is proposed on Cross Avenue to the north of the site. On the north side of Cross Avenue, there is a conceptual park, as well as an Off-Road Active Transportation Connection.

With respect to parking, Policy 20.5.2(d)(i) provides that the use of maximum parking standards shall be considered in the implementing by-law and through the development approval process. It is the intent that the requirement to supply parking associated with development will progressively diminish as access to higher-order, frequent transit and active transportation facilities increases. Policy 20.5.2(d)(ii) adds that development shall provide structured parking, preferably below-grade.

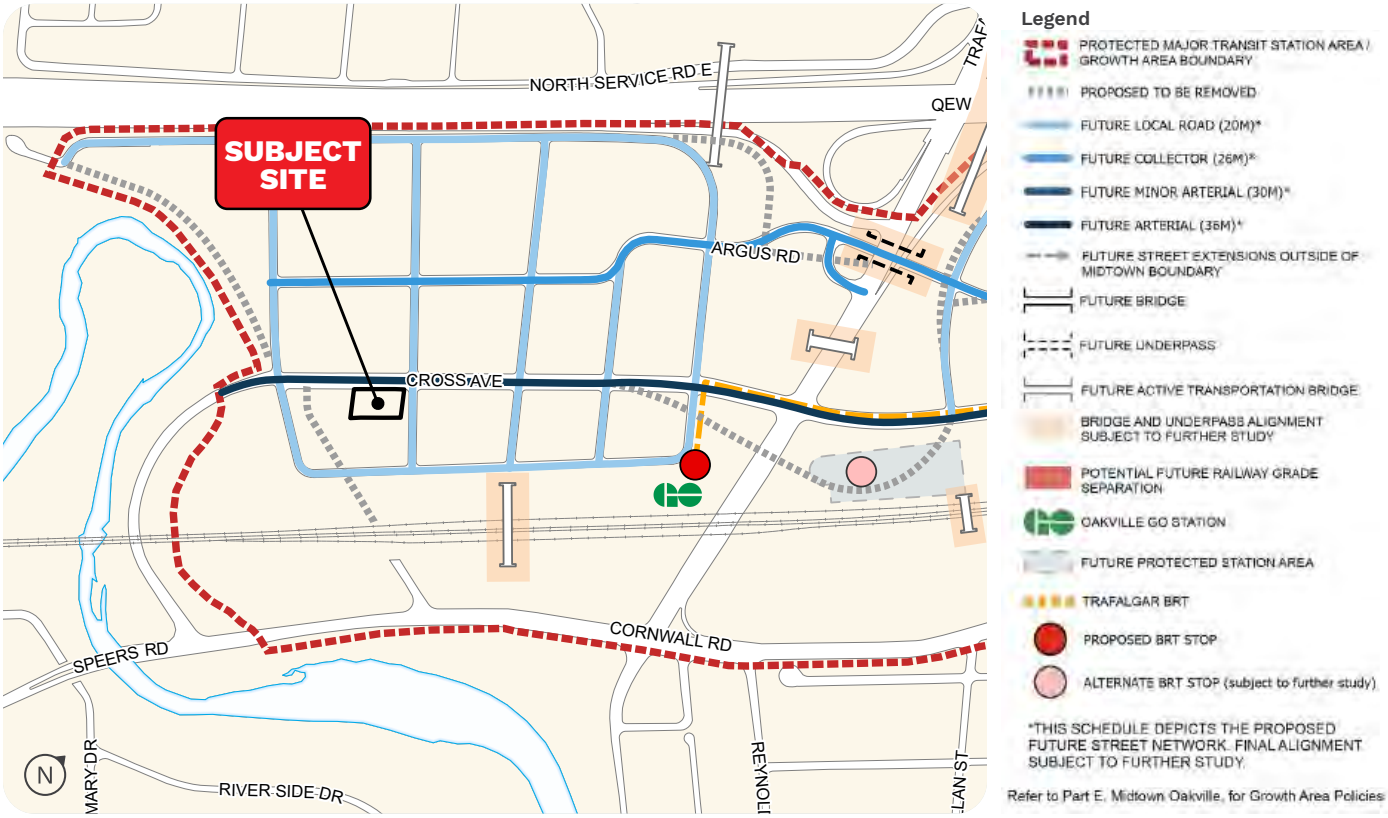


Figure 27 - Council-Adopted OPA 70, Schedule L5 (Proposed Transportation Network)

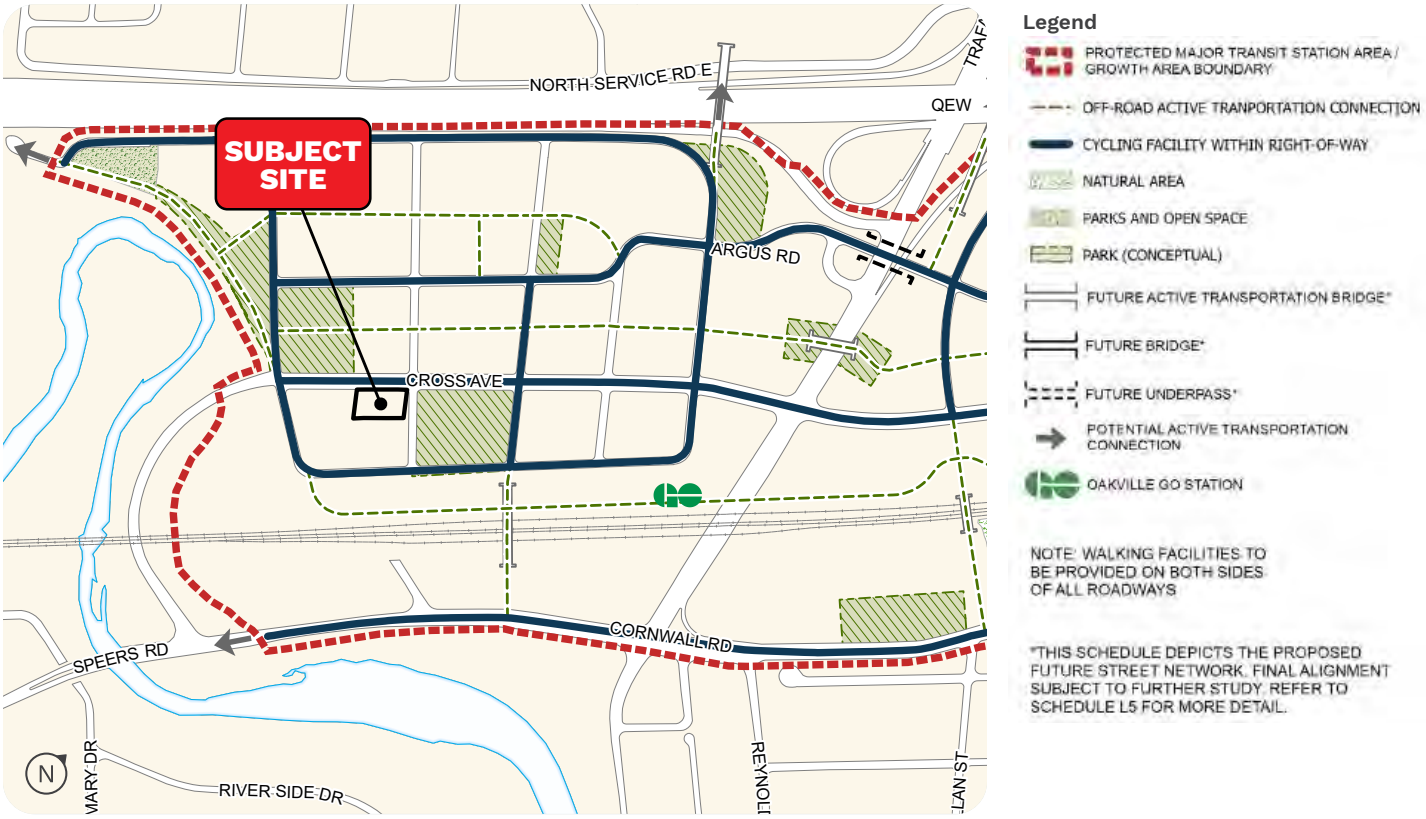


Figure 28 - Council-Adopted OPA 70, Schedule L6 (Active Transportation)

Development Permit / Community Planning System

Council-adopted OPA 70 also includes policies with respect to the Development Permit/Community Planning Permit System ("CPP"), which is intended to delete and replace Section 28.15 of the current Livable Oakville Official Plan. As it pertains to new development, Policy 28.15.10 provides that where the CPP by-law authorizes conditions that require the provision of facilities, services, and matters in exchange for a specified density of development, the CPP by-law shall:

- include provisions establishing the proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height and/or density of development that may be allowed; and
- establish density and/or height thresholds in accordance with CPP area policies of this Plan. For the subject site, to which these provisions would apply, the threshold height and/or density must be greater than the required minimum and lower than the maximum height and/or density permitted in this Plan. It adds that in the case of Midtown Oakville, the building heights set out on Schedule L4: Threshold Heights are the applicable building height thresholds, and the minimum and maximum densities set out on Schedules L2: Minimum Density and L3: Maximum Density are the applicable minimum and maximum densities, respectively, referred to in policy 28.15.10 (b).

Policy 28.15.12 adds that the facilities, services, and matters that may be provided by operation of these provisions include, but are not limited to, the following, and may be further specified in the bylaw:

- public transit infrastructure, facilities, services and improved pedestrian access to public transit;
- public parking;
- affordable housing for a wide array of socioeconomic groups;
- conservation and preservation of cultural heritage resources;
- protection and/or enhancement of natural features and functions;
- public service facilities and improvements to such facilities;
- parkland and improvements to parks;
- day care centres;
- public art;
- integration of office uses in mixed use developments;
- Sustainable building initiatives; and,
- other local improvements that contribute to the achievement of the Town's building, landscape and urban form objectives as set out in this Plan and supporting documents.

The proposed Community Permit System (CPP) By-law is discussed in further detail in **Section 4.17** below.

4.14 Approved Official Plan Amendment No. 77

On May 26, 2026, Town Council adopted Official Plan Amendment 77 ("OPA 77") which amended the Official Plan, as well as the Council-adopted OPA 70 to introduce policies enabling Inclusionary Zoning ("IZ") within PMTSAs (including Midtown Oakville). Future IZ By-laws will be context-specific and developed through additional public consultation.

Policy 20.4.1(c) as adopted by OPA 70 is to be repealed and replaced with a new policy, which provides that development shall provide inclusionary zoning housing units in accordance with the Town's inclusionary zoning policies and provisions. .

Section 30 of the Official Plan is amended by adding a new section called 30.5.2 Inclusionary Zoning.

Policy 30.5.2(a) provides that the Town may implement IZ provisions in its zoning and community planning permit by-laws to achieve the following goals and objectives:

- to address affordable housing need in Oakville,
- to provide long term affordable housing units and
- to ensure that implementation of this tool supports broader development objectives within the area where it is implemented.

Policy 30.5.2(b) further provides that IZ provisions are permitted on lands identified as Protected Major Transit Station Area in the Official Plan and lands that are subject to a Minister of Municipal Affairs and Housing order to be established as a Community Planning Permit Area. In this respect, Midtown Oakville has been identified as a PMTSA in the Official Plan, as well as through the proposed Community Planning Permit By-law.

Policy 30.5.2(d) provides that the price or rent that is deemed affordable shall be in accordance with the Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin (Provincial Bulletin), as updated or replaced.

Policy 30.5.2(f) further provides that implementing by-law provisions shall ensure that inclusionary zoning housing units are priced or leased at rates affordable to households within the 40th to 60th income percentile for all households in relation to ownership units and/or households within the 40th to 60th income percentile for all renter households in relation to rental units. Policy 30.5.2(g) provides that at no time will IZ provisions apply to development or redevelopment that proposes less than ten residential units.

Proposed policy 30.5.2(h) provides that the implementing by-law shall establish either a maximum number of units or gross floor area that may be required to be inclusionary zoning housing units. The maximum provided in the implementing by-law shall not exceed:

- 5 per cent of the total residential units that are part of the development or redevelopment, or
- 5 per cent of the total floor area of all residential units that are part of the development or redevelopment, not including common areas

Furthermore, inclusionary zoning housing units would be required to be maintained as affordable shall not exceed 25 years (Policy 30.5.2(i)).

Policy 30.5.2(m) adds that IZ housing units shall be provided within each site where IZ provisions are applicable, unless:

- the provision of off-site units would result in a better housing outcome (in terms of matters such as, but not limited to: number of units, quality of units, and/or location of units), than if they remained on the site for which they were intended, and
- the offsite units are constructed at the same time or in advance of the specific building wherein the units are not provided. Where off-site units are permitted by Council, these units shall be located within the same Protected Major Transit Station Area (policy 30.5.2(n))

Implementing by-laws, where appropriate or necessary, may provide transition and/or exemption provisions beyond those provided in the Planning Act and/or the IZ Regulation 232/18, as amended (Policy 30.5.2(q)).

Following the approval of OPA 77 and OPA 70, the Town plans to bring into effect IZ provisions in the Midtown Oakville Community Planning Permit By-law. At the time of writing this report, IZ policies and requirements are not in force and effect with respect to the subject site.

4.15 Approved Official Plan Amendment No. 78

On April 28, 2026, the Town of Oakville Council approved the Town-Initiated Official Plan Amendment 78 ("OPA 78") that introduced new housing policies in the Livable Oakville Plan. The amended housing policies, incorporated through Section 7 of the Official Plan, provide an updated framework regarding how the Town will consider housing as part of future development applications and planning decisions. The Official Plan Amendment applies to all lands subject to the Livable Oakville Plan.

OPA 78 modified the text of the Official Plan to primarily accommodate a new Section 7 - Housing within Part C – Making Oakville Livable. The changes made are intended to ensure consistency with the Provincial Policy Statement, 2024, and to assist in the amalgamation of the Halton Region Official Plan with the Official Plan. The amendments will also assist with the objectives of the Halton Region Comprehensive Housing Strategy, and respond to the directions, findings, and recommendations of the Town's Housing Strategy and Action Plan and Housing Needs Assessment.

OPA 78 makes modifications to numerous sections of the Official Plan, including the addition of a new Housing section (Section 7), revisions to Residential Land Use policies (Section 11), revisions to Mixed Use Land Use policies (Section 12), as well as updates to definitions (Section 31 – Glossary). A summary of key policy changes and additions is provided below.

Section 7 - Housing

Section 7 establishes housing objectives and supporting policies with respect to supporting housing supply and growth management, developing livable and complete communities, enhancing housing choice, encouraging and protecting rental housing, supporting affordability, enabling process improvements, and engagement and collaboration.

Section 7.1 states that the objectives for housing are to:

- support growth management and enable housing opportunities to bolster housing supply within the framework of the Town's urban structure;
- support the achievement of a livable, complete community;
- enhance housing choice and enable the availability and accessibility of a wide range of housing to meet the diverse needs of the community through all stages of life;
- protect and encourage purpose-built rental housing;
- improve housing affordability and create opportunities for affordable housing;
- encourage process improvements to accelerate the delivery of housing;
- raise public awareness about housing needs in Oakville; and,
- collaborate with agency partners and other levels of government to assist in achieving these objectives.

Policy 7.2.1(b) goes on to state that the Town will work with Halton Region, and its local municipalities, to provide for an appropriate range and mix of housing options and densities required to meet projected needs of current and future residents of Halton Region. It adds that the Town shall, in coordination with the local municipalities of Halton Region:

- monitor and update policies and land use designations, as applicable, to ensure there is sufficient land designated to accommodate a minimum 15-year supply of residential development;
- monitor and update regulations and schedules in the Zoning By-laws, as applicable, to ensure there is sufficient land zoned to accommodate a minimum three-year supply of residential units; and,
- monitor and work with the development industry to ensure that draft approved and registered plans, as well as site plans and development permits, provide a minimum three-year supply of residential units.

Policy 7.21(c) further provides that to meet projected housing need to the year 2036 and to ensure a full range of housing options are provided, the Town will work with Halton Region, the development community, housing providers, and the broader community toward achieving the following town-wide housing targets:

- a minimum target of 35% of net new market housing is affordable to low and/or moderate income households;
- a minimum target of 40% of net new housing is purpose-built rental tenure, which is inclusive of all forms of rental housing, including assisted and supportive housing facilitated by Halton Region.

In this regard, Policy 7.21(d) to assist in the achievement of town-wide affordable housing and purpose-built rental housing targets, the Town may establish area-specific targets.

Section 7.2.3 provides policies with respect to enhancing housing choice. Section 7.2.3(a) provides that the Town shall encourage a greater diversity of housing options throughout the Town, including housing types, sizes and tenures that are in short supply, and affordable housing to meet the needs of residents throughout all stages of their lives. Section 7.2.3(c) provides that the Town may grow the housing supply through development and redevelopment in the established Residential Area while ensuring new housing opportunities are contextually appropriate. Areas to be considered through further study include:

- underutilized commercial and institutional sites;
- town-owned lands including as a component of municipal lands and buildings such as fire stations or other community buildings;
- vacant and/or underutilized sites and overall opportunities for infill development.

Policy 7.2.3(e) states that the Town shall encourage and promote the creation of additional residential units.

Policy 7.2.3(f) provides that to meet projected housing diversification demand to the year 2036, the Town will work with the development community, housing providers, and the broader community toward achieve the following town-wide housing targets:

- at least 65% of net new housing units be multiple-attached or high density housing units each year to 2031 and at least 75% each year thereafter; and,
- at least 65% of net new high density housing units be two or more bedrooms.

Policy 7.2.3(g) adds that to assist in the achievement of town-wide housing type and unit mix targets, the Town may establish area-specific targets.

Section 7.2.4 provides policies with respect to encouraging and protecting rental housing. Section 7.2.4(a) provides that the Town shall encourage and promote the construction of purpose-built rental buildings and rental residential units. Policies 7.2.4(c) to 7.2.4(j) provide direction with respect to the demolition and/or conversion of residential properties.

Section 7.2.5 relates to supporting affordability. The Town may use Planning Act tools, and other programs and initiatives, to support housing affordability where appropriate and feasible, including:

- through the development process, the use of transportation demand management measures which, in addition to the policies in section 9.14, may permit reduced parking rates for affordable housing units, when demonstrated through a TDM plan and implementation strategy;
- working with the Oakville Municipal Development Corporation to include affordable and assisted housing opportunities within developments that include residential uses as a community benefit; and
- creating a housing concierge program that provides additional supports to applicants for affordable housing projects, as applicable.

Section 11 - Residential

The introductory policies of Section 11 maintain the objective of protecting and enhancing the character of existing residential areas, with remaining housing objectives relocated to the new Section 7 - Housing.

The Section 11 preamble notes that the lands identified as Residential Areas on Schedule A1, Urban Structure, represent the areas that provide for predominantly stable residential communities. A variety of residential uses are accommodated through the three Residential land use designations: Low Density Residential, Medium Density Residential and High Density Residential. These designations provide for a full range of housing types, forms and densities.

The preamble goes to state that the majority of intensification and development within the Town is to occur within the Growth Areas as described in Part E. Intensification outside of the Growth Areas within the stable residential communities will be subject to policies that are intended to maintain and protect the existing character of those communities. It is an objective of this Plan to protect and enhance the character of existing Residential Areas and ensuring new housing opportunities are contextually appropriate.

Section 12 - Mixed Use

Section 12 (Policy 12.1.5) has been updated to permit additional residential units and lodging houses, consistent with residential land use designations and existing zoning permissions.

Section 31 - Glossary

Section 31 has been revised to introduce new and revised definitions to ensure consistency with the Provincial Planning Statement, 2024. The changes include the introduction of definitions for "affordable housing", "housing options", and "low- and moderate-income households". The definition of "special needs housing" is also replaced with "additional needs housing."

4.16 Town of Oakville Zoning By-law

The subject site is zoned Midtown Transitional Commercial ("MTC"), in Zoning By-law 2014- 014, as amended (see **Figure 29**, Town of Oakville Zoning By-law 2014-014 Map 19(8b). We note that the majority of Midtown Oakville land parcels are currently under appeal and therefore are not in force.

The MTC zone permits a range of uses, including retail, service commercial, office, open space, and community use such as a day care, art gallery, community centre, library, and private school. However, residential uses are not permitted.

There are no specific zoning regulations in the Midtown Oakville Zones, including the MTC zone. Table 7.3 of the By-law provides that the regulations shall be as legally existing as of the effective day of this By-law.

Moreover, in 2023, the Town adopted By-law 2023-065, which amended Zoning By-law 2014-014 to make a number of housekeeping, technical and other modifications affecting various zones. Most notably, the definition of Floor Space Index is amended by deleting "net floor area" and replacing it with "gross floor area". As well, a new definition for Floor Area, Gross has been added to mean the total area of all of the floors in a building measured from the exterior faces of the exterior walls, but shall not include an attic, basement or mechanical penthouse. The subject site, and the statistics discussed in this Report related to it, adhere the revised definitions set out in Zoning By-law 2014-014.

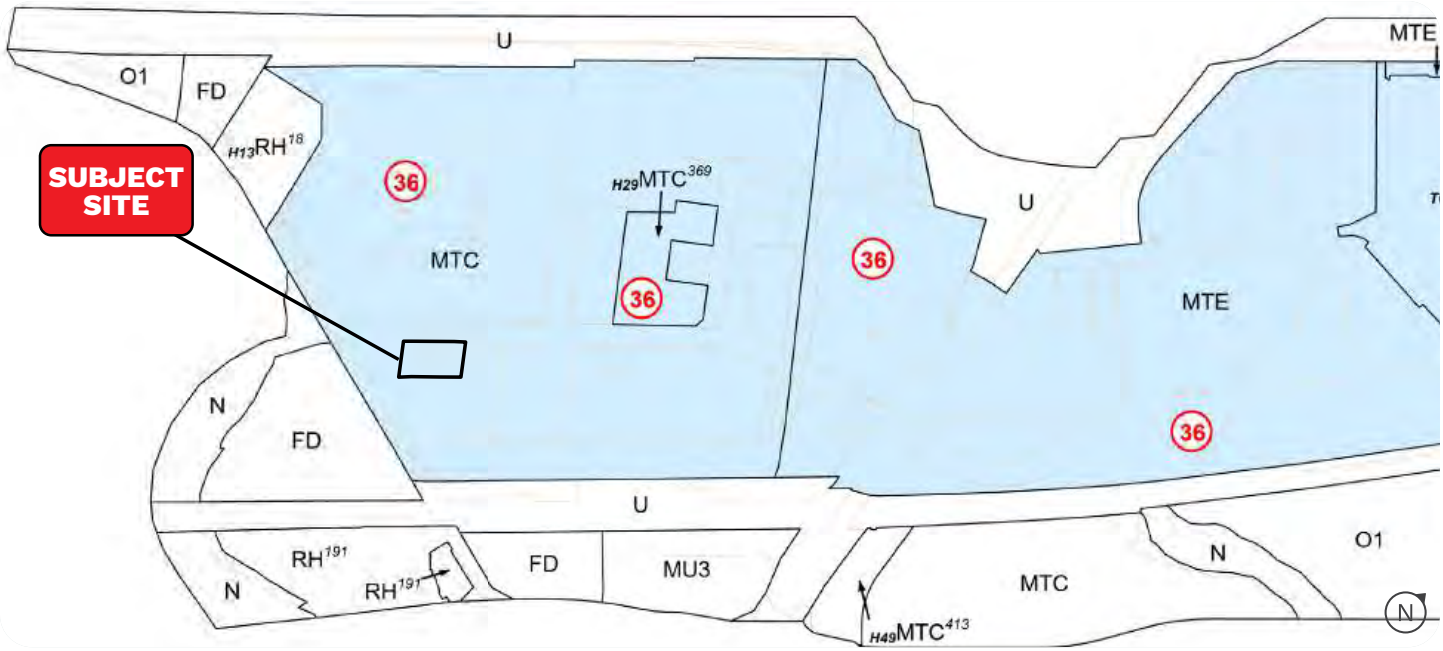


Figure 29 - Town of Oakville Zoning By-law 2014-014 Map 19(8b)

4.17 Community Permit System (CPP) By-Law

At the Planning and Development Council meeting on February 18, 2025, the Town of Oakville Council considered and adopted the Midtown Oakville and Community Planning Permit System Official Plan Amendment (OPA 70). As noted in **Section 4.13**, this amendment to the Livable Oakville Official Plan is intended to provide policies for the Midtown Oakville Protected Major Transit Station Area (PMTSA) and enable Community Planning Permit System polices.

At the meeting on November 3, 2025, Oakville Planning and Development Council considered a Town staff report dated October 20, 2025, regarding a "Draft Oakville Community Planning Permit By-law", together with a draft Town-initiated Community Planning Permit By-law for Midtown Oakville. The Staff Report provides that the draft CPP By-law is "municipally initiated to implement the policy direction found in OPA 70 to the Livable Oakville Official Plan". The Staff Report also notes that "once in effect, the Town of Oakville Zoning By-law will no longer be in effect for lands identified as CPP Area (i.e. Midtown) and applications for rezoning, site plan, minor variance, site alteration and/or tree removal will be replaced by a single community planning permit application."

At the time of writing this report, the Community Planning Permit System By-law has not been adopted by Town of Oakville Council and therefore, is not in force and effect. Accordingly, it is our opinion that the in-force Town of Oakville Zoning By-law 2014- 014 is applicable to the subject site and has been adequately addressed through the Draft Zoning By-law Amendment enclosed with this application.

Community Permit System (CPP) Draft By-Law

Part B of the CPP By-law delineates Midtown Oakville as a Community Planning Permit Area and a Protected Major Transit Station Area on Schedule B1 – Midtown Oakville Community Planning Permit Area. Bronte Village is also delineated as a Community Planning Permit Area in Schedule B2 – Bronte Village Community Planning Area.

Section 4 of the By-law provides that no person shall establish new development on lands subject to the by-law without obtaining a community planning permit. For the purpose of the by-law, "Development" includes:

- the construction, erection or placing of one or more buildings or structures on land;
- the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability;
- the laying out and establishment of:
  - a commercial parking area,
  - sites for the location of three or more mobile homes as defined in subsection 46(1) of the *Planning Act,*
  - sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46(1) of the *Planning Act,*
  - sites for the location of three or more trailers as defined in subsection 164(4) of the *Municipal Act*, 2001
- site alteration including but not limited to alteration of the grade of land and placing or dumping fill; or
- the removal of vegetation

The Decision to approve new Community Planning Permit Applications and to issue the Community Planning Permit for Class 4 ("New Development") will be made by staff. Where staff deem that the application requires it, Council will make the decision.

With respect to matters of transition, Section 3.2(a) directs that any agreement that has been entered into under section 41 of the *Planning Act* that is applicable to lands within a Community Planning Permit Area, continues to apply on the subject lands. The agreement continues to be valid and binding, and the agreement may be amended as if it were an agreement subject to a community planning permit approved under the provisions of this by-law.

Section 3.2(b) further provides that nothing in the by-law shall prevent the erection of a building or structure for which an application for a building permit was filed on or prior to the effective date of the by-law provided that the building permit application satisfies the following requirements:

- the building permit application complies with the provisions of Zoning By-law 2014-014, as amended, as it read on the effective date of this by-law
- all information is provided to allow for a zoning review to be undertaken; and
- all planning approvals have been obtained.

Midtown Oakville Community Building Area

Part E provides Community Building Area provisions that are specific to Midtown Oakville. The preamble provides that Midtown Oakville will accommodate significant residential and employment growth in a dynamic urban setting where people living, work, and play in a vibrant, walkable, mixed-use neighbourhood, connected to the rest of Oakville by pedestrian, cycling, transit and street networks. It further provides that the review and approval of Community Planning Permit applications within Midtown Oakville will be informed and guided by the policies of the Town of Oakville Official Plan and the Livable By Design Manual and other Midtown related plans and strategies.

The subject site is identified as Midtown Urban Core (MUC) on Schedule E.1 of the by-law (see **Figure 30**, Midtown Oakville Land Use Zones). The MUC zone permits a variety of uses such as parks and open spaces uses, commercial and employment uses, including retail and office uses, as well as residential uses, such as apartments dwellings.

Schedule E1.2 illustrates the Midtown Oakville Minimum Density while Schedule E1.3 illustrates the Midtown Oakville Maximum Density. The subject site is permitted to have a minimum density of 2.0 FSI and a maximum density of 4.0 FSI (see **Figures 31** and **32**, Schedules E1.2 and E1.3).

With respect to building heights, the subject site is permitted heights up to 20-storeys in accordance with Schedule E1.4 (see **Figure 33**, Schedule E1.4). Table 1-4 of the CPP by-law adds that building heights may exceed the threshold subject to satisfying community benefit requirements provided in Section E 1.4.

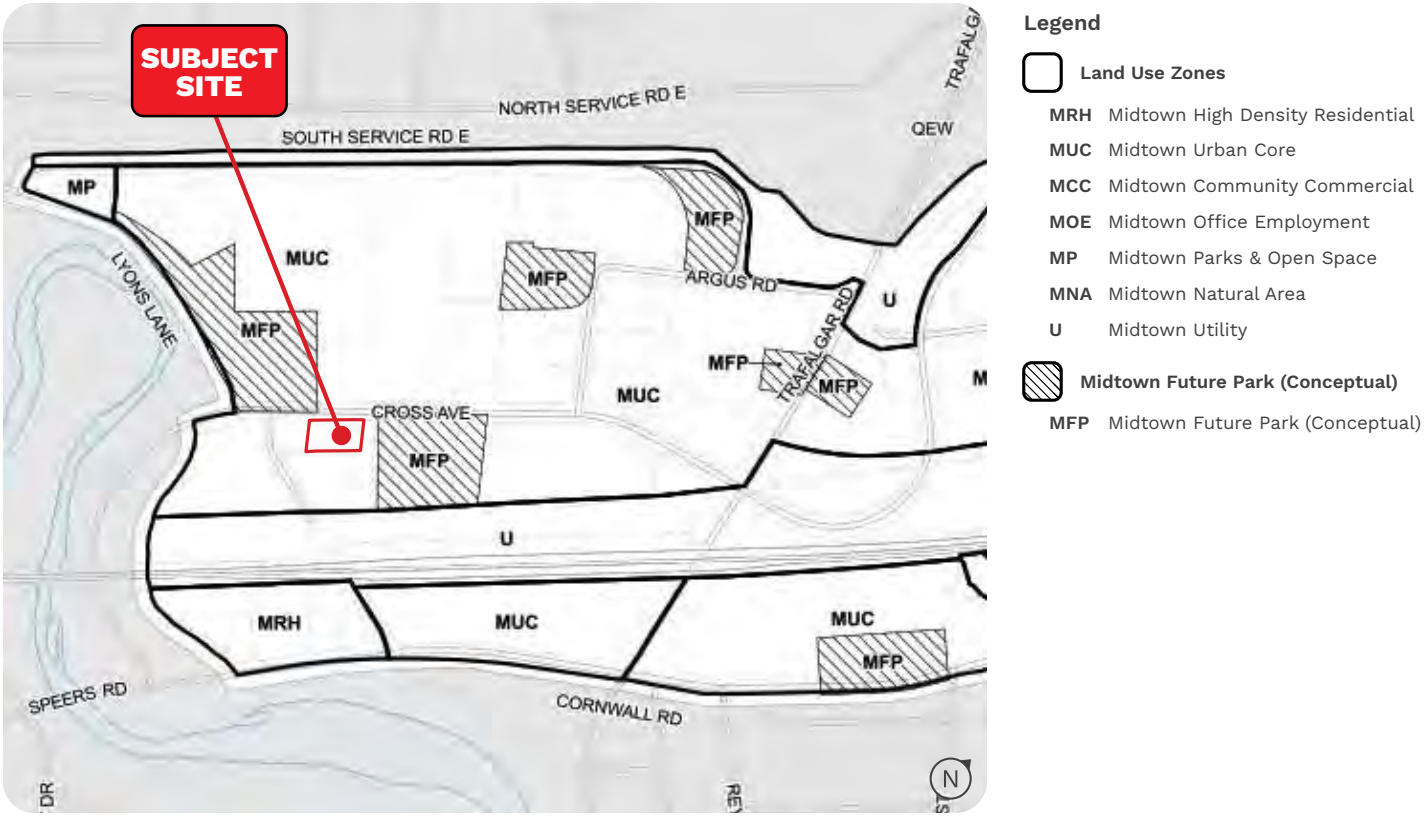


Figure 30 - Community Planning Permit By-law, Schedule E1.1 Midtown Oakville Land Use Zones

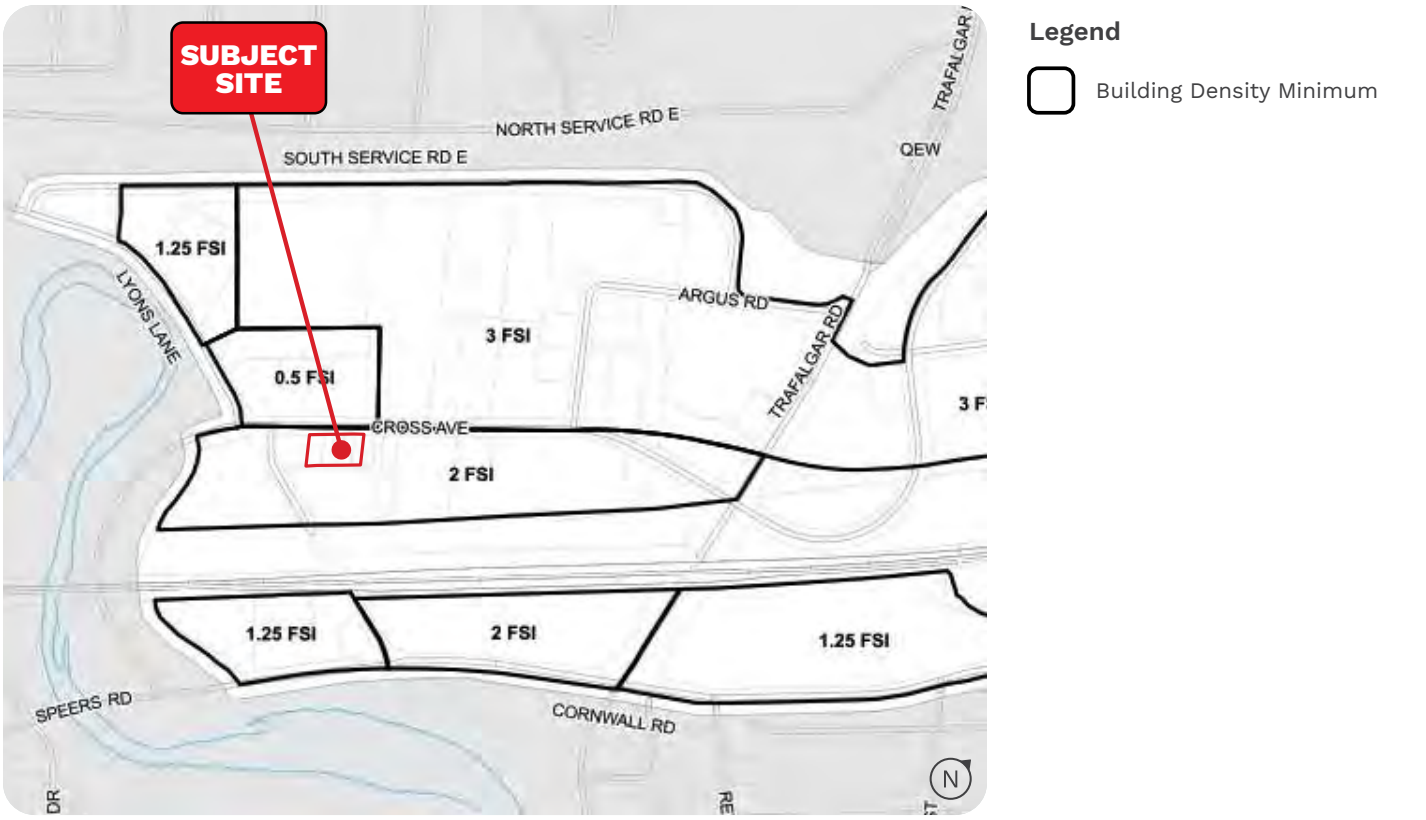
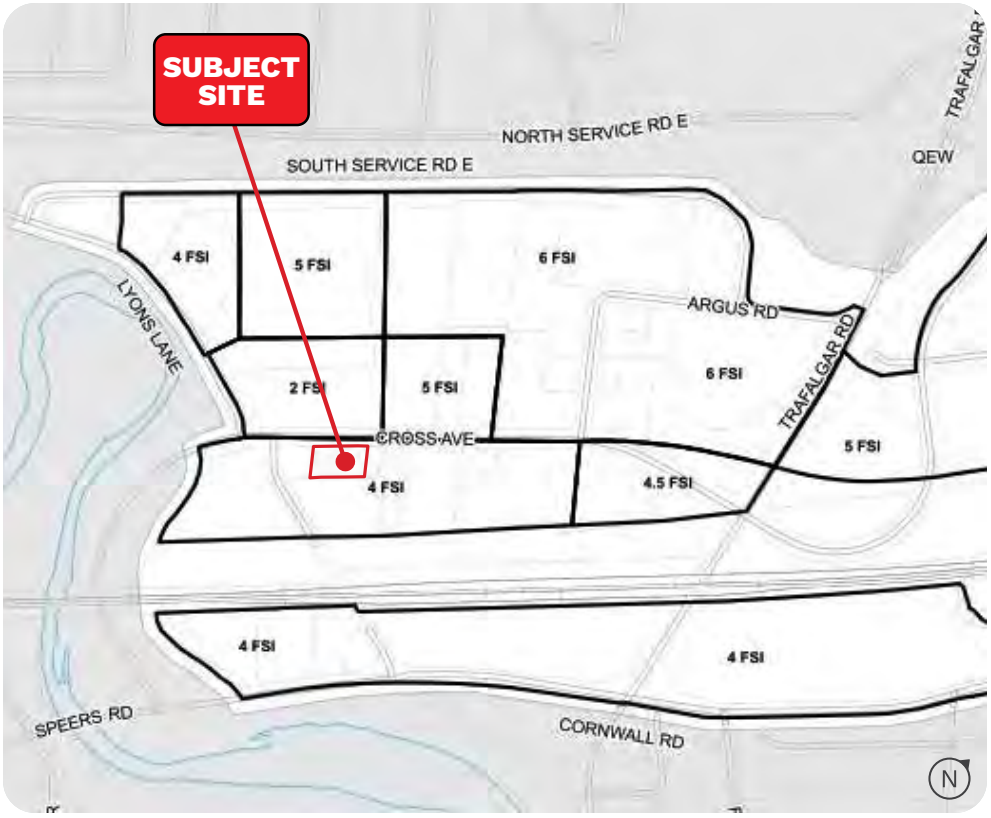


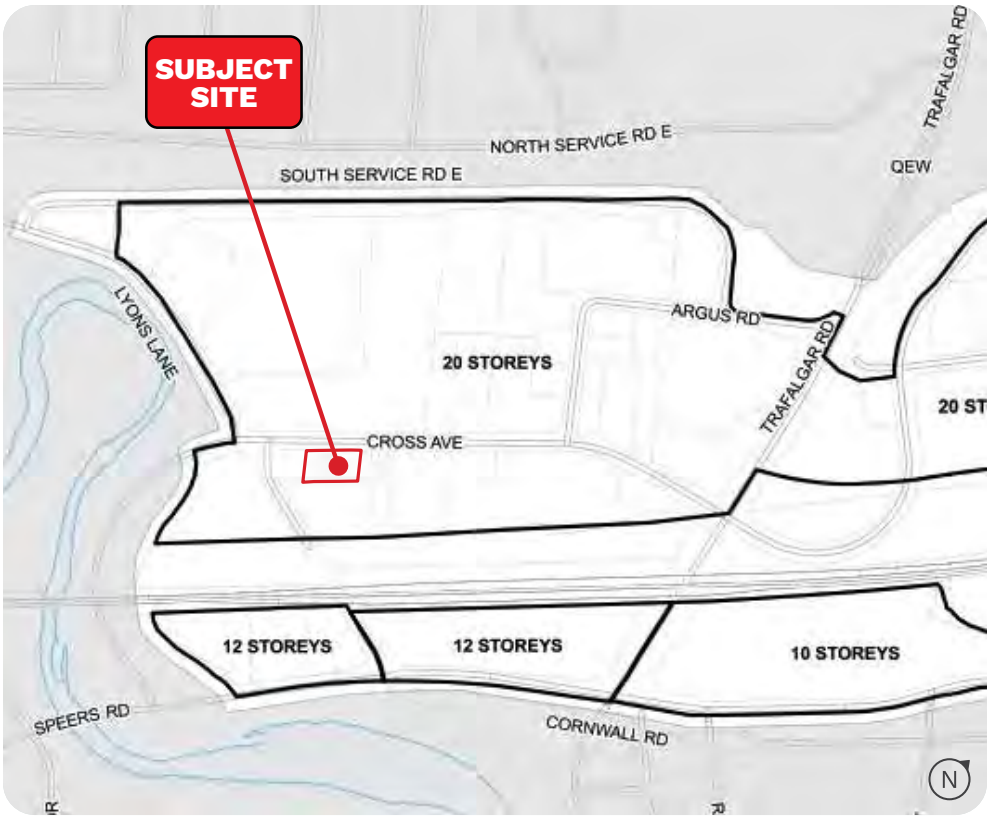
Figure 31 - Community Planning Permit By-law, Schedule E1.2 Midtown Oakville Minimum Density



Legend

Building Density Maximum

Figure 32 - Community Planning Permit By-law, Schedule E1.3 Midtown Oakville Maximum Density



Legend

Building Height Maximum

Figure 33 - Community Planning Permit By-law, Schedule E1.4 Midtown Oakville Building Height Thresholds

The CPP by-law sets out a number of building typology standards for tall buildings. The CPP by-law prescribes a maximum streetwall height of 25 metres and a maximum base height of 6 storeys. It adds that a step-back is to be provided above the streetwall with a minimum depth of 5 metres. With respect to building separations, the minimum required building to building separation distance at the base of the building is 15 metres, whereas the minimum tower separation distance above the base to the 25th storey is 30 metres and 35 metres above 25 storeys. Reduction in tower separation requirements may be permitted where towers are offset from each other and in accordance with Urban Design Guidelines. The By-law also directs that the maximum floor plate is 42 diameters, with variation permitted in accordance with urban design guidelines.

The Building Typology Standards in Section 1.3.2 within Part E of the CPP by-law are further summarized in **Table 4** below.

Section 1.4 describes the potential community benefits to be provided where CPP applications propose to construct buildings that exceed buildings height provided in Schedule 1.4. Examples of eligible benefits include community facilities (e.g., creative centre), day care centres, integration of office uses in mixed-use development, public parking, public service facilities, parkland and improvements to parks, and improved local transit facilities and transit use amenities in the form of a transit stop. Affordable housing and non-spatial benefits, such as improved local transit facilities and transit use amenities, contributions towards a district/renewable heating/cooling/energy system, public art, and sustainability building initiatives, are also examples of eligible community benefits that may be secured.

Table 4 - Built Form Standards for Tall Buildings in Midtown Oakville

	Built Form Standard for Tall Building	Permitted Variation from Standard	Condition
Minimum Height	N/A	N/A	N/A
Maximum Height	Per Schedule E 1.4 and Section E1.4 in Exchange for Permitted Building Height	Height maximum for mid-rise and tall buildings may not be achieved for all buildings in order to provide height variation within a block	See Section E1.4 regarding community benefits in exchange for permitted building height
Maximum Streetwall / Height	25 m	Where a building is fronting a street with existing or planned right of way (ROW) less than 25 m, the maximum height shall be the same as the R.O.W as shown on Schedule E 1.5.	Streetwall height is determined based on the less of 25 m or the most narrow R.O.W width abutting the site as provided on Schedule E1.5
Maximum Base Height	6 storeys	N/A	N/A

	Built Form Standard for Tall Building	Permitted Variation from Standard	Condition
Minimum Building Façade Step-back from Public Realm	Located above "Streetwall"; minimum depth of 5 m	Variation permitted in accordance with urban design guidelines	N/A
Minimum Building to Building Separation Distance at Base	15 m between building	Building separation may be less where the facing walls of both building do not provide windows and/or building/base height is less than 3 storeys, in accordance with Urban Design Guidelines	N/A
Minimum Tower Separation Distance, above base to the 25th storey	30 m	Reduction in Tower Separation requirement may be permitted when towers are offset from each other and in accordance with Urban Design Guidelines	N/A
Minimum Tower Separation Distance for towers above 25 storeys	35 m	Reduction in Tower Separation requirement may be permitted when towers are offset from each other and in accordance with Urban Design Guidelines	N/A
Maximum Tower Floor Plate	42 m diameters	Variation permitted in accordance with urban design guidelines	N/A

4.18 Livable By Design Urban Design Manual

On May 12, 2014, Town of Oakville Council endorsed the Livable by Design Urban Design Manual, and it was subsequently updated in December of 2019. The Manual provides a comprehensive set of guiding design principles and urban design directives applicable Town-wide for all forms of development, redevelopment and capital projects. The Manual implements the policies in Section 6 (Urban Design) of Livable Oakville and applies to all development proposals that are subject to review and planning approval by the Town of Oakville.

The Manual specifically notes that it is intended to, among other things:

- visually articulate the design objectives set out in Livable Oakville;
- set clear expectations for preferred design and development outcomes that achieve function and attractive design;
- establish an assessment framework for the review of development proposals through the provision of detailed design directs to evaluate whether projects will be well-executed, function properly and enhance the public realm; and
- provide design principles and direction tailored to specific context, land use and development form.

The Manual includes a section on tall and mid-rise buildings and provides guidelines with respect to the height of the base building, ground floor treatment, entranceways, frontage and setbacks, building base separation and side property setbacks, the middle portion of a building, relation to the building base, floor plate control and massing, tower spacing and orientation, the building top, transitions to adjacent surroundings, building detailing and materials and amenity areas.

Relevant guidelines include, but are not limited to:

- establish the height of the building base to be no greater than 80% of the right-of-way width up to a maximum height of 6-storeys (#1);
- Where a stepback of the main wall of the building base is proposed, situate it no lower than 12.0m above grade and with a minimum depth of 1.5m, to ensure the building continues to frame abutting public spaces and streets (#2);
- enhance the building façade along the street edge by incorporating creative building elements that are compatible in style, scale and placement (#3);
- for ground floor commercial uses facing a public street incorporate a minimum first storey floor to ceiling height of 4.5m, a minimum of 75% glazing on façade(s) to achieve visual interest and access to natural lighting (#4);
- within Growth Areas and along Intensification Corridors, design the main wall of the building to occupy a minimum of 85% of the façade zone along the length abutting a public street (#14);
- design the building at a maximum length of 55.0m along the façade zone before incorporating a significant break in massing. Incorporate a break with a minimum depth of 6.0m and minimum length of 9.0m to achieve a significant vertical break and setbacks (#16);
- incorporate strategic setbacks from the property line in the façade zone to accommodate urban squares, seasonal retail and patio space, extensions of the streetscape, public art, and entrances to above-grade uses (#17);

- setback buildings a minimum of 5.5m from a side property line at a minimum height that is based on 80% of total right-of-way width. This design direction does not apply to buildings that are six storeys or less (#18);
- for a tall building, stepback the middle component a minimum of 5m from the main wall of the building base (#23);
- for tall buildings, design the floor plate above the building base with maximum area of 750.0 square metres. This control results in slender tower design and lessens shadow and wind impacts at ground level (#25)
- in order to control results in slender tower design and lessens shadow and wind impacts at ground level, design the floor plate above the building base with maximum area of 750.0 square metres (#26);
- In order to provide enhanced privacy for building units and access to sky views and sunlight incorporate a minimum separation distance of 25.0m between building towers, whether located on the same or an adjacent property (#27);
- Design the architectural treatment of the rooftop to complement the overall building design and to integrate penthouses, stair towers, elevator towers and mechanical equipment. For rooftop equipment and enclosures taller than 2.0 metres in height, setback these elements to a minimum of 5.0 metres from all edges of the roof to reduce their visibility from the public realm (#31);
- For buildings abutting a low-rise stable residential area and parks/open spaces, setback the building a minimum of 7.5 from form the shared property line. Above the base building, (to a maximum of 10.5 metres above grade) incorporate stepbacks of the main wall to achieve appropriate transitioning (#35)
- For residential buildings, incorporate private outdoor amenity space in a form of a roof terrace or balcony for each unit (#48).

A detailed discussion and analysis regarding how the subject site addresses sections of the Livable by Design Manual is provided in the Urban Design Brief prepared by Bousfields Inc. and submitted under separate cover with this Application.

4.19 Designing Midtown Oakville (2013)

The Midtown Oakville Urban Design Guidelines were prepared as part of the 2014 Midtown Strategy which consisted of three major studies: the Midtown Oakville Class Environmental Assessment, Midtown Oakville Parking Strategy and Designing Midtown Oakville. The recommendations of these studies will inform updates to the Livable Oakville Plan and Zoning By-law 2014-014 to continue to support the long-term redevelopment of lands in Midtown Oakville. Reports about the Midtown Strategy studies were presented at a Special Planning and Development Council meeting on May 27, 2014. At the same time, a statutory public meeting was held to receive public input about town-initiated official plan and zoning by-law amendments to support the redevelopment of Midtown Oakville. Those amendments were subsequently put on hold.

Designing Midtown Oakville aims to guide the future look, feel and functional operations of Midtown Oakville. The document proposes a number of recommendations to guide the shape of public spaces, buildings, sidewalks, and roads, and also looks at how the Town of Oakville can best supply parking to this emerging community. A summary of key guidelines is provided below.

The Guidelines recommend development blocks that are intended to accommodate developments considering the urban structure as outlined in the Midtown Oakville Growth Area policies of the Livable Oakville Official Plan. The blocks consider the transportation network, natural environment, and major transit infrastructure (see **Figure 34**, Urban Structure).

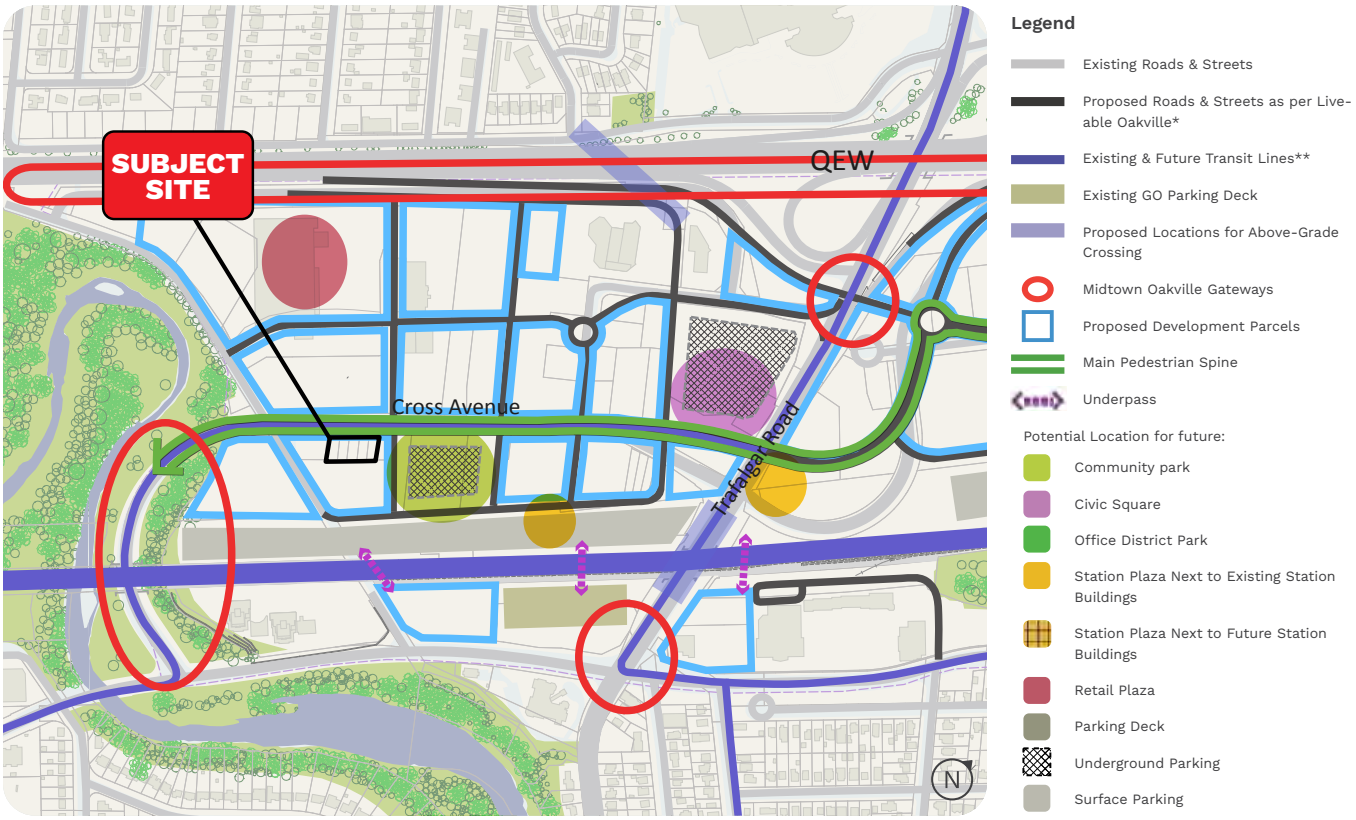


Figure 34 - Designing Midtown Oakville, Figure 1 (Urban Structure)

Transportation Guidelines

Cross Avenue is identified as being part of "Existing and future transit lines" and as the "Main Pedestrian Spine on Figure 1 (see **Figure 34**, Urban Structure). In Figure 2, Cross Avenue is identified as a "Traditional Main Street Right of Way", whereas the planned future north-south roads adjacent to the site are identified as a "Local Street Right of Way" (see **Figure 35**, Street Right of Ways). As it relates to street design, Figure 3 identifies a proposed bike routes/lanes on Cross Avenue, and the planned future north-south road to the east of the site as part of Midtown's proposed road network see **Figure 36**, Bicycle Network).

Guideline 3.1.2 pertains to Cross Avenue, which is envisioned to be Midtown's traditional main street, its primary pedestrian corridor and its primary function is to create a pleasant pedestrian experience. The guidelines indicate that Cross Avenue:

- should have 4 vehicle travel lanes and one turning lane;
- the north side of Cross Avenue could have permanent lay-by parking, while the south side should accommodate off peak-hours lay-by parking;
- new development should be set back from the front property line to accommodate street animating activities like patios, restaurants, seating, and landscaping;
- the curb travel lanes should be wider to accommodate vehicles, buses, and bicycles.
- paved sidewalks should be minimum 2 metres wide;
- the planting and furnishing zone should be generously landscaped and provide ample benches and bicycle parking as well as public transit amenities (i.e., bus stops, shelters, and benches);
- special paving, bump outs and/or traffic tables may be utilized to indicate pedestrian crosswalks; and
- the building interface zone (setback) should be used for front landscaping to provide a transition between the public and private realms, while maintaining the character of the street.

Guideline 3.1.3 contemplates other alternatives for Cross Avenue in order to create a better streetscape and to increase the year-round use potential of the pedestrian zone. Additional guidelines that may be applied include:

- permanent lay-by parking can be located on the curb, beside the paved roadway.
- the number of lay-by parking spaces could be reduced during summertime;
- the remaining lay-by parking spaces can become an extension of the pedestrian realm for patios during mild weather seasons;
- bollards may be used to delineate the vehicle travel lane from the extended sidewalks during the mild weather seasons; and
- additional street furniture may be included in the seasonal sidewalk extension areas.

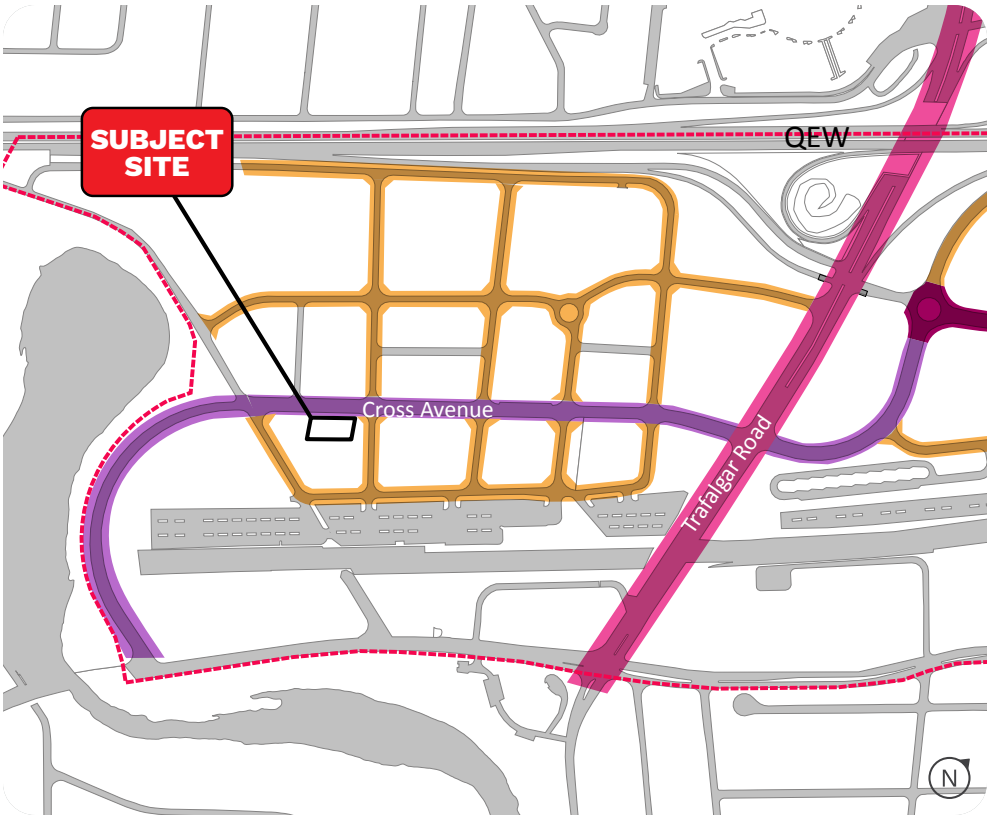


Figure 35 - Designing Midtown Oakville, Figure 2 (Street Right of Ways)

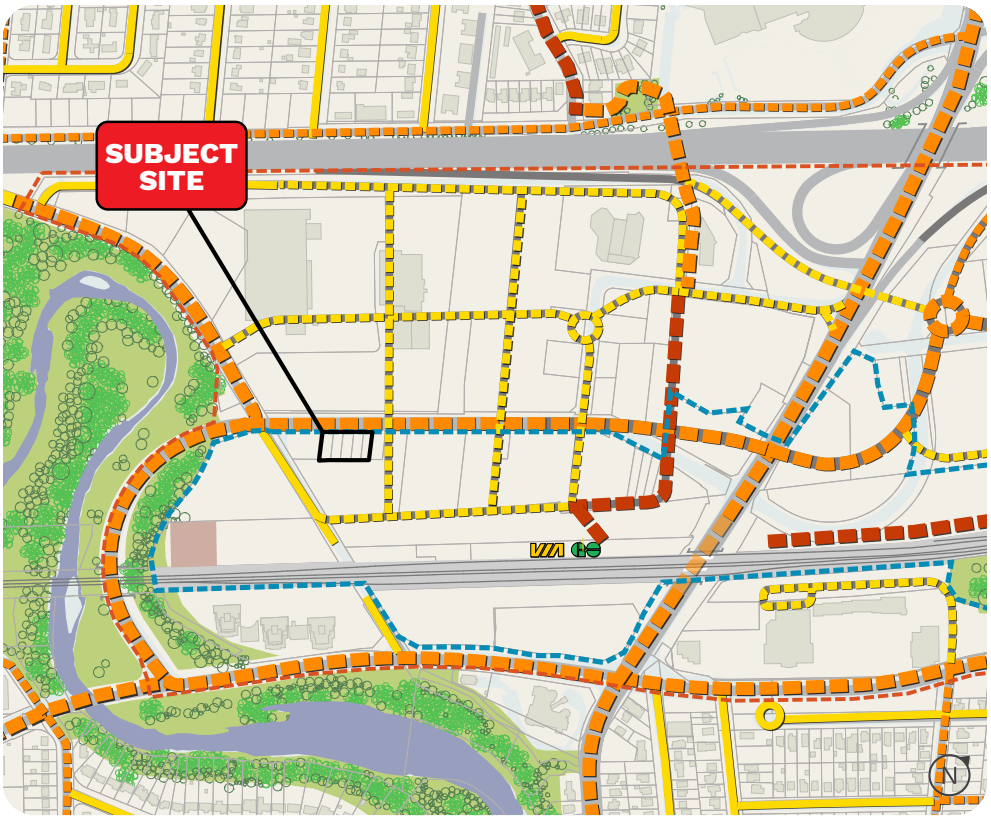


Figure 36 - Designing Midtown Oakville, Figure 3 (Bicycle Network)

Guideline 3.1.8 provides recommendations for Midtown Local Streets, including the planned future streets adjacent to the site. According to the Guidelines, Midtown local streets are smaller scale residential streets and provide local access within the Midtown and enable movement through the district. The guidelines note:

- midtown local streets should have 2 bicycle friendly vehicle travel lanes;
- lay-by parking should be included on one side of the street;
- pedestrian crossings should be designed on traffic tables to calm traffic and enhance pedestrian safety;
- the building should be setback from the front property line to create space for landscaped entry zone and front-yard landscaping to complement the streetscape
- if the unit entry is higher than the street elevation, the development setback should be less wide compared to entry points at street level; and
- the pedestrian zone should be landscaped with trees and lighting.

Figure 23, Parks and Open Spaces of the Guidelines, show that the block to the east of the Site, just west of the proposed north-south road, could be a potential location for a future community park (see **Figure 37**, Parks and Open Spaces).

Guideline 4.1.1 provides that the future community park is Midtown's green oasis and should be designed to accommodate a range of active and passive uses. The Community Park should be primarily soft landscaping and be designed to ensure a strong visual connection to the Civic Square. The preferred location for the Community Park is along Cross Avenue to ensure that it can be well integrated with the main pedestrian spine.

The Guidelines identify five (5) gateways to Midtown Oakville, which mark major entrances and important intersections (see **Figure 38**, Midtown Oakville Gateways). The subject site is located immediately east of the Sixteen Mile Creek Gateway. Section 5.1 provides that the Sixteen Mile Creek Gateway, focused on Cornwall Road at Cross Avenue, addresses both the pedestrian and vehicular scale and will be marked by both built form transitions and way findings. Key recommendations, as it relates to the Sixten Mile Creek Gateway include:

- Development height should increase as it transitions from the intersection of Cross Avenue and Cornwall Road northwards.
- Developments at this gateway should have a distinct architectural design, highest quality materials and be designed as a landmark to give Midtown its own specific identity.
- Special consideration should be given to the design of the rail bridge underpass and the landscaping of the road cutting.
- Signage indicating entry into Midtown should be included along Cornwall Road.

Section 6.1 of the Guidelines speaks to Lyons District and indicates that it will become a compact mixed use neighbourhood. Cross Avenue will be an attractive central spine animated by at-grade retail uses, cohesive streetscapes and open spaces that enhance the experience of the public realm. Taller residential buildings should be located in the vicinity of Sixteen Mile Creek and the railway. Similar to the Livable Oakville Official Plan, Figures 32 and 33 of the Guidelines identify the subject site as Urban Core and Urban Centre, with heights between 6- and 20-storeys (see **Figures 39** and **40**).



Figure 37 - Designing Midtown Oakville, Figure 23 (Parks and Open Spaces)

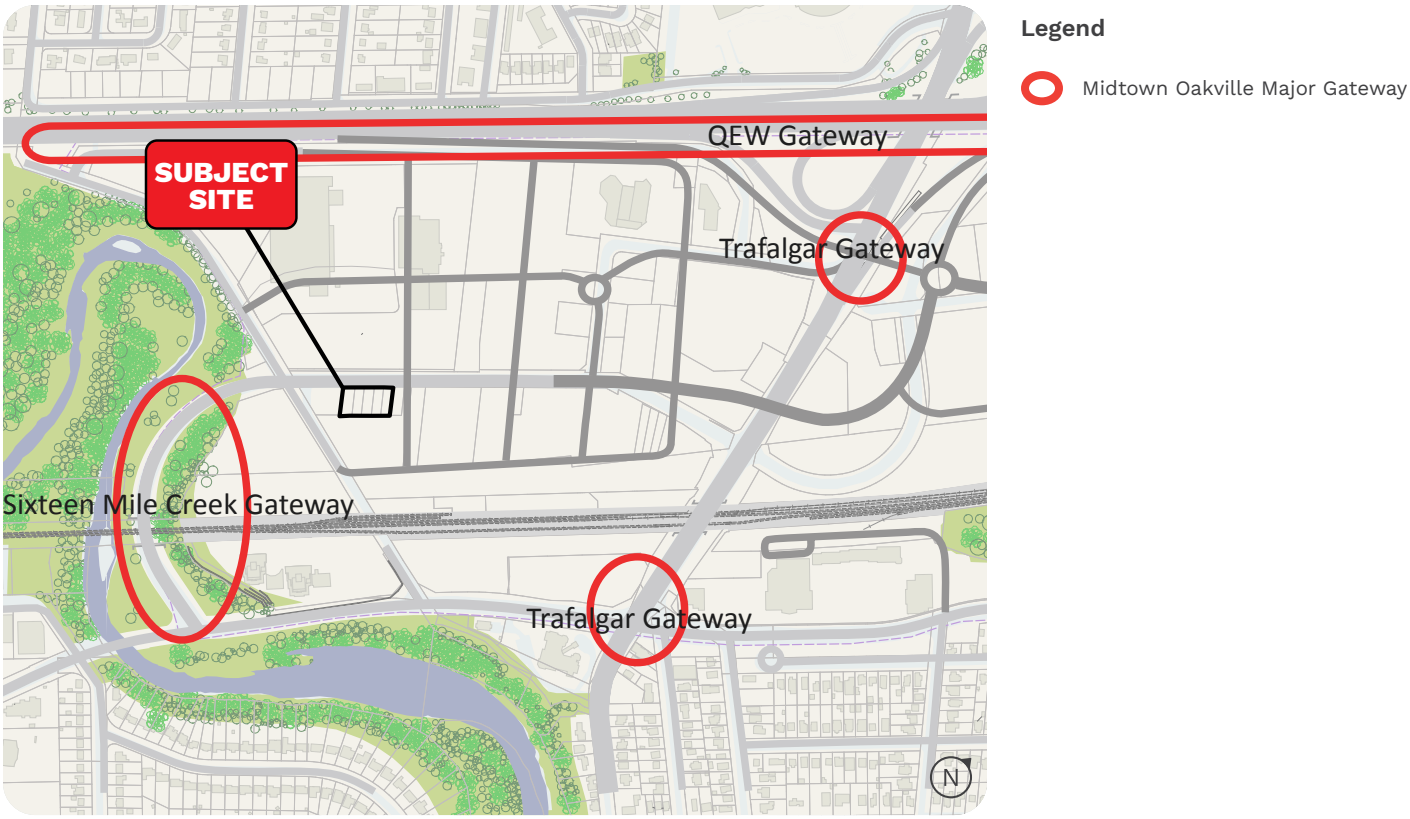
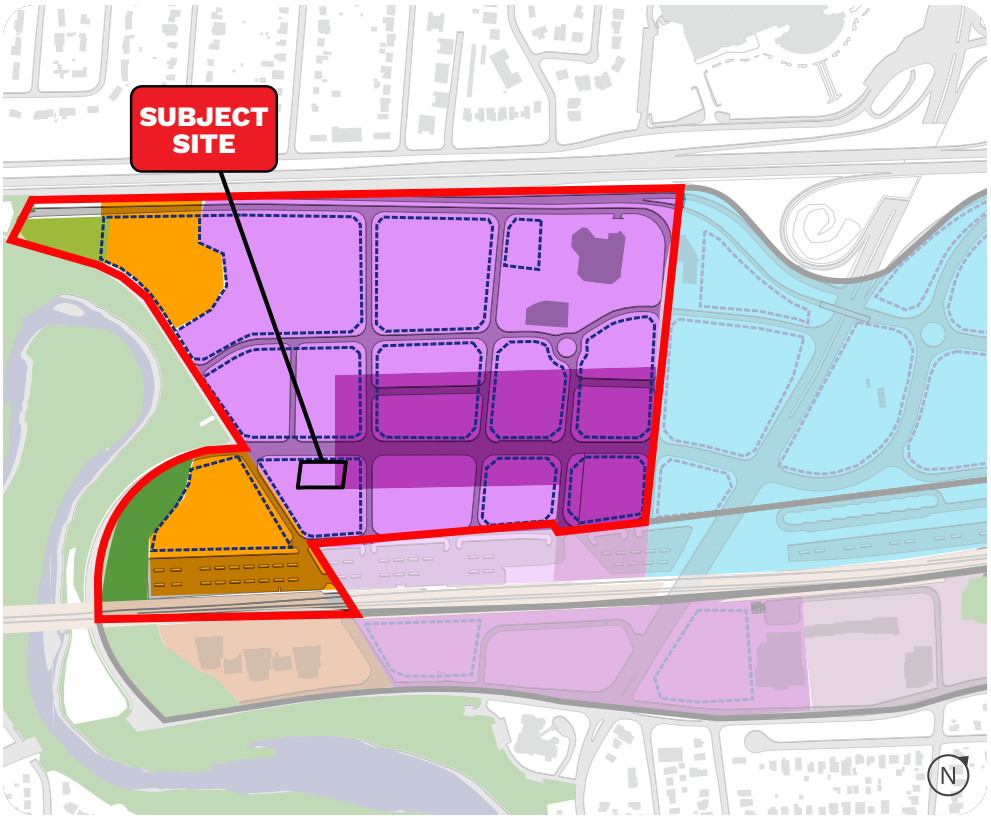


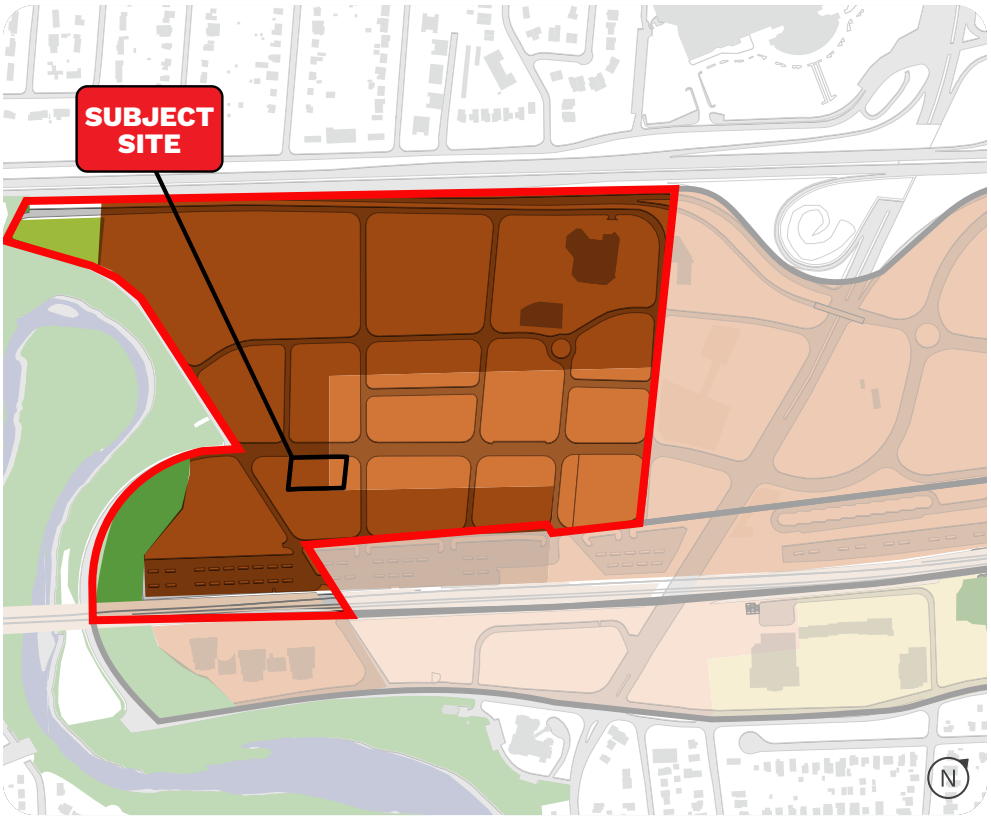
Figure 38 - Designing Midtown Oakville, Figure 31 (Midtown Oakville Gateways)



Legend

- High Density Residential
- Urban Core
- Urban Centre
- Natural Area
- Parks & Open Spaces

Figure 39 - Designing Midtown Oakville, Figure 32 (Land Use Plan)



Legend

- 6-12 Storeys
- 8-20 Storeys
- Natural Area
- Parks & Open Spaces

Figure 40 - Designing Midtown Oakville, Figure 33 (Building Height Plan)

With respect to tall buildings, Guideline 6.1.3 indicates that tall buildings:

- may be up to 20-storeys as per the Livable Oakville Official Plan;
- are located at the vicinity of Sixteen Mile Creek, the station area and railway as well as some areas close to the QEW highway;
- should minimize the impacts on avenues, parks, and low rise buildings;
- will provide appropriate transition to adjacent lower-scale buildings and area through angular plane, building separation, setback and stepback requirements; and
- should have 3 main elements: the podium (base) tower, and top floors.

Guideline 6.1.3.1 relates to podiums elements of tall buildings. Key recommendations include:

- podium heights will generally be a minimum 3-storeys, and the maximum height will equal to the street right-of-way width, however, the recommended height for podiums along narrow streets is 80% of the right-of-way;
- Podiums should conform to the height of any lowrise buildings attached or adjacent to them that adhere to these guidelines; and
- the ground floor of podiums should generally have a minimum ground floor height of 4.5 metres to accommodate retail uses at-grade where possible, especially where retail is required (such as along Cross Avenue).

Guidelines 6.1.3.2 relating to towers indicates that:

- any tower floor plate must fit within a 40 metre diameter circle to guarantee slender towers, thereby reducing the impact of tall buildings;
- towers should be setback a minimum of 5 metres from the edge of the podium, however, in some cases should be more;
- there should be a minimum separation of 30 metres between any two tower elements with less than 30-storeys, minimum 50 metres between towers over 30-storeys, and 25 metres between convex towers;
- towers should be oriented to create minimum shadow and wind impact; and
- tower orientation should guarantee the preservation of vistas and key view corridors.

As it relates to the top floors of towers, Guideline 6.1.3.5 provides that top floors should be designed to achieve a distinctive skyline profile, and architectural methods should be used to highlight the top floor of tall buildings while keeping material consistency and harmony with the rest of the building.

With respect to tall buildings adjacent to other properties, key recommendations from Guideline 6.1.3.3 state that:

- tall buildings should have a minimum 15 metre setback from the adjacent properties if they are below 30-storeys, a minimum 25 metre setback from the adjacent properties if they are over 30-storeys, and a minimum of 12.5 metre if they are convex towers; and
- the minimum separation should be minimum 30 metres between towers below 30-storeys, minimum 50 metres between towers over 50-storeys and a minimum of 25 metres if between convex towers.

Guideline 6.1.4.1 speaks to at-grade retail and indicates that:

- retail at-grade should have a distinct entrance and address from the main street;
- in cases where there are patios on main streets the pedestrian clear way should be maintained without any interruption;
- retail facades should use of transparent materials;
- retail units should have clear signage facing the main streets;
- features that provide continuous weather protection, such as canopies, are encouraged;
- canopies and signs must not encroach into the public right-of-way; and
- landscape treatments, planters and paving that extend public walkways are encouraged within the commercial setback.

Section 7 of the guidelines provides recommendations for parking. Guideline 7.1 speaks to underground parking and indicates that underground parking should be provided for residential development, specific guidelines include:

- access to parking should be via public streets or private driveways;
- the design of parking areas should maximize safety and security;
- access to and from parking areas should be controlled;
- visitor parking should be separated from resident parking;
- garage vents should be integrated into hard surface areas with limited impact on pedestrian amenities or landscaped areas; and
- shared parking should be encouraged between residential and commercial uses.

A detailed discussion and analysis on how the proposed development addresses sections of the Designing Midtown Oakville Guidelines is provided in the Urban Design Brief prepared by Bousfields Inc. and submitted under separate cover with this application.

4.20 Designing Midtown Oakville Urban Design Direction (2025)

Designing Midtown Urban Design Direction is a place-making urban design document that facilitates the implementation of the goals and policies of the Livable Oakville Official Plan. The document presents a comprehensive urban design framework to shape Midtown into a vibrant, high-density, mixed-use community centred around the Oakville GO Station. Designing Midtown Urban Design Direction is intended to replace the Designing Midtown Oakville Guidelines (2013).

Designing Midtown provides detailed direction for existing and new streetscapes, public realm places and enhancements, and corresponding built form that will create a walkable, transit-oriented environment that prioritizes connectivity, sustainability, and design excellence. The document was endorsed by the Planning and Development Council on December 8, 2025.

Streetscapes & Pedestrian Routes

Section 2.0 describes the public realm, and in particular, streetscapes and pedestrian routes which are intended to support multi-modal movement and service as places for people to gather and interact. Streetscapes and pedestrian routes are an important part of the public realm, intended to support multi-modal movement and also serve as places for people to gather and interact. This section provides guidance on the design of public rights-of-way within Midtown, and identifies the elements and dimensions of key zones that contribute to the streetscape.

Figure 4 (Streetscape Framework Plan) sets forth the vision for the street network in Midtown, how streets will function, the configuration of spaces within the right-of-way, as well as how buildings will relate to the street. The street alignment and right-of-way widths take direction from the Official Plan Schedule L5 Midtown Transportation Network.

The existing street network is proposed to be enhanced with widened streets, realigned streets and new street connections creating a fine-grained urban block structure. Figure 4 identifies Cross Avenue as an Arterial Road, and the local roads to the west and east of the site as Local Typology 2 and Local Typology 1, respectively (see **Figure 41**, Streetscape Framework Plan).

Figure 5 (Active Frontages) identifies the location of active frontages across Midtown and is in accordance with Figure E2 Active Frontages of the Official Plan. Figure 5 identifies the property to the immediate east of the subject site as a site with an active frontage. Active frontages are the street-facing portions of buildings that facilitate interaction between the interior of the building and the public realm. Active frontages can include elements such as residential lobbies at grade, grade related units with front entries facing the street, and retail and commercial uses. Buildings along active frontages are characterized by features such as frequent doors, entrances and windows, limited blank walls, and articulated facades that add interest and vitality to the street (see **Figure 42**, Active Frontages).

Figure 6 (Active Transportation) identifies the location of active transportation facilities in Midtown and is in accordance with Schedule L6 Active Transportation of the Official Plan. Figure 6 identifies Cross Avenue as a cycling facility within the right-of-way (ROW). Active transportation infrastructure, such as bike lanes, sidewalks, pedestrian crossings, and trails promote the use of sustainable modes of travel, reduces auto dependence, improves air quality, and makes it safer and more convenient for people to move around. The active transportation routes connect across Midtown and to the adjacent neighbourhoods integrating with the broader active transportation network across the town (see **Figure 43**, Active Transportation).

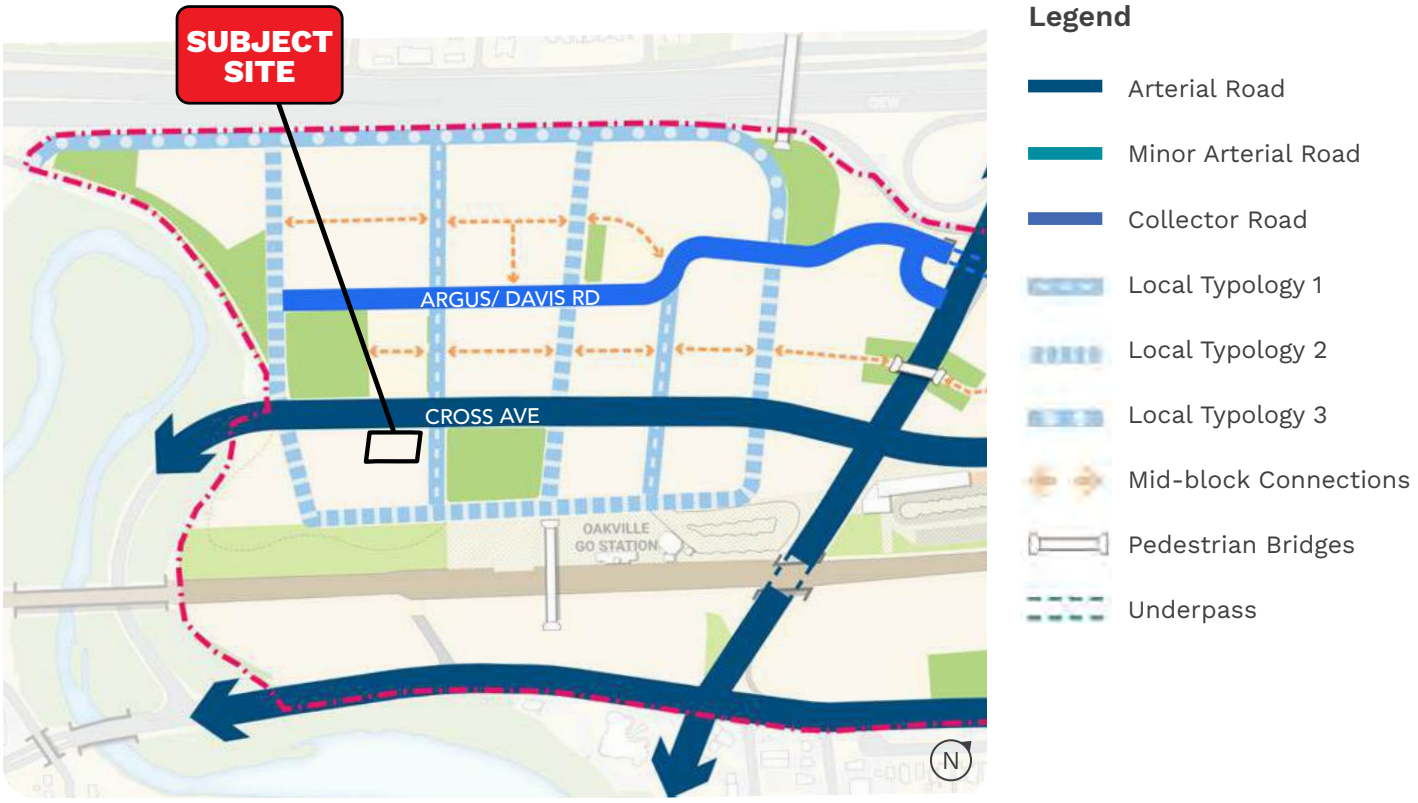


Figure 41 - Designing Midtown Urban Design Direction, Figure 4 (Streetscape Framework Plan)

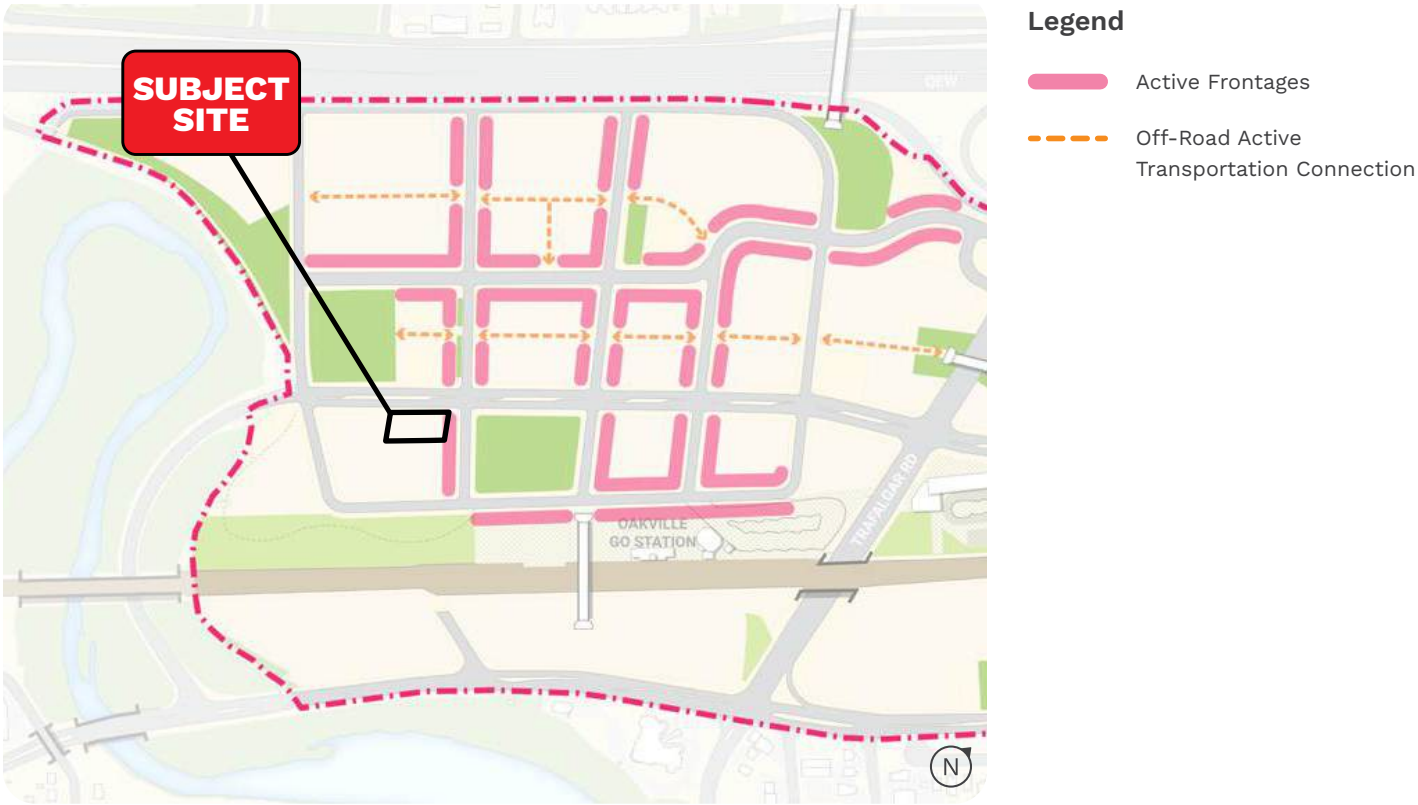


Figure 42 - Designing Midtown Urban Design Direction, Figure 5 (Active Frontages)

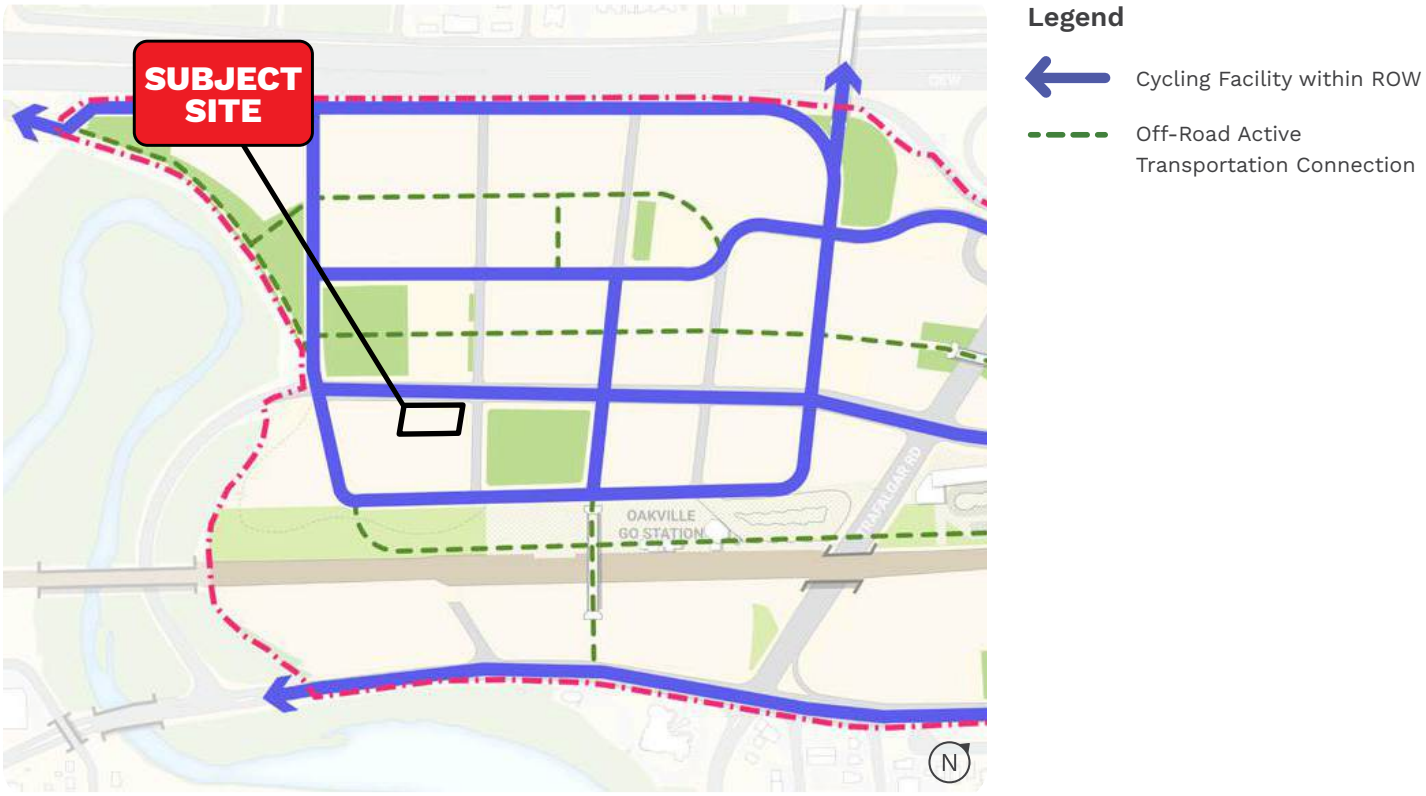


Figure 43 - Designing Midtown Urban Design Direction, Figure 6 (Active Transportation)

Section 2.4.2 provides that Cross Avenue (West of North South Corridor) is an east-west arterial road connecting across Midtown. Cross Avenue provides a connection to the Oakville GO Station and is a multi-modal street with a large right-of-way (36 metres) accommodating vehicles, transit, pedestrians and cyclists. A portion of the street will have dedicated bus lanes to prioritize transit and the many buses going to and from the bus terminal. The following directions apply to the segment of Cross Avenue west of the North South Connector:

- Cross Avenue is designed as a multimodal street that accommodates high vehicular traffic volumes while also accommodating active transportation. This is a street many use and arrive from in midtown and as such, deserves a high quality streetscape treatment;
- The roadway includes two vehicular travel lanes in each direction and a central turning lane/median. Specific portions of Cross Ave include dedicated bus lanes within the curb lane;
- The central turning lane/median may accommodate street trees within the median where turning lanes are not required. The median may also include other decorative plantings and landscaping;
- On portions of the street, three rows of trees within the right-of-way shall be provided to establish a distinct image and consistent street character;
- Cycling is accommodated in one-way cycle tracks on both sides of the street;
- A high quality of streetscape design is envisioned including a generous pedestrian clear way zone suitable for special permeable pavers with a distinctive paving pattern;
- A distinctive street tree should be used on Cross avenue to further lend interest and identity to midtown; and
- A detailed streetscape design should be prepared for the length of Cross Avenue.

Section 2.4.8 describes the local street with a two-way cycle track typology, which is designed as a narrow urban road that accommodates vehicles, pedestrians, and cyclists. The following directions apply to local street typology with a two-way cycle track (west of the site):

- The roadway includes one vehicular travel lane in each direction;
- Cycling is accommodated in a two-way cycle track on one side of the street;
- Building setbacks may be needed for additional pedestrian space if there is limited width within the right-of-way for the sidewalk; and
- A 2.4 metre wide zone on the west side of the street accommodates layby parking on-street, which can also be a boulevard on portions of the street to accommodate street trees. Portions of the street with a boulevard have an opportunity for tree pits with soil cells and bioretention planters to help manage stormwater and further green the street.

Section 2.4.9 describes the local streets with sharrows typology, which is designed as a narrow urban street lined with trees and a focus on the pedestrian realm. The following directions apply to local street typology with shared bicycle facilities (east of site):

- The roadway includes a vehicular travel lane in each direction and on-street parking on one side of the street;
- Cycling is accommodated as a shared bicycle route where cyclists share space with vehicles. Sharrows on the street indicate that cyclists share the roadway with vehicles; and
- Both side of the street should include generous pedestrian zone and boulevard zone.

Public Realm

Section 3.0 provides direction with respect to the public realm, including the design of publicly accessible spaces, including Public Commons, Urban Squares, Privately Owned Public Spaces (POPS), the hydro corridor, and mid-block connections.

Figure 26 illustrates the proposed public realm framework plan. The framework will guide the planning, design, and management of various elements of the public realm, including new and existing parks, such as public commons and urban squares, as well as the hydro corridor. These elements will contribute to Midtown's unique character and are connected to create a linked framework through streetscapes and mid-block connections (see **Figure 44**, Public Realm Framework Plan).

The site is located adjacent to a Public Common, on the east side of the local road to the east. Public Commons are the largest open spaces in Midtown that are intended to provide opportunities for recreation, relaxation, community gathering and interaction. Public Commons are defined as parks greater than 0.8 hectares and typically serve a neighbourhood within a 10-minute walking radius however can also attract people from across town. Public commons are well connected to their surroundings and include a balance of passive and active uses.

The document notes that as Midtown Oakville evolves into a vibrant, high-density urban district, the public realm will play a central role in shaping how people experience and move through the area. Streets, parks, plazas, and midblock connections must work together to create a legible, welcoming, and resilient environment.

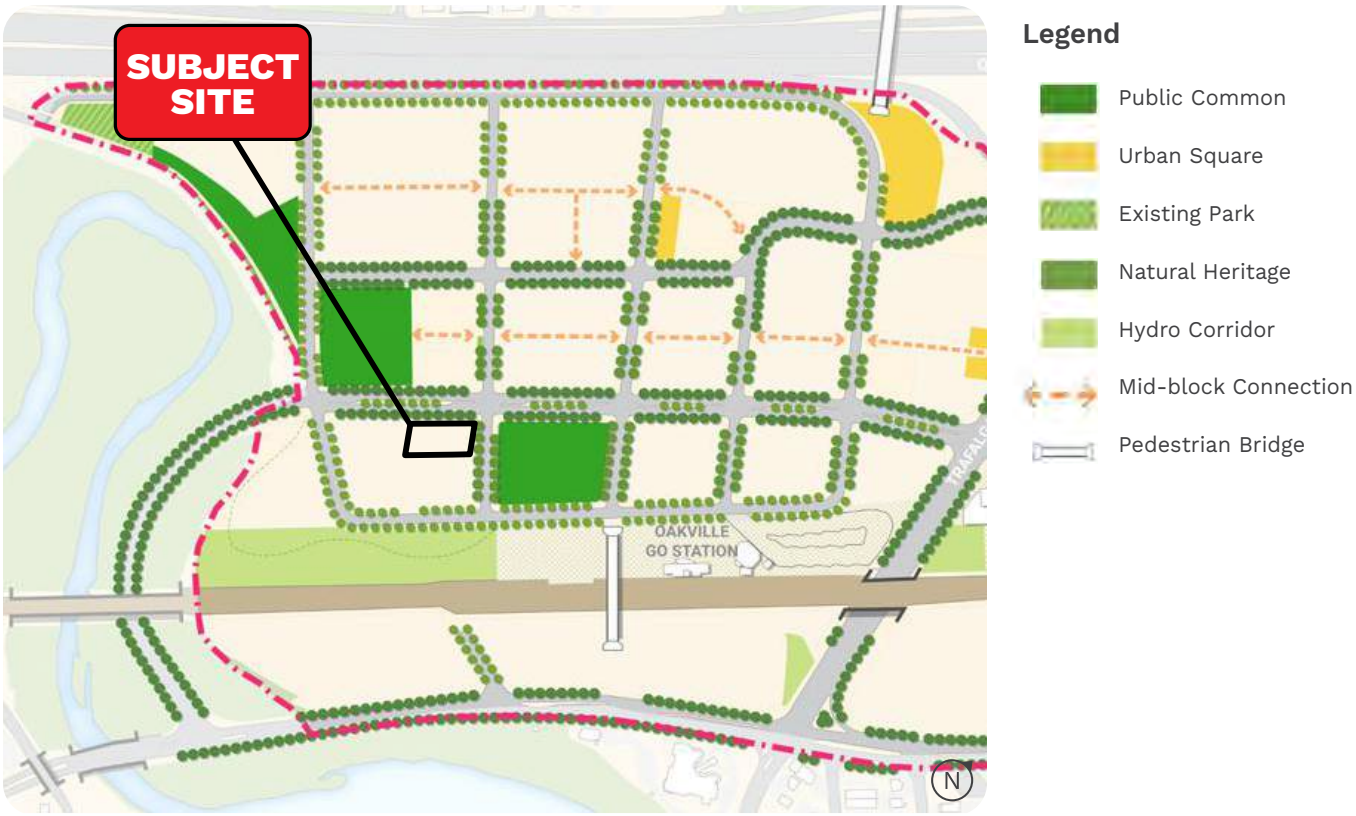


Figure 44 - Designing Midtown Urban Design Direction, Figure 26 (Public Realm Framework Plan)

Built Form

Section 4.0 provides policy direction with respect to built form. The document directs that within Midtown, a range of building typologies will complement and serve multiple purposes in a high-density urban environment. While tall buildings are generally desired across Midtown, the built form should incorporate a range of building typologies. Mid-rise buildings will play an important role as they will be placed in proximity to tall buildings and complete the urban block. Adequate separation between building typologies will be important to ensure privacy and to create a well-designed urban environment with appropriate sun and sky access.

Mid-rise buildings are defined as between 4 storeys and 12 storeys, and tall buildings are above 12 storeys. Design directions are organized in several categories: the design and organization of elements on a block; the components of the building base middle and top, with a particular focus on the streetwall and the relationship of the building to the public realm; building elements such as balconies; and site functionality including servicing, loading and parking.

Section 4.2.1 provides recommendations with respect to building placement, including but not limited to the following:

- Place buildings parallel to the street to create pedestrian-oriented frontage along the block and street enclosure;
- Building frontages should generally align with the adjacent building façade; and
- Buildings should occupy most of the property frontage. The remaining frontage can include parks, mid-block connections and POPS. Within large blocks, building placement should also provide for mid-block connections.

With respect to outdoor private amenity space, Section 4.2.2 provides that grade-related private outdoor amenity areas should be located toward the interior of the block and away from public streets. Private outdoor amenity areas should be provided on roofs there is limited space on the ground level. Interior amenity spaces should be connected to shared outdoor amenity areas and provide windows and doors for direct physical and visual access, at grade and on rooftops. Outdoor amenity spaces should be located to maximize sun access and to ensure comfortable wind and shadow conditions, while minimizing wind, noise and air quality impacts. They should be designed to encourage use by inhabitants and users of the buildings by incorporating well designed open spaces with appropriate pedestrian comfort elements, such as benches, signage, outdoor lighting, landscaping, and sun/shade areas.

Section 4.3 provides recommendations with respect to the base building, including the following related to the building base, streetwall, and ground floor:

- All tall buildings will be designed with a building base;
- Consider existing and planned conditions to determine appropriate building base heights;
- When there is no established building base height, the height of the building base shall be no greater than the width of the right-of-way width up to a maximum of 7-storeys (25 metres) and no less than 3-storeys;
- Incorporate a 3 metre step-back in the main building wall for storeys located above the established building base height;
- The building base can be built to the side property line utilizing a partiwall to establish a continuous building frontage along the block;
- Provide a minimum building separation distance of 15 metres to another building and a minimum 7.5 metre separation from a shared property line;
- design the streetwall to reinforce a pedestrian scale by creating a sense of enclosure on the street and through the use of repeated or regular appearing building elements such as windows defining the building stories and reinforcing a human scale along the vertical front of the buildings;
- Consider incorporating the following architectural features into the streetwall: high quality materials, including stone and brick; horizontal coursing or banding; transparent windows; articulated building entrances; façade stepbacks and projections; weather protection; detailed building entrance features; and architectural building lighting; and
- For buildings longer than 50 metres create significant articulation (recesses, projections, varied building heights, setbacks) to divide the horizontal dimension of the building to give the appearance of a collection of smaller more fine-grained building elements. Significant articulations of 3 metres deep and 6 metres wide should extend the full height of the streetwall. Where buildings are setback from the side property line, provide windows on all sides of the buildings.

With respect to commercial frontages, Section 4.3.2 provides the following recommendations:

- Design commercial building frontages to foster an animated pedestrian environment with active at-grade uses and high-quality building design;
- The minimum ground floor height for commercial, office and institutional uses is 4.5 metres, recognizing that loading, servicing and mechanical spaces for these ground floor uses may require a height of up to 8 metres;
- Display a high degree of glazing and transparency between the interior and exterior on street level facades and incorporate a minimum of 65% glazing on ground level commercial uses;
- Extend glazing on the ground level along the majority of the ground floor height and ensure it is proportionate to the vertical ground floor height. Two storey retail and commercial frontages are encouraged;
- Locate retail uses at the corner of a building, where possible, with entrances to upper floor uses along the length of a building. Design commercial spaces and lobbies to be flush with the grade of the abutting municipal sidewalk or extension of the property that forms part of the public realm; and
- Incorporate weather protection and canopies along portions of buildings with at-grade commercial uses.

Section 4.5 applies to tall buildings. With respect to tower placement, the document direct that a minimum 3 metre step back between the building base and tower portion on tall buildings facing the public realm should be provided to reduce the prominence and presence of the tower element on the public realm and maintain the pedestrian scale focus on the streetwall. Distinction between the building elements of the building base and tower can be achieved through a change in building material or color, window fenestration and other building design details.

Tall buildings should be oriented to minimize shadow and wind impacts on streets, open spaces and amenity areas and protect for privacy.

With respect to tower floorplate, Section 4.5.1.2 recommends the provision of a slender profile along the floorplate of tall residential building towers to minimize adverse shadowing, maximize sun exposure and enhance the skyline. In this regard, the document recommends the design of slender residential towers with a maximum floorplate of 800 square metres including all floor area within the main walls of the building, but excluding projected balconies to provide open views of the sky from the ground level and to reduce shadow impacts. Where projecting balconies are contiguous and wrap around the entire tower, a decrease in floor plate size or an increase in separation distances may be required. Residential tower floorplates must fit within a 42 m diameter circle to guarantee slender towers, thereby reducing the bulk and impact of tall buildings

Section 4.5.1.3 provides guidance with respect to tower separation. Towers should be designed to incorporate a minimum separation distance of 30 metres between the facing walls of towers, and a minimum of 35 metres for towers taller than 25 storeys. The facing wall condition is defined as the exterior wall of a tower directly facing the exterior wall of another tower, excluding balconies. The distances between towers can be minimum 25 metres where there are no facing walls. It is also recommended to incorporate a minimum 15 metre setback of towers from shared property lines and the centrelines of public streets for towers 25 storeys or less in height to allow for appropriate tower separations with adjacent properties. This separation distance to 17.5 metres may be increased for towers in excess of 25 storeys.

Section 4.5.2 provide the following recommendations with respect to top floor of a tall building:

- top floors should be designed to achieve a distinctive skyline profile.
- Incorporate mechanical uses into the building or screen and setback rooftop mechanical uses to limit visibility from the public realm. Rooftop mechanical space should be integrated into the architectural design of the building.
- Architectural methods such as building articulation and step backs should be used to highlight the top floor of tall buildings while keeping material consistency and composition with the remainder of the building.
- Ensure multiple towers within a block, development site, or within close proximity to each other on abutting sites vary in height from one another by a minimum of 5 storeys (or 25 metres) in order to create a distinctive skyline.

Tall buildings should be designed to allow adequate sun on public streets, parks, POPS, amenity areas and other open spaces to maximize the use and enjoyment of these spaces. This may require adjustments to the building's height, massing, and/or orientation. Additionally, mechanical equipment should be incorporated into the building where possible or set back from roof edges and fully screened to minimize visibility from the public realm and adjacent properties while integrating this element as part of the architectural design of the building top.

Section 4.6.1 directs that building massing should be articulated with modulations, projections, recesses, vertical elements, corner or parapet features. Distinct rooflines, and cornice features at the top of the building base and tower should be considered.

Additionally, the building design should create a balance between the horizontal and vertical elements in building design; reinforce the pedestrian scale by utilizing the most pedestrian-oriented details and strategies along the street wall, and include features such as canopies, setbacks, transparent windows, and articulated entrances; establish a rhythm of transparent and solid materials to provide an attractive, cohesive and coordinated façade design; and avoid large areas of blank or poorly articulated walls.

With respect to bicycle parking, Section 4.7.2 provides that free, safe and convenient bicycle parking should be provided in new developments and around transit stations to support micro-mobility transportation options. Outdoor bicycle parking should be located near building entrances, along streets and along parks in highly visible locations. Indoor bicycle parking located within a parking structure should be within underground parking level 1 and above and should be separated from vehicular parking areas. Indoor bicycle parking should be provided in conjunction with other bicycle amenities, such as repair stations, a changing room, and showers.

With respect to vehicle parking, Section 4.7.3 provides that the majority of commercial, residential, institutional and office parking should be located within an underground structure. Shared parking is encouraged between residential and commercial uses, and visitor parking should be separated from resident parking.

Section 4.7.5 provides that servicing functions, such as garbage storage, should be located internal to the building to ensure these facilities are not visible from the public realm or within view of main building entrances. There should be no servicing, loading or vehicular access along portions of development blocks fronting Cross Avenue, Argus/Davis and Trafalgar Road.



5 Planning & Urban Design Analysis

5.1 Intensification

The proposed residential/mixed-use intensification on the subject site is appropriate, desirable and in the public interest, and should be approved. The proposed redevelopment is consistent with the policy framework set out in the Provincial Planning Statement and conforms with the general intent of the Region of Halton Official Plan and the Livable Oakville Plan, as well as the Council-adopted Midtown Oakville OPA 70, all of which promote significant intensification of lands that are identified as strategic growth areas and sites that are well served by municipal infrastructure, particularly higher-order transit. The proposal will redevelop an underutilized site located within a protected major transit station area and along an arterial road, with a transit-supportive development that promotes active transportation and transit ridership and will contribute to reducing reliance on personal automobiles and the creation of a complete community.

The in-force land use policy framework applicable to the subject site supports the efficient use of land, optimizing existing and planned infrastructure, supporting active transportation, and the production of new housing, which encourage a significantly more intensive, transit supportive built form than what currently exists on the subject site. The proposed intensification of the subject site conforms with the overarching Provincial policy framework and is in keeping with the level of intensification encouraged in the Primary Growth Areas within the Town's in-force Livable Oakville Official Plan.

The proposed redevelopment is consistent with the intensification policies of the 2024 PPS, which places a greater emphasis on increasing the supply and availability of housing in fast and growing municipalities (such as the Town of Oakville) and promotes the efficient use of land and infrastructure to support the achievement of complete communities. Policy 2.3.1.1 of the PPS provides that growth and development will be focused within settlement areas, and where applicable, "strategic growth areas" and "major transit station areas".

The 2024 PPS defines strategic growth areas as the areas identified by municipalities to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. These areas are planned to accommodate significant population and employment growth, be focal areas for education, commercial, recreational, and cultural uses, as well as accommodate and support the transit network and provide connection points for inter- and intra-regional transit and housing, in order to support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development (Policy 2.4.1(2)(a)). Areas such as those along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors, existing and emerging downtowns, among others, fall under the umbrella term of 'strategic growth areas.' Major transit station areas, which are considered a strategic growth area, is the only subset awarded specific policy directions in the PPS. The PPS did not carry forward policies related to urban growth centres, which, in turn elevates the importance of delivering housing and jobs to major transit station areas above other types of strategic growth areas.

The subject site is located approximately 185 metres (radius distance) and approximately 290 metres (walking distance) from the nearest entrance (an approximate 3- to 4-minute walk) of the Oakville GO station and bus terminal. The Oakville GO Station provides direct "higher order transit" connections, including all day, frequent GO Transit commuter rail service and regular VIA Rail and Amtrak rail connections to inter-regional destinations. Furthermore, the Oakville Transit Bus Terminal includes 16 of Oakville Transit's bus routes, which provide transit service to the majority of the Town of Oakville.

Given the subject site's proximity to Oakville GO Station, the site would fall within the definition of a "strategic growth area" and "major transit station area". Policy 2.4.2(2)(c) of the 2024 PPS provides that within major transit station areas on higher order transit corridors, planning authorities shall plan for a minimum density target of 150 residents and job combined per hectare for those that are served by commuter or regional rail. Moreover, the 2024 PPS directs that the boundaries of major transit station areas are to be delineated in a transit-supportive manner that maximizes the number of potential transit users that are within walking distance of the station (our emphasis). In accordance with the approved ROPA 48, the subject site falls within the delineated boundaries of the Midtown Oakville PMTSA, which requires a minimum of 200 residents and jobs combined per hectare. The level of intensification anticipated for Midtown Oakville, a strategic growth area and PMTSA, is further defined through the local planning framework.

From an Official Plan perspective, Midtown Oakville is a prominent location identified for intensification which provides for a concentration of mixed uses and higher densities. Policy 4.1 of Livable Oakville provides that the majority of intensification in the Town is to occur within Growth Areas, which includes Midtown Oakville as one of three Primary Growth Areas that will accommodate the highest level of intensification. Policy 4.2 of Livable Oakville provides that the greatest levels of height and density in the Town are planned for Midtown Oakville. It adds that Midtown Oakville is to be the primary intensification area with employment, commercial, and residential uses concentrated within the major transit station area.

From a built form perspective, Midtown Oakville is intended to have some of the tallest buildings in the Town (Policy 20.4.2(e)). The anticipated level of intensification within Midtown Oakville, as compared to the other Growth Areas, is set in Policies 4.2 and 20.2.3(b), which set out a minimum gross density of 200 residents and jobs combined per hectare. The in-force urban structure policies set out in the current in-force policies of the Livable Oakville Official Plan support the intensification of the subject site, largely due to its proximity to the Oakville GO Station.

From a land use perspective, the Livable Oakville Official Plan designates the subject site as *Urban Core* and *Urban Centre*, which are within the *Mixed Use* land use category. Livable Oakville directs that *Mixed Use* designations provide residential, commercial and office uses in an integrated and compact urban form at higher development intensities. Furthermore, the Livable Oakville Plan promotes higher density development in proximity to municipal services and infrastructure, particularly transit services. In our opinion, the subject site, which is approximately 185 metres northwest of the Oakville GO Station and 465 metres west of the future Trafalgar BRT line, is underutilized in its current form. Residential/mixed use intensification of the subject site will contribute to the policy objectives for Midtown Oakville as a mixed-use centre and will support the existing and future transit infrastructure. Further, the intensification of these lands will support transit ridership, assist in establishing the role of Midtown Oakville as a desirable living area and contribute to the achievement of minimum population and job forecasts.

To that end, the proposed intensification of the subject site with a high-rise mixed use development conforms with the planning directions for strategic growth areas and major transit station areas, as set out in the 2024 PPS. Through the redevelopment of the subject site, new housing and commercial opportunities will be provided on transit-supported lands that are currently underutilized in their current form. The introduction of a mix of uses and unit types will support the use of the existing transit infrastructure, support the need for enhanced local routes and contribute to Midtown Oakville becoming a complete community.

On the foregoing basis, it is our opinion that the proposed gross density of 12.97 FSI contemplated by the proposed development is appropriate and consistent with land use planning policy. The subject site constitutes an appropriate location for significant residential/ mixed-use intensification and would support the achievement and exceedance of the minimum intensification targets and housing pledge set out for the Town of Oakville, and in particular, Midtown Oakville. In this respect, the housing pledge includes the approval of 33,000 new housing units over the next decade (3,330 units per year). As demonstrated above, the in-force Provincial and municipal policy framework directs where growth should be accommodated but does not regulate the limits of density through prescribed numeric ranges and/or caps. We are of the opinion that determining the appropriate degree of intensification for a site or area should be based on the merits of good planning and design, context and urban structure considerations, and an evaluation of impacts on adjacent lands (sun/shadow, light, view, privacy) and local services (such as the surrounding road network and servicing capacity), rather than on the basis of a numeric figure.

In this respect, we acknowledge that Council adopted OPA 70, as well as the Draft Community Planning Permit (CPP) By-law, include minimum and maximum density thresholds. A maximum density of 4.0 FSI has been assigned to the subject site through OPA 70 and the draft CPP by-law. In our opinion, the application of a density cap on the subject site limits the optimization of the lands and does not conform with current provincial land use planning directives for major transit station areas. Section 16(15)(c) of the *Planning Act* provides that the official plan of a single-tier municipality or a lower-tier municipality that, for municipal purposes, forms part of an upper-tier municipality without planning responsibilities may include policies that identify the area surrounding and including an existing or planned higher order transit station or stop as a protected major transit station area and that delineate the area's boundaries, and if the official plan includes such policies it must also contain policies that identify the minimum densities that are authorized with respect to buildings and structures on lands in the area (our emphasis). Of particular note, the *Planning Act* does not require the identification of maximum densities.

Furthermore, as mentioned above, the 2024 PPS also provides minimum density targets for major transit station areas, in particular a minimum density target of 150 residents and jobs combined per hectare for those that are served by commuter or regional rail (Policy 2.4.2(2)(c)) (our emphasis). Policy 6.1(12) of the PPS further directs that density targets represent minimum standards and planning authorities are encouraged to go beyond these minimum targets, where appropriate. At the Regional level, ROPA 49 directs for a minimum density target of 200 residents and jobs combined per hectare for the Midtown Oakville Urban Growth Centre. ROPA 49 demonstrates that the minimum density target for commuter or regional rail set out in the 2024 PPS is indeed a minimum, as it was recognized that Midtown Oakville warrants a higher minimum density target.

The application of density maximums does not acknowledge the variability in the total population forecasted for the Town of Oakville, up to 2051. In the Growth Analysis Study Final Report (November 2024), prepared by Watson & Associates Economics Limited, they acknowledge the three long-range population growth scenarios that have been prepared for the Town of Oakville. The report finds that under the population scenarios forecasted by the Halton Region Joint Best Planning Estimates (August 2023), ROPA 49 and the Town of Oakville, the total population in the Town may range between 350,000 and 433,000 people. The increases in population between today, and 2051 may also vary, as will the proportional population Midtown Oakville will be anticipated to accommodate. Furthermore, the report finds that Midtown Oakville is expected to experience the majority of the development post-2031, with an overall percent share of the Town of Oakville growth of 11 percent from 2021-2025.

As such, it is our opinion that the approach to density within the Council-adopted OPA 70 and the draft CPP by-law does not reflect planning directions within the *Planning Act* and the 2024 PPS for minimum density targets in major transit station areas. In our opinion, the determination of an appropriate scale of intensification for the subject site should be based on an evaluation of good planning and design, context and urban structure considerations, and an evaluation of impacts on adjacent lands and local services. In this respect, **Sections 5.3** and **5.4** of this report provide that the proposed tall building form, including its location and orientation, is contextually appropriate given the site's proximity to higher-order transit, and will not result in unacceptable built form impacts within the subject site and the adjacent properties. The impacts of the proposed development on the existing and future road network, as well as water and sewer infrastructure are summarized in **Sections 5.6** and **5.7** below.

5.2 Land Use

The proposed residential/mixed use development will contribute to the evolution of Midtown Oakville from a car-oriented commercial area predominantly comprised of big-box retailers into a transit-oriented complete community, in accordance with provincial and municipal policy direction. Moreover, the proposed uses, which include both residential and commercial uses are permitted within the land use permissions set out in the Livable Oakville Official Plan, which permits a broad range of residential, commercial, and open space uses on the site. The proposed mix of uses will serve both existing and future residents in the surrounding community.

As discussed in **Section 4.12** of this report, Livable Oakville provides that the Midtown Growth Area will absorb a significant amount of intensification through a mix of uses, including retail/commercial, community uses and housing. Livable Oakville provides that mixed use development will be focused on lands located within the Growth Areas and along identified corridors. Midtown Oakville is intended to be developed as a mixed-use centre with transit supportive development. Moreover, Section 20 of Livable Oakville provides that Midtown Oakville will be developed as a new complete community with a mix of residential, commercial, employment, civic, institutional, cultural, and recreational uses, complemented by public open space. Furthermore, Policy 20.3.3 provides that the Lyons District is to evolve from its current focus on strip malls and large format retail uses into a compact mixed-use neighbourhood. In our opinion, the proposed mix of uses in a compact transit-oriented built form conforms with this policy direction, and the *Urban Core* and *Urban Centre* land use designations. The proposed development is consistent with the planned mix of residential, non-residential, and community-oriented uses anticipated for the subject site.

With respect to the policies of the Council-adopted Midtown Oakville OPA 70, its policies support the provision of a mix of residential and non-residential uses to create a transit-supportive community. In this respect, OPA 70 designated the subject site as *Urban Core,* which permit the proposed residential and non-residential uses on the subject site. While OPA 70 is not yet approved by the Ministry and therefore it is not in force and effect, it is our opinion that the proposed development is in keeping with the overarching land use objectives of the Council-adopted OPA 70, which is to achieve a range and mix of uses within Midtown to create a complete community. The proposed development will contribute to the diversification of land uses in Midtown through the provision of new residential units and commercial uses.

With respect to housing, the proposed development will provide for a range of housing options for existing and future Town residents and will contribute to the diversification of the overall housing stock across the Town. The proposed development will provide an opportunity for residents to live close to commercial uses, services and employment, as well as promote access to public or active transportation routes. A total of 429 residential dwelling units are proposed, 34.3 percent of which will be two- and three-bedrooms units.

We acknowledge that the approved Official Plan Amendment No. 77 ("OPA 77") introduces policies enabling Inclusionary Zoning (IZ) within PMTSAs (including Midtown Oakville). Among other matters, OPA 77 provides that the implementing by-law shall establish either a maximum number of units or gross floor area that may be required to be inclusionary zoning housing units, not exceeding 5 per cent of the total residential units that are part of the development or redevelopment, or 5 per cent of the total floor area of all residential units that are part of the development or redevelopment, not including common areas. Additionally, inclusionary zoning housing units would be required to be maintained as affordable for a period not exceeding 25 years. Future IZ By-laws will be context-specific and developed through additional public consultation. While OPA 77 was adopted by Oakville Council, the Town has not yet adopted an IZ By-law that would bring the policies into force and effect.

The proposed residential uses will also be complimented by the retail/commercial uses proposed within the podium building on the ground floor, which will activate the Cross Avenue frontage and the future local road to the immediate east of the site. Moreover, by consolidating all servicing and loading activities in the rear portion of the building, the street frontages can be reserved for non-residential activation, and enhancements to the public realm experience for pedestrians and residents of the building.

While OPA 70 is not yet in-force, Policy 20.4.2(i) directs that new development shall provide a minimum of 12 percent of the total proposed gross floor area as non-residential uses, such as cultural, community, retail, commercial, and/or office, integrated within a mixed-use building or as a stand-alone building. Policy 20.4.2(ii) further provides that the minimum non-residential requirement may be modified on a case-by-case basis, without an amendment to the Official Plan, provided that a Non-Residential Needs Analysis demonstrates that an alternative amount of non-residential use within the applicable Precinct can support the long-term employment objectives of this Plan.

In this regard, the proposed development contemplates a total of 580.5 square metres of commercial GFA, which is located at-grade fronting on Cross Avenue. While the overall proportion of proposed non-residential GFA is less than 12 percent of the overall GFA of the proposal, it is our opinion that the proposed development meets the intent of this policy by incorporating commercial uses that will contribute to employment opportunities in Midtown Oakville. In this respect, the provision of the commercial space within the proposed development will contribute to the evolvement of Midtown Oakville into a mixed-use complete community. As new development is introduced in Midtown Oakville, additional commercial and community uses will be provided, further contributing to the development of Midtown Oakville as a transit-oriented, complete community.

Furthermore, in support of the proposed development, a Non-Residential Needs Analysis has been prepared by Parcel Economics Inc., which demonstrates the demand for a proposed mixed-use residential and commercial development, and evaluates its anticipated impact on existing and planned commercial areas. The Non-Residential Needs Analysis concludes that the proposed commercial gross floor area is appropriate from a market demand and impact perspective. The Study is summarized in **Section 5.8** of this report.

From a zoning perspective, the subject site is zoned Midtown Transitional Commercial (MTC), in accordance with By-law 2014-014. In this regard, the MTC zone permits a range of retail, service commercial, office, open space and community uses, but does not permit residential uses. It is our opinion that the existing zoning framework applicable to the subject site is outdated, and does not reflect the provincial or municipal policy directions for land use planning which seek to provide for a mix of land uses, including residential, on lands that are in proximity to higher-order transit. Moreover, the existing zoning does not conform with the Town's vision for Midtown Oakville as contemplated in the current Livable Oakville Official Plan or Council-adopted Midtown Oakville OPA 70.

Additionally, we acknowledge that the Draft Community Planning Permit (CPP) By-law identifies the subject site as being located within the Midtown Urban Core (MUC) zone. The MUC zone permits a variety of uses such as parks and open spaces uses, commercial and employment uses, including retail and office uses, as well as residential uses, such as apartments dwellings, and prescribes a variety of built form standards with respect to building density, height, and separation distances. Although we are supportive of the land use permissions being expanded to include residential uses on the subject site, it is our opinion that the built form standards prescribed by the Draft CPP By-law do not reflect the Province's nor the Region's or Town's policy directions for land use planning which seek to provide for greatest intensification on lands that are in proximity to higher-order transit, particularly major transit station areas. Optimizing the subject site with a tall building exceeding the maximum of 20-storeys as prescribed in the Draft CPP By-law would be in keeping with current land use policies that seek to make efficient use of land and investments made in transit infrastructure. **Section 5.3** and **5.4** of this report describe the appropriateness of the proposed building height, massing, and density, and evaluate built form impacts on surrounding properties in further detail.

In our opinion, the proposed development contemplates a mixed use development that conforms with Provincial policies and plans, the Regional Official Plan, and in-force Livable Oakville with respect to the permitted land uses. The proposed mix of residential and commercial uses is in keeping with the *Urban Core* and *Urban Centre* designations within the existing policies of Livable Oakville Official Plan, and the *Urban Core* designation in the Council-adopted OPA 70, and will contribute to the goals and objectives for Midtown Oakville Growth Area.

5.3 Height, Massing & Density

In our opinion, and as noted in **Section 5.1** of this report, the subject site is an appropriate and desirable location for significant mixed-use intensification in land use policy terms. From a built form perspective, the subject site is a contextually appropriate location for tall buildings given its location within a strategic growth area, a delineated major transit station area anchored by existing higher-order GO Transit and the future BRT Line along Trafalgar Road, and its location within an area planned to accommodate growth as defined by the Livable Oakville Official Plan.

In this respect, it is our opinion that the proposal is in keeping with the anticipated locations for tall buildings, and that the proposed height of 38-storeys (131.5 metres, including a 7.0-metre mechanical penthouse), is appropriate and would fit harmoniously with the anticipated emerging height context in Midtown Oakville.

From an urban structure perspective, the Livable Oakville Official Plan provides the framework for directing population and employment growth within the Town's built-up area. In accordance with the Official Plan, growth is to occur primarily within the defined Growth Areas, with the highest level of intensification accommodated within Primary Growth Areas, which include Midtown Oakville, the Uptown Core and Palermo Village. Building heights are anticipated to peak within the Midtown Oakville Growth Area, with lesser heights and densities within the Uptown Core and Palermo Village Primary Growth Areas. Policy 4.2 of the Official Plan provides that the greatest level of height and density for the Town are planned for Midtown Oakville. The operative phrase in this policy is "the Town", which sets out a clear directive that building heights in Midtown Oakville will be greater than those elsewhere, not just amongst the Growth Areas. The height hierarchy for Growth Areas is further supported by the permitted height ranges set out in Schedules L1 of Livable Oakville and summarized in **Table 5.**

Table 5 - Height Permissions in Oakville's Growth Area

Location	Growth Area	Public Transit Service	Minimum Height*	Maximum Height*	Approved Height(s)
Midtown Oakville	Primary Growth Area	GO Transit & Bus Station Oakville Transit Bus Service	2 storeys	20 storeys**	56-storeys (Oakville TOC, MZO)
Uptown Core	Primary Growth Area	Oakville Transit Bus Service	2 storeys	18 storey (22 storeys) **	31-storeys (OLT Approved) ***
Palermo Village	Primary Growth Area	Oakville Transit Bus Service	2 storeys	8 storeys (10 storeys for corner sites)	8-storeys

** Minimum and maximum heights account for all land use designations in the Growth Area*

*** Additional height, without limit or an OPA, can be achieved in exchange for community benefits. Maximum of 4-storeys in the Uptown Core*

**** OPA application filed to increase the height to 34-storeys*

When these three areas are examined as a whole, it is evident that Midtown Oakville is intended to accommodate the greatest heights of the three Primary Growth Areas, as evident in the maximum height permissions as well as the approved heights within each of the growth areas. We acknowledge that the difference in maximum height between the Uptown Core and Midtown Growth Areas is only 2-storeys, however, when comparing the height bonusing policies applicable to both areas, it is evident that the Town policies direct the tallest buildings to Midtown Oakville. In this respect, additional height permitted for developments in the Uptown Core Growth Area is capped at 4-storeys without an amendment to Livable Oakville, whereby there is currently no height cap applicable to Midtown Oakville. In this regard, the Livable Oakville Plan is anticipating that heights greater than 20-storeys can, and will, be achieved in Midtown Oakville, in exchange for public benefit. The absence of a height cap is indicative of how Midtown Oakville Growth Area is differentiated from the other two Primary Growth Areas from a municipal land use policy perspective.

Furthermore, the building heights that currently exist or are approved within each of the Growth Areas exceed those prescribed by Livable Oakville. There have been recent development approvals within the Uptown Core Primary Growth Area that exceed the maximum height permissions, including towers up to 25-storeys at 278 Dundas Street East (currently under construction), and 26-storey and 31-storeys at 256, 260, and 294 Hays Boulevard and 271 Oak Park Boulevard (see **Table 5**). Further to this, outside of the Growth Areas within North Oakville, two 30-storey towers have been approved at 3064 Trafalgar Road. While not an identified Growth Area, the approved building heights at 3064 Trafalgar Road are greater than those planned for Midtown Oakville through the in-force policies.

At the Provincial level, the Midtown Oakville Growth Area would be considered a strategic growth area, in accordance with the 2024 PPS, and is located within the boundaries of a delineated major transit station area. Unlike the other areas of the Town expected to accommodate growth, the Provincial policies elevate Midtown Oakville in the hierarchy of Primary Growth Areas. This Provincial directive is also evident in the approval of the Oakville TOC whereby the Minister issued Ministerial Zoning Orders approving heights which range between 45 storeys at the low end up to 56-storeys in the Oakville TOC.

As the baseline building heights are increasing within, and outside the Growth Areas, we are of the opinion that the proposed height of 38-storeys is appropriate for the subject site and Midtown Oakville.

Unlike the other Primary Growth Areas, Midtown Oakville is not prescribed a maximum number of additional storeys in exchange for public benefits, as set out in Policies 20.7.2 and 30.8 of Livable Oakville. It is our opinion that it would be reasonable to expect that height ranges in Midtown Oakville will exceed those permitted and approved in other primary Growth Areas including Uptown Core (up to 31-storeys), and outside primary Growth Areas (up to 30-storeys), subject to achieving appropriate fit and built form relationships. In consideration of the land use policy and built form context, it is our opinion that the proposed height up to 38-storeys for the subject site is contextually appropriate for a higher-order transit node and would fit with the emerging pattern of tall building heights exhibited within Midtown Oakville, including the approved Oakville TOC, which includes heights up to 56-storeys, as well as other major transit stations in the Greater Toronto Area ("GTA").

Table 6 - Proposed/Approved Developments in Major Transit Station Areas

Property Address	MTSA / PMTSA	Transit Service	Distance from Station	Tower Height(s)		Floor Plate Size	Status
				Max	Min		
High Tech Station TOC*	High Tech Station (Richmond Hill)	TTC Subway Station (Line 1 - Yonge University) **	Connected to station	80 storeys	40 storeys	850 m^2	Approved
Bridge Station TOC	Bridge Station Transit-Oriented Community (Markham)	TTC Subway Station (Line 1 - Yonge University)**	Connected to station	80 storeys	5 storeys	N/A	Proposed
101 Edgeley Blvd	Vaughan Metropolitan Centre	TTC Subway Station (Line 1 - Yonge University) Bus Terminal	180 m	62 storeys	19 storeys	760 - 850 m^2	Proposed
3131 Highway 7	Vaughan Metropolitan Centre	TTC Subway Station (Line 1 - Yonge University) Bus Terminal	150 m	74 storeys	43 storeys	850 - 940 m^2	Proposed
TOC Lands*	Oakville GO Station	GO Train and Bus Station	150 m	56 storeys	45 storeys	815 - 850 m^2	Approved
950 Portage Pkwy, 5 Buttermill Ave, and 895 Portage Pkwy	Vaughan Metropolitan Centre	TTC Subway Station (Line 1 - Yonge University) Bus Terminal	100 m	55-storey towers (three)	-	N/A	Approved / Existing
One The Esplanade (Pickering City Centre Master Plan)	Pickering GO Station	GO Train and Bus Station	300 m	55 storeys	9 storeys	N/A	Approved
1470 Bayly St	Pickering GO Station	GO Train and Bus Station	290 m	54 storeys	46 storeys	845 - 847 m^2	Approved
2 University Blvd*	Unionville GO Station	GO Train and Bus Station	230 m	49 storeys	35 storeys	N/A	Proposed
1786 & 1790 Liverpool Rd	Pickering GO Station	GO Train and Bus Station	350 m	48 storeys	-	N/A	Approved
25 & 33 Hillcrest Ave and 3146, 3154 & 3168 Hurontatrio St	Cooksville GO Station	GO Train and Bus Station	200 m	42 storeys	35 storeys	N/A	Approved
570 Enterprise Blvd	Unionville GO Station	GO Train and Bus Station	500 m	44 storeys	36 storeys	N/A	Approved (Under Construction)
3085 Hurontario St	Cooksville GO Station	GO Train and Bus Station	400 m	39 storeys	31 storeys	650 - 800 m^2	Proposed
420 South Service Rd	Oakville GO Station	GO Train and Bus Station	800 m	38 storeys	5 storeys	800 m^2	Approved
118-132 Cross Ave	Oakville GO Station	GO Train and Bus Station	185 m	38 storeys	-	794 m^2	Proposed
2243 & 2269 Fairview St and 864 Drury Ln	Burlington GO Station	GO Train and Bus Station	350 m	37 storeys	29 storeys	890 m^2	Approved
130 Thompson Rd S	Milton GO Station	GO Train and Bus Station	330 m	31 storeys	27 storeys	N/A	Approved (Under Construction)

In this respect, our office studied seven other major transit areas in the GTA that are served by higher-order transit, such as GO Rail or the TTC Subway, to understand the height contexts within similar areas that are targeted for growth. Bousfields Inc. conducted a review of the existing, proposed, and approved heights ranges and height peaks in PMTSA and MTSAs in the Cities of Burlington, Milton, Pickering, Mississauga, Vaughan, Markham and Richmond Hill. The developments outlined in **Table 6** are serviced by both GO Transit and TTC Subway Lines (existing and proposed). It is our opinion that GO Rail Transit and Subway Service have similar operational characteristics, in that they both serve two-way travel, and provide riders with connections to other local and regional transit lines in comparable travel times. In addition, from a Provincial policy perspective, both forms of transit are considered "higher order transit"

As illustrated in **Table 5**, it was found that approved height peaks (i.e. the tallest towers) ranged between 31-storeys surrounding Milton GO to 80-storeys around High Tech Subway Station in Richmond Hill. Furthermore, proposed height peaks ranged between 39-storeys surrounding the Cooksville GO Station to 80-storeys surrounding the future Bridge Point TTC Subway Station. Additionally, proposed tower height peaks within the approved Oakville TOC, which is located approximately 100 metres northeast of the subject site, ranged between 45 storeys up to 56-storeys. With this considered, it is our opinion that the tower heights in the proposed development would be in keeping with the emerging pattern of intensification of lands within major transit station areas across the GTA and within Midtown Oakville.

** Projects Part of the TOC Programme*

*** Future TTC Subway Station (Extension of Line 1 - Yonge-University)*

With respect to developments within Midtown Oakville, recent development proposals are contemplating building heights that range from 35-storeys to 56-storeys. In this respect, the recently approved development at 420 South Service Road East, which is on the east side of Trafalgar Road, approximately 800 metres (radius distance) from the Oakville GO Station, includes ten mixed-use buildings with 14 towers up to 38-storeys in height. Within closer proximity to the subject site and Oakville GO, the Oakville TOC approval includes a total of 11 towers with heights ranging from 45- (166.2 metres, including a 14.0-metre mechanical penthouse) to 56-storeys (186.1 metres, including an 11.5-metre mechanical penthouse) (see **Table 7**)

Table 7 - Oakville TOC Approval Building Heights (Storeys and Metres)

Oakville TOC Proposal	Building Heights (Storeys)	Building Height (Metres)
Site 1 (217 Cross Ave)	49, 52 & 56-storeys	181.0 m, 186.1 m & 200.1 m
Site 2 (157 Cross Ave)	52 & 56-storeys	195.2 m & 183.4 m
Site 3 (166 South Service Rd)	49, 50 & 56-storeys	174.75 m, 178.0 m & 202.3 m
Site 4 (590 Argus Rd)	45, 51 & 56-storeys	166.2 m, 184.4 m & 200.2 m

The proposed height of 38-storeys on the subject site fits within the range of heights approved in Midtown Oakville and in particular, is in keeping with the recent Council approval at 420 South Service Road East which includes tower heights up to 38-storeys.

The proposed height is also evaluated with respect to its built form impacts, and in particular, sunlight access, sky view and privacy. As discussed in **Section 5.4** of this report, the siting of the proposed tower and the overall height will not result in unacceptable built form impacts within the site or with respect to surrounding properties, and accordingly, will achieve appropriate light, view, and privacy conditions to adjacent existing and potential future buildings in the surrounding area. Additionally, the location, size, and orientation of the tower element has been designed to mitigate shadow impacts on adjacent areas, maximize sky views and ensure that the proposal does not impede on the development potential of adjacent lands. In this regard, the tower has been sited in the northeast portion of the subject site, in order to preserve the tower development potential of the sites to the west and south, as well as activate the Cross Avenue frontage.

An Urban Design Brief (UDB) has also been prepared by Bousfields Inc. and submitted in support of this application and provides a comprehensive analysis of the suitability of the subject site for a 38-storey building. It further illustrates how the proposed height and massing are appropriate given the site's location, size, and configuration, and how it would relate to the future developments in the area, which as illustrated in the UDB, would consist of a transit-supportive neighbourhood comprised of tall and midrise buildings.

With respect to the Council-adopted OPA 70 and Draft CPP By-law, both use maximum density (floor space index) and height to control the built form within Midtown, assigning a maximum height of 20-storeys and a maximum density of 4.0 FSI. It is our opinion that the height maximum applied to the subject site is a departure from the wider height hierarchy intended to exist amongst the Primary Growth Areas. As previously discussed, optimizing the subject site, which is in proximity to the existing GO Station, and future BRT Line, and proposed tall buildings exceeding 20-storeys would be in keeping with current land use policies that seek to make efficient use of land and investments made in transit infrastructure.

Furthermore, our office has reviewed the previous iterations of the draft OPA (released in May 2022, May 2023, April 2024 and more recently in September and December 2024) and opine that the Town has incrementally directed for the deintensification of Midtown. While the first iteration of the draft OPA contemplated maximum building heights of up to 255 metres, which is equivalent to approximately 80-storeys, followed by a draft version which removed maximum heights, more recent draft OPA's have decreased the level of intensification envisioned for Midtown.

Additionally, the building heights established in the Council-adopted OPA 70 and proposed in the Draft CPP By-law are lower than what has been approved in the Uptown Core Growth Area as well as lands outside of the identified Growth Areas, which are not identified as major transit station areas nor served by served by existing or planned higher order transit.

While OPA 70 and the Draft CPP By-law allow for additional height to be achieved in exchange for community benefits, these policy documents continue to use density as the determinative metric for appropriate intensification. In consideration of the subject site' proximity to existing and planned higher-order transit, as well as from a Town-wide urban structure perspective as discussed above, it is our opinion that building heights on the subject site greater than the 20-storeys is supportable, and that the ultimate scale and massing of a tall building should be informed by appropriate built form and urban design principles, as well as conformity to the urban structure hierarchy already in place within Oakville. That being said, at the time this report was written, OPA 70 was not in force and effect, making it a document that may inform land use decisions, but is not determinative. We also acknowledge that the draft policies may be altered or amended by the Minister of Municipal Affairs and Housing. Moreover, the CPP By-law for Midtown Oakville will need to conform to OPA 70 as ultimately approved by the Minister, and accordingly, may also be altered or amended in accordance with minister modifications to OPA 70.

For the purposes of this application, the current Livable Oakville Plan is the determinative document from a municipal policy perspective. Our comments regarding the Council-adopted OPA 70 policies pertaining to the prescribed height and density maximums have been filed with the Town and the Province, under a separate cover.

From a massing perspective, it is our opinion that the scale of the proposed development will respond appropriately to its existing and planned surrounding context through the siting of the podium building, orientation of the tall building element, massing articulation, floor plate size and separation distances. The design of the building has had regard for the existing and future street network, including Cross Avenue and the future local road to the east, and has been designed to frame, activate, and urbanize surrounding streets to foster a vibrant pedestrian-oriented public realm. The proposed building will employ a podium-tower configuration that provides for a comfortable street wall condition along Cross Avenue, in addition to an appropriately sized and oriented tower that minimizes the built form and visual massing impacts on the public realm. In this regard, the proposed building will be comprised of two elements: a 5-storey podium building and a 33-storey tower element above.

The podium building will be 5-storeys (20.0 metres) in height which is an appropriate scale and size to respond to the nature of uses contained within, as well as provide for an appropriate built form relationship with existing and future right-of-way widths. In this respect, Cross Avenue has a planned right-of-way width of 36.0 metres, and the future local road to the immediate east has a planned right-of-way width of 22.0 metres.

The podium building will also be articulated with a combination of setbacks and stepbacks that will provide for an appropriate streetwall condition and comfortable public realm along Cross Avenue as well as the future Local Road to the immediate east of the subject site.

At grade, the podium is set back a minimum of 7.9 metres from Cross Avenue to the north, providing for the required road widening and resulting in a total curb-to-building face set back of approximately 11.3 metres. The proposed setbacks at grade will provide for a sufficiently wide and comfortable sidewalks that feature a 3.5-metre pedestrian walkway, 2.0-metre cycle track, as well as landscape features including a boulevard with vegetation and furnishing, and 4 street trees. To the west and south, the podium will be set back a minimum of 3.0 metres. To the east, the podium will be set back a minimum of 3.0 metres, which will provide for sufficient space to accommodate public realm improvements along the future Local Road.

Above grade, the podium building includes a consistent 1.2 metres stepback on Level 2. On Levels 3-5, portions of the building cantilever by 1.2 metres to the north, providing articulation in and variation in the building massing, creating visual interest along the Cross Avenue frontage.

To the east, the podium continues to be set back a minimum of 3.0 metres on Level 2, and on Level 3 a step back of 1.2 metres is provided, resulting in a minimum setback of 4.2. metres from the east lot line. To the south, the podium is set back 3.0 metres at grade, and on Level 2 the building takes an "L"-shape and a setback of 7.8 metres is provided in the western portion of the site, resulting in a setback of 10.8 metres, and providing for an outdoor amenity terrace. To the west, a 3.0 metre setback is maintained on Levels 2-5.

Accordingly, it is our opinion that the 5-storey podium building is appropriately situated on the site and will provide sufficient setbacks and separation distances between adjacent lot lines and buildings that will reduce visual massing impacts and provide for a comfortable pedestrian environment.

The proposed tower element (Levels 6-38) will be sited at the northeast portion of the podium building and will be clearly defined from the podium below through the provision of a vertical reveal that would create a visual break from the podium and tower element as viewed from Cross Avenue. To the east, the tower element is clearly defined through the provision of an additional 1.8 metre stepback at Level 6, resulting in a 6.0 metre setback from the east lot line, adjacent to the future Local Road to the east. To the south and west, the tower element is set back a minimum of 12.5 metres from both property lines to ensure that should the lands to the south and west redevelop, a minimum 25 metre tower separation distance to be achieved, which in our opinion is an appropriate separation distance between tall buildings.

The proposed tower element is rectangular in shape and will have a length of 47 metres and a width of 17 metres, resulting in a floor plate size of 794 square metres of gross construction area (GCA). We acknowledge that the Liveable by Design Urban Design Manual recommend towers do not exceed a floor plate size of 750 square metre, and that Designing Midtown Oakville encourages tower floor plates to generally fit within a 40-metre diameter circle, taken from the centre point of the tower. The purpose of these guidelines is to encourage a tower form that limits negative light, view and privacy impacts to other buildings on or adjacent to a site but is not the sole approach to achieving negative light, view and privacy impacts. In our opinion, the size, location and orientation of the proposed tower accomplish this objective, despite exceeding the recommended floor plate size of 750 square metres.

In our opinion, the 40-metre diameter guideline restricts the size and configuration of towers in a manner that limits their ability to fit within its site or context, constrains the optimization of units per floor, and the achievement of larger-sized and functional units. The subject site will have a floor plate of approximately 794 square metres GCA in size (on average) which allows for the efficient use of each floor to accommodate a range of housing unit sizes while still achieving appropriate tower separation distances between potential towers on adjacent sites. As these are guidelines, and not policies that require conformity, it is our opinion that the proposed development meets the general intent and purpose of these guidelines. Built form impacts stemming from the introduction of a tower form on the subject site have been mitigated through tower orientation, placement and positioning on the site.

With respect to density, in our opinion, the proposed density of 12.97 FSI is appropriate and desirable. As discussed in **Section 5.1** of this report, there is a clear policy direction to optimize density on sites suitable for intensification. The most appropriate density should, in our opinion, be reflective of the existing and planned development context, urban structure considerations, the applicable urban design guidelines and the resulting built form. The proposed density of 12.97 FSI provides for a built form which has minimal impacts on adjacent land uses and respects the provincial and Town direction for achieving the minimum density targets set out for the Oakville GO PMTSA.

Moreover, we note that there is currently no in-force policy that sets out maximum density for the subject site. While the Council-adopted OPA 70 established a maximum density of 4.0 FSI for the subject site, as noted in **Section 5.1** this report, the policy is not currently in-force. Furthermore, it is our opinion that the application of a density cap on the subject site may limit the optimization of the lands and does not conform with current provincial land use planning directives for major transit station areas. It is further our opinion that it is reasonable to establish the appropriate density based on specific built form design, context and urban structure considerations, rather than on the basis of density numbers. As discussed in **Section 5.4**, the configuration of the site, including tower location and positioning, will not result in unacceptable built form impacts within the site and the adjacent properties.

The development proposal will generate approximately 615 residents[1], which will contribute to the minimum growth target of 20,000 residents and jobs (200 people and jobs per hectare) required for Midtown Oakville.

1 This figure was determined using the standards and ratios outlined in the Town of Oakville 2021 Development Charges Update Study. A PPU of 1.94 was applied to 2+ bedrooms, and a PPU of 1.17 was applied to Bachelor and 1 bedroom units.

5.4 Built Form Impacts

It is our opinion that the proposal would not result in unacceptable built form impacts on surrounding properties, streets or internally within the site.

Light, View & Privacy

Light, view and privacy (LVP) impacts are generally addressed through a combination of spatial separation, orientation and mitigating measures between buildings. The urban design policies in Section 6 of the Livable Oakville Plan and the guidelines in the Livable by Design Manual and Designing Midtown Oakville (2013 and 2025) guidelines have been reviewed, and it is our opinion that the proposed development conforms to the policies and has appropriate regard for guidelines addressing LVP impacts that may arise on the site, as well as impacts from the proposal to adjacent properties. In our opinion, the LVP impacts will be appropriately limited given the proposed tower separation distances, and setbacks as well as siting of the proposed tall building element.

From an Official Plan perspective, the Livable Oakville Plan provides that buildings should be sited to ensure maximum solar energy, adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties and avoid excessive shadows (Policy 6.9.15). While not in force and effect, Council-adopted OPA 70 states that the distance between the facing walls of towers should be a minimum of 30 metres at the tower base and be a minimum of 35 metres above the 25th storey, as applicable (Policy 20.5.1(g)(vi)). OPA 70 also requires that the distance between facing walls of podiums, where there are windows on both building faces, should be a minimum of 15 metres (Policy 20.5.1(g)(vii)). The Draft CPP By-law provides the same requirements for tower separation at the tower base and above 25 storeys, and directs that a reduction in tower separation requirements may be permitted when towers are offset from each other, and in accordance with Urban Design Guidelines.

With respect to the Towns current guidelines, Guideline No. 27 of the Liveable by Design Urban Design Manual directs that to provide enhanced privacy for building units and access to sky views and sunlight, a minimum separation distance of 25 metres between building towers, whether located on the same or an adjacent property, be incorporated. In contrast, Guideline 6.1.3.2(3) of Designing Midtown Oakville (2013), provides that there should be a minimum separation of 30 metres between any two tower elements with less than 30-storeys, a minimum of 50 metres between towers over 30-storeys, and 25 metres between convex towers. Moreover, Guideline 4.5.1.3 of the Designing Midtown Urban Design Direction (2025), provides that towers should be designed to incorporate a minimum separation distance of 30 metres between the facing walls of towers, and a minimum of 35 metres for towers taller than 25 storeys.

We acknowledge the inconsistency between the directives set out in the Liveable by Design Urban Design Manual, Designing Midtown Oakville, Designing Midtown Urban Design Direction, and the OPA 70 policy and Draft By-law. While OPA 70 was adopted by Council, it remains in draft before the Minister of Municipal Affairs and Housing for final approval. Similarly, while the Designing Midtown Urban Design Direction was endorsed by the Planning and Housing Committee, it has not been endorsed by Council. Moreover, the final form of the Draft CPP By-law will need to conform to OPA 70 as ultimately approved by the Minister, and accordingly, may be altered or amended in accordance with minister modifications to OPA 70.

In this regard, the Liveable by Design Urban Design Manual, which was released more recently in 2019, is the document that is currently in-force and is representative of the current urban design direction for new developments within the Town of Oakville, including Midtown Oakville. Achieving a tower separation distance of at least 25 metres is appropriate and would be in keeping with current architecture and urban design best practices. However, we also recognize the intent and purpose of draft Policy 20.5.1(g)(vi) of OPA 70, which strives to achieve a balance between appropriate light, sky view and privacy conditions without compromising the efficient use of lands in proximity to higher order transit. In this respect, we are of the opinion that the proposed development is in keeping with the guideline of Liveable by Design Urban Design Manual by providing for a minimum tower separation distance of 25 metres between adjacent potential tower sites and has appropriate regard for the emerging draft policy of OPA 70 and the Draft CPP By-law.

In this respect, both the podium and tower element have been sited and designed to mitigate shadow impacts, limit direct facing conditions between dwelling units and to achieve tower separation distances of 25 metres on adjacent lands.

With respect to the podium element, it will be set back a minimum of 7.9 metres from the north lot line, adjacent to Cross Avenue. By virtue of the 36-metre planned right-of-way width of Cross Avenue, combined with the proposed building setback, north-facing windows within the podium would have a minimum separation distance of a minimum of 36.0 metres from both existing and the proposed south-facing windows of the buildings on the north side of Cross Avenue. In our opinion, this separation distance is more than appropriate.

To the east, the podium element is set back a minimum of 3.0 meters on Levels 1-2, increasing to 4.2 metres on Levels 3-5 from the east lot line. Considering the existing condition, the two-storey commercial building to the immediate east of the subject site at 136 Cross Avenue is setback a minimum of 2.0 metres from its west lot line (abutting the subject site), resulting in a minimum separation distance of 5.0 metres from Levels 1 and 2, and a minimum separation distance of 6.2 metres from Levels 3 to 5, which in our opinion is appropriate. Furthermore, as discussed previously, the lands to the east will form part of a future Local Road with a planned right-of-way width of 22 metres. By virtue of the future 22-metre right-of-way width, east-facing windows within the podium will have a minimum separation distance of 25.0 metres from any future west-facing windows on the east side of the future Local Street, which in our opinion, is appropriate.

To the south, Levels 1 and 2 will be setback 3.0 metres from the south lot line. Levels 3 to 5 will be set back a minimum of 10.8 metres from the south lot line. The existing condition to the south includes a surface parking area for Metrolinx. Should the lands to the south redevelop, a podium setback would be required, thereby achieving an appropriate separation distance between facing windows.

Finally, to the west, the podium element is setback 3.0 metres from the west lot line, with a blank wall condition on Levels 1 and 2 to mitigate privacy and overlook concerns.

With respect to the tower element, it will be sited at the northeastern portion of the site. The tower element will be setback 7.9 metres from the north property line along Cross Avenue. Similar to the podium building below, by virtue of the planned right-of-way width of 36 metres for Cross Avenue, the north facing windows will have a minimum separation distance of a minimum of 36.0 metres from both existing and the proposed south-facing windows of the buildings on the north side of Cross Avenue, which in our opinion, is appropriate.

To the east, the tower element is setback a minimum of 6.0 metres from the east lot line. Given that the lands to the east will form part of a future Local Road, the minimum separation distance between any west facing windows for future developments to the east would be 26.0 metres, exceeding 25 metres.

To the south and west, the tower element is setback a minimum of 12.5 metres. Should the lands to the south and west redevelop, they would be required to provide a similar setback of 12.5 metres, resulting in a minimum separation distance of 25 metres between towers.

Based on the foregoing analysis, it is our opinion that the siting of the building on the subject site would provide adequate separation distance to achieve light, view and privacy conditions to adjacent properties. The orientation of the tower element has been designed to mitigate shadow impacts on adjacent areas and maximize sky views, to not preclude the redevelopment of adjacent properties.

Shadow Impacts

A Shadow Study has been prepared by Bousfields Inc. in support of the proposed development and includes shadows resulting from the proposed development on April 21st, June 21st, September 21st and December 21st, in accordance with Town of Oakville's Terms of Reference.

Policy 6.9.15 of the Livable Oakville Plan provides that buildings are to be sited to ensure maximum solar energy, adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties and avoid excessive shadows. The shadows cast from the proposed development are demonstrated in the shadow study and are summarized below:

- On April 21st, incremental shadow impacts from the proposed development are cast on the commercial properties to the north and an approved tall building to the northwest of the subject site between 7:56 a.m. and 8:56 a.m. Between the hours of 9:56 a.m. and 12:56 a.m., the proposed development casts shadows on Cross Avenue and on the commercial properties to the north. In the afternoon, between 2:56 p.m. and 6:39 p.m. the proposed development casts shadows on commercial properties to the east and the Oakville GO Station parking area to the south.
- On June 21st, the proposed development casts shadows on Sixteen Mile Creek only at between 7:08 a.m. and 8:08 a.m. A sliver of a shadow is then cast on the commercial properties to the north between the hours of 9:08 a.m. and 12:08 p.m. In the afternoon, a minor sliver of a shadow is cast on the commercial properties to the east and the Oakville GO Station parking area to the south between 1:08 p.m. and 6:08 p.m., and later in the evening between 7:08 p.m. and 7:33 p.m. incremental shadows are cast on Old Mill Parkette.

- On September 21st, shadow impacts from the proposal are cast on the neighbourhood uses to the north only at 8:36 a.m. Between 9:36 a.m. and 1:36 p.m. the proposed development results in incremental shadows on the commercial properties to the north. Between 2:36 p.m. and 5:47 p.m., the proposed development casts incremental shadows on Cross Avenue, the commercial properties to the east, and Oakville GO Station parking area.
- On December 21st, incremental shadow impacts from the proposed development occur on the neighbourhood to the north of the QEW at 9:19 a.m. only. Between 10:19 a.m. and 2:19 p.m., the proposed development casts shadows on the commercial properties to the north as well as the approved tall buildings to the northeast of the subject site. At 3:16 p.m., the proposed development casts shadows on the commercial properties to the east.

The shadow study demonstrates the adequate sunlight is available for residential amenity spaces to maximize their use during the spring, summer and fall afternoons and evenings. In this respect, as demonstrated in the shadow study, the proposed development only casts minor incremental shadows on the low-rise residential neighbourhoods to the north on September 21st and December 21st in the early morning hours only, ensuring that the private yards continue to receive sunlight in the afternoon and evening hours.

With respect to shadow impacts on sidewalks, parks and open spaces, the shadow study demonstrates that portions of the sidewalk along Cross Avenue directly in front of the proposed development will be shadowed in the mornings and early afternoons, but will be gone by 2:40 p.m. With respect to shadow impacts on parks, there will only be minor shadow impacts resulting from the proposed development on Sixteen Mile Park in the early morning on June 21st and on Old Mill Park in the evening on June 21st.

Overall, it is our opinion that the resultant shadows from the proposal are acceptable and will provide for adequate sunlight and sky views as a result of the siting of the tower, its orientation and floor plate size.

Wind Impacts

A Pedestrian Wind Study has been prepared by SLR Consulting Ltd. in support of the proposed redevelopment of the subject site. The assessment was based on the local wind climate, the current design of the proposal, the existing surrounding buildings, and screen-level modelling. The study provides the following conclusions:

- The wind safety criterion is expected to be met in all areas on an annual basis in both the existing configuration and the proposed configuration, including the amenity terraces.
- Existing wind conditions on and around the site are predicted to be suitable for the intended use throughout the year, including at the nearby transit stops.
- Wind conditions on-site, including all entrances and exits, are generally anticipated to be appropriate for the intended use year-round. Uncomfortable wind conditions are expected around the northeast and southwest tower corners.
- Wind conditions in the Level 2 and the Level 6 amenity terraces are expected to be suitable for the intended use.
- On the sidewalks surrounding the proposed development, wind conditions are generally expected to continue to be suitable for the intended use throughout the year, including the nearby transit stops. Uncomfortable wind conditions are expected to occur around the northeast corner of the proposed development.
- SLR will collaborate with the design team to develop practical and effective wind mitigation measures.

5.5 Urban Design

A review and analysis of the applicable Official Plan urban design policies, the Livable by Design Manuel Guidelines and Designing Midtown Oakville urban design guidelines is provided in the Urban Design Brief prepared by Bousfields Inc. and submitted under separate cover with this Application.

5.6 Transportation Considerations

A Transportation Impact Study (TIS) has been prepared by Crozier Consulting Engineers in support of the proposed development. The study concludes that the proposed development can be accommodated by the study area's transportation network and is appropriate from a transportation engineering perspective. A summary of the TIS is provided below.

The subject site is located in an area with a high level of transit accessibility, including service from Oakville Transit Buses, GO Buses, GO Trains, VIA Rail and Amtrack. The closest bus stop is less than 50 meters away from the subject site, at the Cross Avenue and Lyons Lane intersection, where six (6) Oakville Transit Routes can be accessed. The Oakville GO Station is located to the east of the subject site.

The proposed development is forecasted to generate 140 and 186 net site vehicle trips during the weekday morning and afternoon peak hours, respectively. Compared to 2030 background conditions, the future total scenario shows generally consistent control delays and volume to capacity ratios across most intersections, suggesting that operational challenges are primarily driven by background development traffic and the continued growth of existing volumes.

In order to address significant operational issues in the future background conditions, it is recommended that the signal timings at the Trafalgar Road and Cross Avenue/South Service Road, the future public road to the east of the subject site and Cross Avenue, and Argus Road and Cross Avenue are optimized to help mitigate the effects of the expected increases in traffic volumes. Additionally, it is recommended that the Town constructs turning lanes with storage capacity to accommodate the 95th percentile queues outlined in the TIS.

There are no expected sight distance issues to the west or east of the proposed access to the subject site. Based on the current conditions east of the access along Cross Avenue, it is expected that vehicles will have ample sight distance, beyond the Transportation Association of Canada requirements for a left turn. Vehicle Turning Diagrams are also included in the TIS which indicate that there is sufficient space for vehicles expected to use the site to maneuver in and out of the site access, underground parking spaces and loading area without conflict.

The TIS also reviewed the proposed development against the Town of Oakville Zoning By-law requirements for vehicle, accessible, loading, and bicycle parking, and it concludes that the rezoning Application meets all of the applicable standards.

5.7 Servicing Considerations

A Functional Servicing Report and Stormwater Management Report has been prepared by Trafalgar Engineering in support of the proposed development. The report concludes that adequate municipal infrastructure exists to support the development of the subject site and the proposed development is appropriate from a functional servicing perspective. The report provides the following conclusions:

- There is existing municipal water infrastructure adjacent to the subject site that can readily service the site. Water servicing will be by way of two, 200 mm diameter fire services, with an 'H' connection for a 150 mm diameter domestic service for the residential units, and a 100 mm diameter domestic service for non-residential space.
- There is existing wastewater infrastructure servicing on Argus Road adjacent to the site. The proposed development will be serviced off this existing infrastructure by way of a 375 mm wastewater lateral. There is capacity within the existing wastewater system for the proposed development.
- Post-development discharged is controlled to the 5-year pre-development peak flow rate. Stormwater is stored within an underground tank within the P1 level of the parking garage.
- To meet the Towns water balance criteria, the 25 mm storm event is stored for re-use within the stormwater tank.
- All stormwater runoff from the site can be considered clean and thus, no quality control measures are proposed.
- Grading of the site is designed to ensure runoff from the 100-year event is captured, and there is an emergency overland flow route.
- Erosion and sediment controls will be implemented during construction in accordance with the Erosion and Sediment Control Guidelines for Urban Construction as set out by the Greater Golden Horseshoe Conservation Authority.

5.8 Non-Residential Needs Analysis

In accordance with Policy 20.4.1(d) and Policy 20.4.2(a) of the Council-adopted OPA 70, a Non-Residential Needs Analysis has been prepared by Parcel Economics Inc. ("Parcel") in support of the proposed redevelopment. Policy 20.4.2(a)(ii) of the Council-adopted OPA 70 (which is not yet in force an effect) requires a minimum of 12 percent of the overall GFA proposed to be comprised of non-residential uses. However, the proposed development includes approximately 2 percent of non-residential GFA. The Report provides a non-residential needs analysis to demonstrate how the minimum equivalent job creation objectives and policies of the Livable Oakville Official Plan will be achieved with the amount of non-residential GFA contemplated. A summary of the Non-Residential Needs Analysis is provided below.

The Non-Residential Needs Analysis provides that while the proposed development includes approximately 1.8 percent of the gross floor area as non-residential uses, the proposed development would accommodate more jobs than could be accommodated based on the minimum and maximum densities proposed in the Council-adopted OPA 70. Therefore, the proposed development satisfies the requirements of the Non-Residential Needs Analysis.

The Report finds that in order to provide 3,838 square metres of non-residential GFA (i.e., the required 12 percent in accordance with the Council-adopted OPA 70), the first three levels of the building would have to be occupied with non-residential uses. However, based on Parcel's extensive experience as retail market consultants, the Report concludes that providing retail/service commercial uses above the ground floor in this proposal would not be viable in this location. Furthermore, the Report finds that accommodating 12 percent of the GFA as non-residential uses would not achieve the complete community objectives of the Livable Oakville Official Plan, as the non-residential space would remain vacant and come at the expense of additional housing.

Finally, the Report concludes that there is not market potential to accommodate major office space on the subject site and that major office space in Midtown Oakville should be concentrated in the existing office node located along Trafalgar Road.

Based on the foregoing, the Non-Residential Needs Analysis concludes that the proposed development, and the proposed amount of non-residential uses achieves minimum equivalent job creation and the complete community objectives and policies of the Livable Oakville Official Plan.

5.9 Land Use Compatibility

A Compatibility Mitigation Study (Air Quality, Dust and Odour) and an Environmental Noise and Vibration Study have been prepared by SLR Consulting Ltd. in order to assess the land use compatibility of the proposal with the surrounding land uses. The two reports provide an assessment of the air quality emissions as well as noise and vibration sources from industrial facilities in the area surrounding the subject site. The reports conclude that the proposed development is anticipated to be compatible with the surrounding land uses from air quality, noise and vibration perspectives.

The Compatibility Mitigation Study finds that the proposed development is anticipated to be compatible with the surrounding land uses from an air quality perspective. Moreover, the proposed development will not affect the ability for industrial facilities to obtain or maintain compliance with applicable Provincial environmental policies, regulations, approvals, authorizations, and guidelines. The requirements of Ministry of the Environment, Conservation and Parks (MECP) Guideline D-6 and Regulation 419/05 are met.

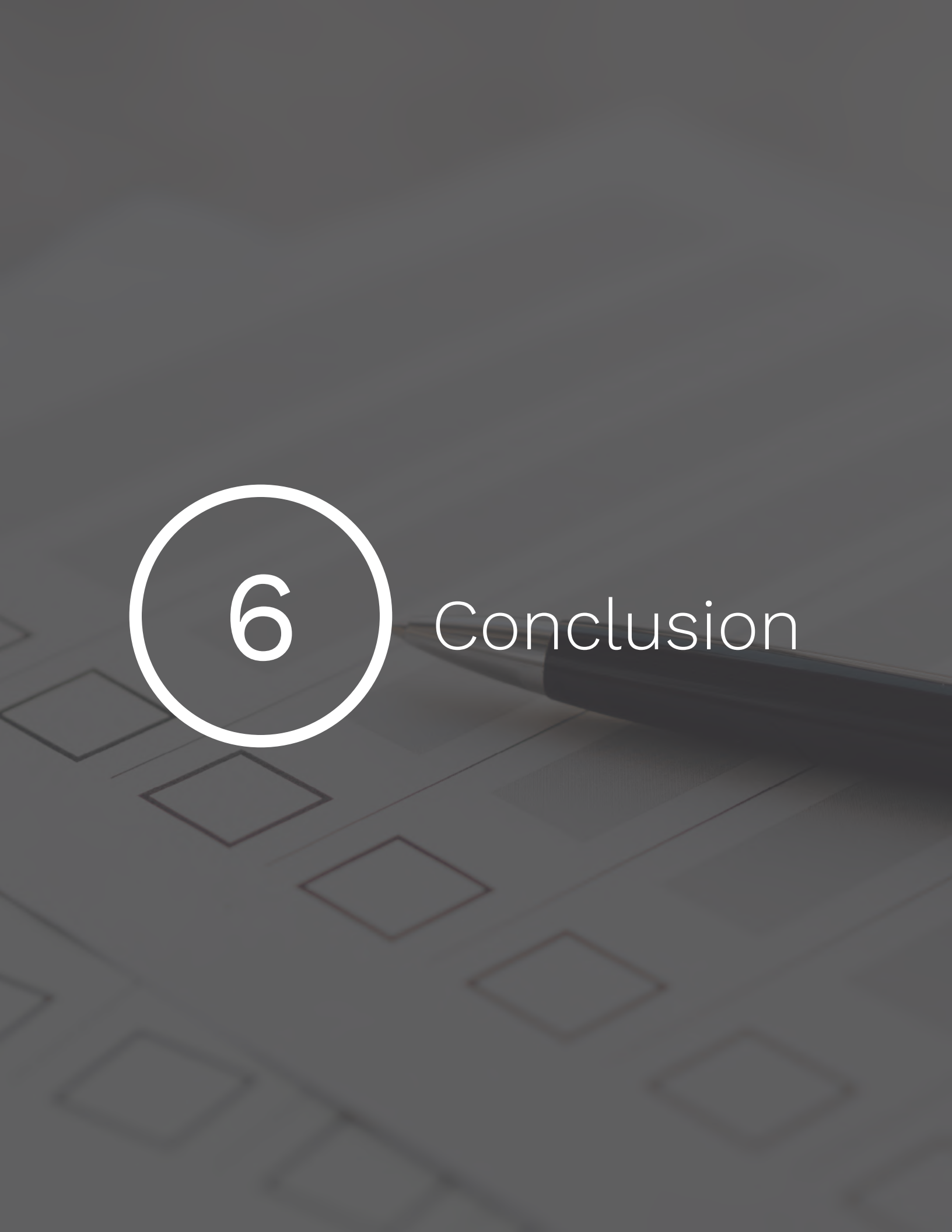
The study concludes that given that the applicable policies and guidelines are met, the proposed development is unlikely to result in increased risk of complaint and nuisance claims. Additionally, the proposed development is unlikely to result in constraints on major facilities to reasonably expand, intensify or introduce changes to their operations.

With respect to noise and vibration, the Environmental Noise and Vibration Study concludes that the impacts of the environment on the proposed development can be adequately controlled through the proposed feasible mitigation measures, façade designs, and warning clauses.

The recommended mitigation measures for noise impacts include:

- Providing a glazing and frame assembly in the design of the building to ensure that the overall sound isolation performance for the entire window unit meets the sound isolation requirements outlined in the Environmental Noise and Vibration Study. The study notes that the glazing requirements and acoustical requirements should be assessed and reviewed by an Acoustical Consultant.
- Providing a physical mitigation and a Type B warning clause for the outdoor amenity areas.
- Providing central air-conditioning and a Type D warning clause are required for the building façades in every direction.
- Including a Type E noise warning clause is recommended due to the general noise from the surrounding industries and commercial properties.

With respect to vibration, the study finds that given that the site is located more than 75 metres from the rail corridor, vibration levels are expected to meet the 0.14 millimeters per second (mm/s) Root Mean Square (RMS) criterion at the nearest façade of the proposed building. As the criterion is met, a detailed assessment was not required to be completed.



6 Conclusion

For the reasons set out in this report, it is our opinion that the proposed development of a 38-storey mixed-use building will appropriately intensify underutilized lands in Midtown Oakville with residential and non-residential land uses, and significantly improve the streetscape along Cross Avenue, providing for an improved and widened public realm, and creating a well-articulated building that fits harmoniously with the existing and planned context.

In our opinion, the proposed development will make efficient use of land and will optimize the significant investment in higher-order transit by providing new homes and jobs in a compact built form that will fit harmoniously within the planned built form context. The site will appropriately frame adjacent streets and open spaces in support of creating a vibrant, pedestrian oriented public realm.

From a planning policy perspective, the proposed mixed-use development conforms with the Provincial Planning Statement, the Region of Halton Official Plan and the Livable Oakville Plan, and has appropriate regard for the overachieving policy direction to create a compact and urban complete community in Midtown Oakville in accordance with the Council-adopted OPA 70, all of which promote the intensification of underutilized sites within built-up urban areas, particularly in locations that are well served by existing municipal infrastructure, including higher-order public transit. In this respect, the subject site is located approximately 185 metres (radius distance) northwest of the Oakville GO Station and bus terminal, approximately 465 metres west of the planned Trafalgar BRT, and is located within a "major transit station area" as defined by the 2024 PPS.

From a built-form perspective, the proposed development contextually appropriate and will fit harmoniously within the existing and emerging built-form context, including the anticipated heights and massing envisioned for the Midtown Oakville area, and will provide an appropriate relationship with the adjacent properties. With respect to the public realm, the proposed development will improve the street frontage along Cross Avenue through the provision of widened pedestrian boulevards, at-grade retail uses, new hard and softscape elements, and new street trees. The proposed tower has been carefully sited and designed to adequately limit shadow impacts on surrounding parks, streets and adjacent properties and will not result in unacceptable built-form impacts or impede upon the redevelopment potential of the surrounding land uses. The proposed building height and massing conforms with the built-form policies of the Official Plan and has appropriate regard for the Livable by Design Urban Design Manual and Designing Midtown Oakville Urban Design Guidelines.

Based on the foregoing, it is our opinion that the proposed development represents good land use planning and urban design. Accordingly, the Official Plan Amendment and Zoning Bylaw Amendment application is appropriate and desirable and should be approved.



BOUSFIELDS INC.

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