Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

ISSUE DATE: April 24, 2026

CASE NO(S).: OLT-24-000968
OLT-25-000339

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant/Appellant:	Argo Neyagawa Corporation
Subject:	Request to amend the Official Plan – Failure to adopt the requested amendment
Description:	To permit the development of a mixed-use community with a storm water management pond
Reference Number:	OPA1220.02
Property Address:	Part of Lot 20, Concession 2, NDS
Municipality/UT:	Oakville/Halton
OLT Case No:	OLT-24-000968
OLT Lead Case No:	OLT-24-000968
OLT Case Name:	Argo Neyagawa Corporation v. Oakville (Town)

PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Subject:	Application to amend the Zoning By-law – Refusal or neglect to make a decision
Reference Number:	Z.1220.02
Property Address:	Part of Lot 20, Concession 2, NDS
Municipality/UT:	Oakville/Halton
OLT Case No:	OLT-24-000969
OLT Lead Case No:	OLT-24-000968

PROCEEDING COMMENCED UNDER section 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Subject:	Proposed Plan of Subdivision – Failure of Approval Authority to make a decision
Reference Number:	24T-24001/1220
Property Address:	Part of Lot 20, Concession 2, NDS

Municipality/UT:	Oakville/Halton
OLT Case No:	OLT-24-000970
OLT Lead Case No:	OLT-24-000968

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1816985 Ontario Inc.
Appellant:	Argo Neyagawa Corporation
Appellant:	Burnhamthorpe/Oakville Holdings Inc
Appellant:	Sherborne Lodge Developments Limited et al.
Subject:	Proposed Official Plan Amendment No. 326 & 45
Description:	To facilitate the implementation of the Neyagawa Urban Core Area
Reference Number:	OPA -326 File No. 42.15.60
Property Address:	Neyagawa Urban Core (Neyagawa Boulverd and Burnhamthorpe Road)
Municipality/UT:	Town of Oakville
OLT Case No.:	OLT-25-000339
OLT Lead Case No.:	OLT-25-000339
OLT Case Name:	1816985 Ontario Inc. et al. v.

Heard: February 9, 10, 13, 16-18, 20, 23-25, 27, 2026, by Video Hearing

APPEARANCES:

Parties	**Counsel**
Town of Oakville	David Germain Nadia Chandra Jennifer Anyaeji (student-at-law)
Argo Neyagawa Corporation (“ANC”)	Patrick Harrington Meaghan Barrett
1816985 Ontario Inc. (Westerkirk Capital Inc.) (“Westerkirk”)	Andrew Jeanrie Samuel Judson
Sherborne Lodge Developments Limited et al. (“Sherborne”)	Denise Baker Narmada Gunawardana

Burnhamthorpe/Oakville Holdings Inc. ("BOH")	Adrianna Pilkington Jennifer Evola Nikola Cuvalo (student-at-law)

DECISION DELIVERED BY KURTIS SMITH AND INTERIM ORDERS OF THE TRIBUNAL

Link to the Order

INTRODUCTION

[1] The month of February 2026 was set to hear the merits of the Town of Oakville's ("Town") initiated Neyagawa Urban Core ("NUC") Official Plan Amendments ("NUC OPA") to amend the 1984 Oakville Official Plan's North Oakville East Secondary Plan ("OPA 326" and "NOESP") and the Livable Oakville Plan ("OPA 45" and "Town OP") as well as hearing the merits of the site-specific appeals of ANC ("ANC Appeal") pertaining to their lands within the NUC to permit their Proposed Development.

[2] The ANC Appeals consist of amendments to the NOESP, the Town's Zoning By-law ("ZBA"), and their application of Draft Plan of Subdivision ("DPS") to facilitate their Proposed Development. Following the ANC Appeals, the Town adopted the NUC OPA which includes part of the ANC amendment to the NOESP. Therefore, ANC is seeking amendments to the NUC OPA instead of a separate site-specific amendment to the NOESP.

[3] The purpose of the NUC OPA is to identify and establish policies for the NUC strategic growth area. The NUC refers to lands located in North Oakville, comprising of approximately 75 hectares ("ha") of land across the four corners around the intersection of Neyagawa Boulevard and Burnhamthorpe Road West / William Halton Parkway. The lands are adjacent to Highway 407 to the north.

[4] Four of the landowners within the NUC strategic growth area appealed the NUC OPA on common and various policies elements. Leading up to the Hearing, full and partial settlements were reached and reduced the Hearing time required for the Hearing.

[5] Sherborne resolved their issues pertaining to the mapping schedules and BOH fully resolved their issues and executed Minutes of Settlement with the Town (Exhibit 27). As a result of their appeals being resolved, Sherborne and BOH participated in the opening and closing submissions of the NUC OPA and had only an observatory role during the remainder of the Hearing.

[6] Westerkirk and ANC executed partial Minutes of Settlement with the Town (Exhibit 28 and 29, respectively) leaving four NUC OPA issues remaining in dispute.

BRIEF SUMMARY OF THE MATTERS BEFORE THE TRIBUNAL

[7] The Hearing was held in two parts: NUC OPA and ANC Appeals.

- NUC OPA

    a) The uncontested Settlement is shown in Exhibit 5 through yellow highlighting for additional policy language and applying strikeouts for policy deletions as well as through the Minutes of Settlement as mentioned above.

    b) The remaining NUC Appeal policies in contention relate to: a food store (*Westerkirk, policy 7.6.6.2(g)*); public realm and amenity (*ANC, policy 7.6.6.7(c)*); building heights (*ANC, policy 7.6.6.4(d)*); and minimum density in terms of how is it to be calculated (the “denominator”) and the density target (*ANC and Westerkirk, policy 7.6.6.4(c)*).

- ANC Appeals

a) Lastly, the ANC Appeal relates to the proposed development of their lands that are situated in the northwestern lands of Neyagawa Boulevard and William Halton Parkway as contemplated in the preliminary concept shown on page 22 of Exhibit 20. The areas in disagreement relate to the Village Square (parkland), trail, built form, and consistency with the outcome of the NUC OPA.

WITNESSES

[8] To support the positions of the Town, ANC, and Westerkirk, they introduced the following witnesses:

[9] Town:

i. Land Use Planning - Ms. Kelly Graham

- A Registered Professional Planner and Member of the Canadian Institute of Planners, with 10 years of experience, has previously been qualified before the Tribunal, and was retained by the Town on October 31, 2025.

ii. Urban Design - Ms. Carolyn Fearman

- An Urban Designer and licensed Architect that is a member of the Ontario Association of Architects, with 14 years of experience, and was retained by the Town on October 31, 2025.

iii. Transit Planning - Mr. Adrian Kawun

- A transportation planner, with approximately 20 years of experience, with a Bachelor of Urban and Regional Planning, is currently employed by the Town as the Director of Transit, and has previously been qualified before the Tribunal.

iv. Land Economics, including Commercial Needs - Mr. Chris White

- A Land Economist with Honours Bachelor of Arts Degree in Economics and Urban, Economic & Social Geography, is a member of the Association of Ontario Land Economists, has previously been qualified before the Tribunal, and was retained by the Town in 2023.

v. Parks Planning - Mr. Frank Loconte

- A landscape Architect, with over 20 years of municipal planning of parks, design, and development, and is currently employed by the Town as the Manager of Parks Capital Planning.

[10] ANC:

i. Land Use Planning - Mr. Jim Levac

- A Registered Professional Planner with over 25 years of experience, is a member of the Canadian Institute of Planners, has previously been qualified before the Tribunal, and was retained by ANC in October of 2024.

ii. Urban Design - Mr. John Richard

- An Urban Designer and registered Landscape Architect with the Ontario Association of Landscape Architects, with over 25 years of experience, has previously been qualified before the Tribunal, and was retained by ANC in 2023.

[11] Westerkirk:

- Land Use Planning - Ms. Inger Squires

a) A Registered Professional Planner and Member of the Canadian Institute of Planners, with 15 years of experience, has previously been qualified before the Tribunal, and was retained by Westerkirk in May of 2024.

[12] The Tribunal qualified each witness to provide opinion evidence in their respective areas of expertise without objection from any of the Parties. They provided the Tribunal with comprehensive written and oral evidence to support their opinions on the matter(s) pertaining to their areas of expertise to assist the Tribunal in adjudicating.

PART ONE

OVERVIEW OF THE NEYAGAWA URBAN CORE

[13] Following an extensive planning process, Town Council adopted the NUC OPA. Leading up to the Hearing of the Merits, revisions to the NUC OPA were negotiated and are reflected in the Minutes of Settlement as mentioned above. The NUC OPA purpose and effect is as follows:

> The purpose of this proposed OPA is to identify and establish policies for the Neyagawa Urban Core strategic growth area at the intersection of Neyagawa Boulevard and Burnhamthorpe Road West / William Halton Parkway.

The effect of the proposed OPA to the 1984 Oakville Official Plan's North Oakville East Secondary Plan will:

i. update schedules to identify the Neyagawa Urban Core strategic growth area and designate the lands as "Neyagawa Urban Core Area"

ii. provide area-specific land use policies to support the creation of a transit-supportive, active transportation supportive, complete community that includes a mix of medium and high density residential, commercial and institutional uses

iii. provide area-specific functional and implementation policies to enable and guide redevelopment consistent with the above, which addresses matters including urban design, transportation, stormwater management, and parkland dedication and public realm enhancements

[14] The figure below (Exhibit 5, page 13) illustrates the location and boundary of the NUC. The Tribunal notes the omission of "Burnhamthorpe Road" from this figure which is the eastern portion of the crossroad of Neyagawa Boulevard, and William Halton Parkway is to be shifted to the west side of Neyagawa Boulevard.

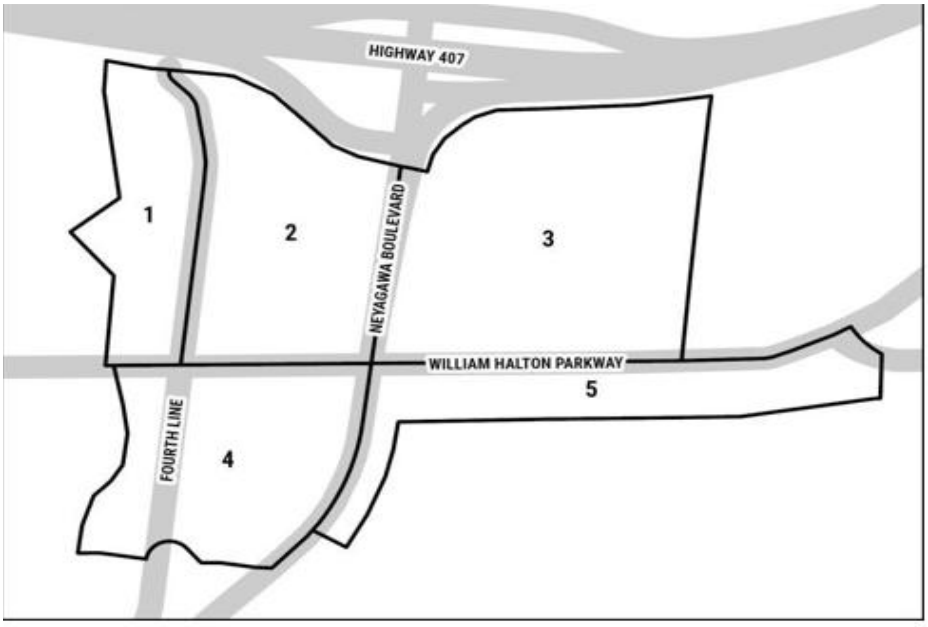


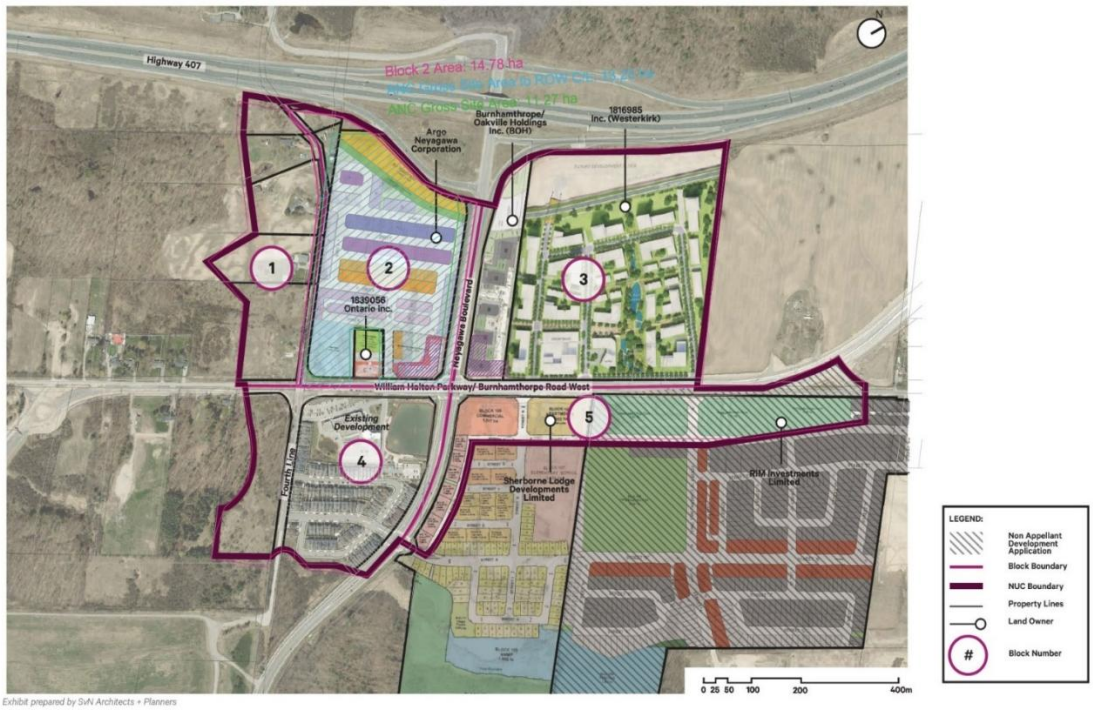
Figure 7.6.6.2

[15] The NUC directs the highest densities along Neyagawa Boulevard and William Halton Parkway / Burnhamthorpe Road, with a higher storey minimum (five storeys) associated with the lands north of William Halton Parkway / Burnhamthorpe Road in comparison to the south (three storeys). Furthermore, the NUC prescribes a minimum 14,000 square metres ("sq m") of retail and service commercial to be provided within the NUC, distributed as follows:

- across block 1 and 2 - 1,000 sq m;
- block 3 - 9,300 sq m; and,
- block 5 - 3,700 sq m.

[16] This additional image below, found in Exhibit 26, page 11, presents the current proposed developments/concepts of the four appellants together layered on top of the aerial photograph.

- Block 2 – ANC
- Block 3 – BOH (west) and Westerkirk (east)
- Block 5 – Sherborne



[17] No landowners within Block 1 and 4 appealed the NUC OPA.

[18] Block 4 has been developed predominantly with freehold townhouses to the south and a private school to the north in 2008. The lands to the west of Fourth Line within Block 4 are not developed.

[19] The terminology of “407 Transitway” has been removed from the NUC OPA. This change was prompted by communication from the Ministry of Transportation to the Town on May 12, 2025 (Exhibit 3, Page 5-6), re-confirming the decision that a future transit station along Highway 407 corridor at the Neyagawa Partial interchange is not warranted. However, the 407 Transitway lands and associated buffer thereto remain as shown in Blocks 2 and 3.

[20] Lastly, figures NOE1 (Community Structure) and NOE2 (Land Use Plan) (Exhibit 5, Pages 26-29) of the NOESP and Schedule A1 (Urban Structure) in the Town OP (Exhibit 5, Pages 33-34) have been revised to reflect the new boundary of the NUC.

UNCONTESTED SETTLEMENT

[21] Ms. Graham, Mr. Kawun, and Mr. White presented written and oral evidence (Exhibits 26 and 30) to support their opinions pertaining to the revised and uncontested NUC policies, Exhibit 5.

[22] The modification includes: the removal of the “407 Transitway” language, reduction of the minimum commercial space requirements, the inclusion of the word “target” pertaining to density, flexibility to the urban design policies, amongst other minor policy wording alterations.

[23] Ms. Graham opined that the revised policies not in contention: have regard for matters of provincial interest as set out in s. 2 of the *Planning Act* (“Act”); are consistent with the Provincial Planning Statement, 2024 (“PPS”) including policy 2.2.1 on General Policies for Strategic Growth Areas; and conform to the Halton Region Official Plan (“HROP”), Town OP, and the existing / in-force NOESP policies.

[24] The Tribunal accepts the uncontested evidence and opinions of Ms. Graham, Mr. Kawun, and Mr. White, and finds that the NUC OPA policies as revised and uncontested, have regard for matters of provincial interest, are consistent with the PPS, and conform to the HROP, Town OP, and NOESP.

CONTESTED POLICIES

[25] At the outset of the Hearing, ANC and Westerkirk provided the Tribunal with policy alternatives relating to the policies in dispute (Exhibit 22-25). The remaining NUC OPA policies in dispute are: Policy 7.6.6.2 (g) food store by Westerkirk, Policy 7.6.6.7 (c) public realm and amenity by ANC, Policy 7.6.6.4 (d) building heights by ANC, and Policy 7.6.6.4 (c) minimum density by ANC and Westerkirk.

[26] The Tribunal will examine and adjudicate each of the policies in contention individually. Provided at the outset is the policy number, followed by the policy as adopted by Town Council and/or amended through the uncontested settlement, with the policy wording alternatives by ANC and/or Westerkirk through cross outs (deletions) and bolded letters/numbers (additions/changes).

NUC OPA Policy 7.6.6.2 (g) "Food Store"

g) A food store ~~should~~ **is encouraged to** be provided within Block 3 of Figure 7.6.6.2.

[27] In short, Westerkirk is seeking to be "encouraged to" provide a food store in Block 3 instead of being directed to do so through the language of "should".

[28] Council for Westerkirk, Mr. Jeanrie stated that the BOH proposed development does not include a Food Store, and therefore it would fall on Westerkirk to fulfill this policy objective, as they are the only two property owners in Block 3.

[29] As outlined above, Block 3 is required to provide a minimum of 9,300 sq m of commercial space, whereas across Block 1 and 2, and Block 5 will be required to provide 1,000 sq m and 3,700 sq m, respectively.

[30] To address this, first, the Tribunal looks to the interpretations of auxiliary verbs of 'should', 'shall', and 'may' which are found at policy 31.1.9 of the NOESP (Exhibit 1, Page 187).

- "may" implies that the policy is permissive and not mandatory or obligatory;

- "should" implies that the policy is directive and demands compliance unless proven otherwise on good planning grounds; and

- “shall” implies that the policy is mandatory and requires full compliance.

[31] The term “encouraged” is used often throughout the NOESP, but it is not defined nor is it interpreted as a term.

[32] “Food store” is also not defined in the NOESP; however, the Tribunal notes that the North Oakville East – Commercial Study prepared by Parcel Economics Inc. (“Parcel Study”), which forms the basis of the NUC OPA commercial policies (Exhibit 2, Page 1368-1369), indicates that supermarkets, small grocery stores, bakeries, health food stores, fruit and vegetable shops, and boutiques such as butcher or cheese shops are considered “food stores”. The Town Council adopted policy does not prescribe a minimum size requirement for food stores.

[33] Ms. Graham opined that the NUC is mainly greenfield in comparison to other areas within the Town where policy direction encourages the development of Food Stores. She elaborated that a stronger policy is warranted, as there is currently no Food Store in the NUC and that the policy direction of “should” provides an appropriate level of flexibility as per the interpretation stated above. Furthermore, she stated that Town Council requested to “ensure adequate retail and service commercial is delivered including the provision of a food store” (Exhibit 32, page 9).

[34] Ms. Squires communicated that it is more appropriate to have “aspirational” policy language regarding the Food Store, indicating that “should” is more prescriptive and does not provide enough flexibility. She went on to state that a variety of retail and commercial such as a Food Store is important to a mixed-use community, however flexibility ought to be provided as market considerations and evolutions must be taken into account. Ms. Squires opined that the NOESP includes aspirational policy language for other areas, and the same flexibility should be applied in the NUC. She went on to state that the Parcel Study or any other study does not state that Block 3 be required to

have a Food Store. However, the Parcel Study does indicate that the Town could consider establishing incentives for commercial development.

NUC OPA POLICY 7.6.6.3 (g) Findings

[35] The Tribunal finds that the interpretation of "should", the array of "food store" possibilities as presented in the Parcel Study, and the undefined minimum size provides an abundance of flexibility for the policy requirement. Furthermore, Block 3 will provide almost two-thirds of the required commercial space of the NUC and, therefore, it is appropriate to require that a food store be located within Block 3. The Tribunal accepts the evidence of Ms. Graham and finds the policy language of "should" has regard for matters of provincial interest under s. 2 of the Act as it contributes to the orderly development of safe and healthy communities, is consistent with the PPS by providing adequate commercial uses within a greenfield strategic growth area to accommodate a significant population and employment growth (s. 2.4.2 a) and contributes to the achievement of complete communities.

NUC OPA Policy 7.6.6.7 (c) "Public Realm and Amenity"

c) The locations ~~and delivery~~ of urban squares, promenades, connecting links, and other open spaces shall be coordinated ~~and delivered~~ as development progresses to ensure that these amenities are provided for residents and employees in a timely manner.

[36] ANC is requesting that revisions be made to the public realm and amenity policy, as they suggest that the phrases "and delivery/and delivered" as included in the policy are unclear.

[37] Mr. Levac opined that removing "and delivery/and delivered" would eliminate any future confusion pertaining to who or how the public realm amenity spaces will come to exist. However, he did state that if the wording was removed, it would not change the

intent of the policy, which would result in the same outcome, as the implementation of the public realm and amenities which would be addressed during the site plan and development stage.

[38] Ms. Graham communicated that the inclusion of “and delivery/and delivered” in the policy is important in achieving the creation of complete communities, by ensuring that the public realm will be provided. She went on to opine that identical wording is used in the Trafalgar Urban Core OPA (“OPA 335”) in the Town (exhibit 39, pages 2-3 and 13).

[39] However, during the closing submissions, ANC Counsel communicated that the policies are not identical. At the end of the public realm section of OPA 335 the following language appears but is not included in the NUC OPA: “Urban squares, promenades, connecting links, and other open spaces may be provided in a variety of ownership to be determined during the development approval process”.

[40] It became apparent to the Tribunal through the direct and cross examination of Mr. Levac and Ms. Graham that the dispute primarily relates to the uncertainty of the “ownership” for delivering the public realm and amenities.

NUC OPA POLICY 7.6.6.7 (c) Findings

[41] The Tribunal accepts the evidence of Mr. Levac and finds that by removing “and delivery/and delivered” from the policy, will eliminate any uncertainty relating to how and who will develop the public realm and amenity features. As such, the determination of ownership will be determined at a later stage of the planning and development process. Therefore, the Tribunal finds that Policy 7.6.6.7 (c) as amended has regard for s. 2 of the Act by providing for the orderly development of safe and healthy communities and encourages a sense of place as location will be determined during the development stage. Furthermore, the Tribunal finds that the policy is consistent with the PPS as it will

meet the long-term needs of the community by providing recreation, parks, and open space (s. 2.1. 6.a) in an efficient manner (s. 3.1.1) as directed in the policy.

NUC OPA POLICY 7.6.6.4 (d) "Building Height"

d) Building Heights

i. Residential and mixed use development within 30 metres from the north side of Burnhamthorpe Road West / William Halton Parkway and **along** the east and **up to 80 m along the** west sides of Neyagawa Boulevard north of Burnhamthorpe Road West / William Halton Parkway right-of-way, shall be a minimum height of 5 storeys, excluding podium elements which may be lower.

[42] In summary, the Town adopted and revised policy would see residential and mixed-use development of five storeys ("five-storey zone") at a depth of 30 metres ("m") constructed on the northern side of Burnhamthorpe Road West / William Halton Parkway, as well as both the west and east sides of Neyagawa Boulevard, north of Burnhamthorpe Road West / William Halton Parkway to the 407 Transitway. ANC seeks to reduce the five-storey zone requirement to "up to 80 m along" the western side of Neyagawa north of Burnhamthorpe Road West / William Halton Parkway.

[43] Ms. Graham opined that the intent of this policy is to concentrate density along the corridor of the NUC and that this principle is not achieved through the development of townhouses, further stating that the west side of Neyagawa should mirror and compliment the east, which will provide a cohesive experience within the public realm.

[44] Ms. Fearman communicated that the intent of the policy is to create a wall of mixed-use development along the NUC corridor. She went on to state that by removing this requirement, it will inherently change the built form of the NUC.

[45] Both Mr. Levac and Mr. Richard originally provided written evidence in support of the five-storey zone, however, they altered their position in their written reply and oral evidence.

[46] Mr. Levac opined that the five-storey zone is not needed along the entire length of Neyagawa to achieve the density requirements. He communicated that he would refer to Mr. Richard's urban planning evidence, but points to the 407 Transitway fence, the inability for front facing units onto 407 Transitway lands, and the inability for a street entrance from Neyagawa to reduce the five-storey zone along the west side of Neyagawa Boulevard.

[47] Mr. Richard opined that the challenging environment along Neyagawa Boulevard creates a hostile urban living environment. He went on to explain that those constraints include a lack of direct access permitted into the ANC Lands from Neyagawa Boulevard, the 407 Transitway fence and lands, which prevent buildings to front onto Neyagawa Boulevard, and the higher speeds of 80 km/h, as well as the highway function near the 407 Transitway offramp, which all create a hostile urban living environment. While under cross-examination Mr. Richard stated that he did not recommend the change of reducing the five-storey zone to 80 m. He explained that he provided his opinion on the change, which he evaluated and supports as it achieves three key objectives: (1) provides an appropriate transit supportive density, (2) establishes height and massing at the corner of William Halton Parkway and Neyagawa Boulevard, and lastly (3) brings higher density population where the streetscape environment can support it. He confirmed that there is no magic to the distance of 80 m beyond the amount of traffic coming in and out of the ANC Lands from William Halton Parkway. However, Mr. Richard was not qualified to provide traffic evidence. He further opined that he believes that the east side of Neyagawa Boulevard will have similar constraints, mainly with the street connection and bringing large densities to the interface of Neyagawa Boulevard, which is primarily used as highway.

NUC OPA POLICY 7.6.6.4 (d) Findings

[48] The Tribunal heard no persuasive evidence to end the five-storey zone at 80 m and, more specifically, how 80 m became the distance. However, the Tribunal acknowledges the constraints of development on the lands adjacent to the 407 Transitway fence and lands. Therefore, the Tribunal finds that the five-storey zone requirement along Neyagawa Boulevard up until the 407 Transitway fence is consistent with the PPS as it will provide for an appropriate type of scale and development within the NUC strategic growth area and transition of built form (s. 2.4.1 3.c). The requirement of the five-storey zone along the west and east side of Neyagawa Boulevard will complement each other and will produce the Town's visions of framing the NUC corridors with well-established mixed-use higher density-built forms and consistency with the PPS for the development of complete communities. Moreover, the five-storey zone has regard for s. 2 of the Act as it contributes to the adequate provision of a full range of housing and a built form that encourages a sense of place.

NUC OPA Policy 7.6.6.4 (c) "Minium Density"

c) Minimum Density

The Neyagawa Urban Core Area shall achieve an overall minimum density target of 160 residents and jobs combined per ha. The general target proportion should be 85% residents and 15% jobs.

This minimum density target should be achieved through the application of minimum target densities per block, measured across the entire**ty of each of the following** block**s** as identified in Figure 7.6.6.2 **but excluding public rights of way allowances and widenings**:

i) Block 1 – 200 residents and jobs combined per ha
ii) Block 2 – ~~200~~ **160** residents and jobs combined per ha

iii) Block 3 – ~~200~~ **160** residents and jobs combined per ha

~~iv) Block 4 – existing~~

v) Block 5 - 160 residents and jobs combined per ha

[49] In summary, the Town adopted policy confirms the overall minimum density target for the NUC to be 160 residents and jobs combined per ha and applies block-by-block minimum density targets to achieve the overall target. Whereas ANC and Westerkirk seeks two modifications: (1) how density is calculated (the denominator), the basis of the amount of land to measure the density per block, and (2) the minimum density target per block.

What is the NUC's overall Minimum Density Target?

[50] Ms. Graham opined that the denominator is required to be the entire lands within the NUC as prescribed by Policy 227.1 of the HROP through the HROP Table 2B (Strategic Growth Area Targets) which states:

> 227.1 DEVELOPMENT DENSITY means the number of residents and jobs combined per hectare measured as follows:
>
> c) for the *Strategic Growth Areas* density targets in Table 2b, the density is measured across the *Strategic Growth Areas* in their entirety.

[51] All Parties agree and the Tribunal accepts that the *overall minimum density target of the NUC is 160 residents and jobs per ha* as outlined in HROP, Table 2B, Exhibit 1, page 118.

Can Block 4 achieve a higher density than what is existing?

[52] Block 4 was primarily developed in 2008 and has an estimated existing density of 34 residents and jobs combined per ha. Ms. Graham opined that the density may be increased through Additional Residential Units ("ARUs") in the existing dwellings or by constructing a secondary unit in the rear yards, and went on to state that redevelopment

through the assembly of many parcels would be hard to achieve. Under cross-examination, Mr. Jeanrie took Ms. Graham to Exhibit 37 that presents an aerial photo of the Bayview/Sheppard area of the City of Toronto, where redevelopment of single detached dwellings resulted in a higher density development. However, in re-examination, Ms. Graham communicated that a momentous change in public transit in that area was likely the cause of the redevelopment in that area.

[53] Within Block 4 on the west side of Fourth Line, it is undeveloped. Ms. Graham communicated that it is constrained by its topography and woodland features which is part of the Town's Natural Heritage System. It was confirmed that the entirety of Block 4 is designated NUC and bound by the Natural Heritage System Area to the west. Ms. Squires stated that no study has been completed regarding the feasibility of development on the western portions of Block 4 and therefore no evidence has been provided to advise whether it can or cannot be developed.

[54] The Tribunal finds that *Block 4 has the* potential for further development and therefore higher densities through the deployment of ARUs at the bare minimum. Currently, the potential prospect of development of the western portion of Block 4 is unknown.

<u>What lands are included in the denominator when calculating density block-by-block? And what should the minimum density target be for each block?</u>

[55] First, as proffered through the evidence and closing submissions of the Parties, the principal purpose of setting different minimum density targets block-by-block is to "make up" for Block 4's existing low density with Blocks 1-3 picking up the balance of the density allocation, essentially due to the higher minimum storeys in comparison to Block 5 to reach the overall density target.

[56] Mr. Levac and Ms. Squires opined that undevelopable lands, existing public rights-of-way, including the 407 Transitway ("takeouts"), should be excluded from the

denominator as they cannot be developed, although the Blocks shown in Figure 7.6.6.2 extend to the centre line of the roads and engulfs the 407 Transitway. Mr. Levac stated that by including the rights-of-ways artificially inflates the densities. However, he communicated that the internal roads to each block should not be excluded.

[57] Mr. Levac opined that the Ministry of Transportation Transit Supportive Guidelines, 2012, Figure 9: Transit Service Type by Density (Exhibit 3, Page 211) outline the suggested minimum density per transit service type and indicate that 200 residents and jobs per ha is equivalent to Subway transit level density, as shown below:

Transit service type	Suggested minimum density
Basic Transit Service (One bus every 20-30 minutes)	22 units per ha / 50 residents & jobs combined
Frequent Transit Service (One Bus every 10-15 minutes)	37 units per ha / 80 residents & jobs combined
Very Frequent Bus Service (One bus every 5 minutes with potential for LRT or BRT)	45 units per ha / 100 residents & jobs combined
Dedicated Rapid Transit (LRT/BRT)	72 units per ha / 160 residents & jobs combined
Subway	90 units per ha / 200 residents & jobs combined

[58] As shown in NOE4, Exhibit 1, page 211, the NUC is planned to be serviced by a secondary transit corridor service and community service. As well, the Long-Term Oakville Transit Frequent Transit Network (Exhibit 8, page 7) directs that the NUC is planned to be serviced by frequent transit.

[59] Ms. Graham affirmed that Policy 227.1 of the HROP requires that the minimum density target is measured across the entirety of the NUC and, by removing the takeouts, the minimum density target will not be achieved when measured across the

entirety of the NUC. Furthermore, the second paragraph of the policy as adopted, revised and undisputed, states that “This minimum density target” being an overall minimum density target of 160 residents and jobs per ha “should be achieved through the application of minimum target densities per block”.

[60] Ms. Graham’s density calculations are found on Exhibit 32, pages 33 and 34, and are found below:

NUC Density Calculations - Argo Neyagawa Policy Alternative 7.6.6.4 c)
Including Block 4 **Actual** Residents + Jobs

Block	Gross Area (ha)	Arterial R.O.W. Area (ha)	407 Transit Way Area (ha)	MTO 14 m Buffer Area (ha)	Net Area (ha)	Argo Alternative Density Target (r+j per ha)	Total Residents + Jobs
1	8.02	0.78	0.19	0.16	6.89	200	1,379
2	14.78	2.26	1.65	0.52	10.35	160	1,656
3	23.00	2.15	1.27	1.34	18.24	160	2,918
4	13.74	2.40			11.34	***41.62***	***472***
5	10.44	2.60			7.84	160	1,254
Density Achieved with Alternative Calc	**69.99**					110	7,679
NUC Overall Minimum Density Target	**69.99**					**160**	**11,198**

*NOTE: Text in ***italtics*** indicates existing

[61] The chart above presents Ms. Grahams calculation of the density when implementing part of the ANC and Westerkirk alternative policy wording reducing the minimum densities of Block 2 and 3 to 160, still including Block 4, and calculating the block-by-block total residents and jobs without the takeouts. Then, to find the overall NUC density, the total sum of all the blocks’ residents and jobs are then divided by the total area of the NUC to determine that the density achieved across the entirety of the NUC would be 110 residents and jobs per ha.

NUC Density Calcuations - Argo Neyagawa Policy Alternative 7.6.6.4 c)
Excluding Block 4 Area + Existing Development

Block	Gross Area (ha)	Arterial R.O.W. Area (ha)	407 Transit Way Area (ha)	MTO 14 m Buffer Area (ha)	Net Area (ha)	Argo Alternative Density Target (r+j per ha)	Total Residents + Jobs
1	8.02	0.78	0.19	0.16	6.89	200	1,379
2	14.78	2.26	1.65	0.52	10.35	160	1,656
3	23.00	2.15	1.27	1.34	18.24	160	2,918
5	10.44	2.60			7.84	160	1,254
Density Achieved with Alternative Calc	**56.25**					128	7,207
NUC Overall Minimum Density Target	**56.25**					**160**	**8,999**

[62] This chart is similar but different than the above. Ms. Graham calculates the density when fully implementing the ANC and Westerkirk alternative policy wording by reducing the minimum densities of Block 2 and 3 to 160, removing Block 4 entirely, and calculating the block-by-block total residents and jobs with the takeouts removed. Then, to find the overall NUC density, the total sum of all the block residents and jobs are then divided by the total area of the NUC to determine that the density achieved across the entirety of the NUC would be 128 residents and jobs per ha.

[63] In closing submissions, ANC argued that the above is “yield-based” and not “rate-base” calculations. Stating that even when assigning a density target of 200 to Blocks 1-3, and 5, and excluding Block 4 entirely, the overall math would still not work, resulting in 154 residents and jobs per ha. ANC also argued that the Town has approved another OPA (Exhibit 34) affecting a different area of the Town that determines densities on a site-by-site basis and excluding lands required for public parks and open spaces, educational facilities, and public services, suggesting that the same method could be used for the NUC OPA. The Town argued that Exhibit 40 demonstrates that the minimum FSI allocated to each of the sites was set high enough that they offset the existing roads, transit infrastructure, parks, etc. to achieve the overall density target set for the area of 200 residents and jobs per ha.

[64] When performing further calculations, the Tribunal notes that the takeouts of the NUC are approximately 15.33 ha or 22% of the total NUC lands.

NUC OPA Policy 7.6.6.4 (c) Findings

[65] The Tribunal considers all the evidence and submissions concerning the denominator when calculating density block-by-block and what the minimum targets per block should be. Ultimately, it comes down to how to make the calculations work by allocating numbers to blocks while simultaneously considering the denominator options to determine which options can achieve overall conformity to the first paragraph of this policy: “the NUC shall achieve an overall minimum density target of 160 residents and jobs combined per hectare”. Therefore, to conform to the aforementioned policy, for every ha of land in the NUC underachieving 160 residences and jobs per ha, the remaining lands must achieve a higher target. As in this case, if Block 4’s target remains “existing”, then Block 1-3 and 5 must exceed 160 residence and jobs per ha overall. Furthermore, for every ha of land not included in the denominator for the block-by-block calculations, the minimum targets must exceed 160 residences and jobs per ha.

[66] Block 4 is the only block considered to be developed compared to the four greenfield Blocks 1-3 and 5. The Tribunal finds that removal of Block 4 from the block-by-block minimum density targets is acceptable. The Tribunal also finds that reducing Blocks 2 and 3 minimum density targets to 160 residence and jobs per ha while keeping the denominator unchanged is an acceptable balanced approach that will achieve new development conformity to Policy 227.21 of the HROP of the overall minimum density target of 160 residents and jobs combined per ha. Lastly, the Tribunal finds that by setting minimum density targets block-by-block within the NUC has regard for s. 2 of the Act and is consistent with the PPS by achieving orderly development at appropriate density targets within a strategic growth area.

PART TWO

OVERVIEW OF THE ARGO NEYAGAWA CORPORATION PROPOSED DEVELOPMENT

[67] As described above, the ANC Lands are contained within Block 2 and are bound by the 407 Transitway to the north, Neyagawa Boulevard on the east, William Halton Parkway to the south, and primarily Fourth Line on the western boundary, with a smaller portion of privately owned land along the northern portion of the west side. Additionally, there is a rectangular shaped 0.58-ha parcel ("Holdout Parcel") that is found approximately mid-way along William Halton Parkway that is privately owned.

[68] The Proposed Development that is before the Tribunal has been revised from its original iteration. To note, the Original Proposed Development (Exhibit 4, page 358) included a Trail along the 407 Transitway Buffer, a road network connection to Neyagawa Boulevard, a larger medium/high-density block, and internal condominium blocks that would develop as a range of Townhouse units and no lands were designated for a Village Square.

[69] The Revised Proposed Development, similar to but vastly different from the original, is found on Exhibit 20, page 22, and is described as follows. The road network is entirely public streets, apart from the medium/high density condominium block, and has two connections to Fourth Line and one "right-in / right out" connection to William Halton Parkway bounding the eastern property line of the Holdout Parcel. The Ministry of Transportation has communicated that no road access is permitted into the ANC Lands from Neyagawa Boulevard.

[70] Along William Halton Parkway from west to east, the storm water management pond ("SWM Pond") is located in the south-west portion of the ANC Lands at approximately the same depth of the Holdout Parcel, followed by an eight-storey tower with a five-storey podium indicated on the Holdout Parcel, and the street connection

("Street A"), followed by the medium/high density block with a reverse "L" shaped five-storey podium, framing the corner of William Halton Parkway and Neyagawa Boulevard approximately 80 m in each direction with two 18-storey towers anchoring each end of the podium.

[71] Within the Revised Proposed Development, there are a variety of townhouse forms totalling 332 units that are a mix of back-to-back, dual frontage, rear lane, and standard townhouses, with an associated range in width of 5.6 m to 7.3 m, and heights from two to four storeys. The two-storey townhouses do not front onto Fourth Line and Neyagawa Boulevard.

[72] As mentioned above, the Revised Proposed Development includes the 407 Transitway and associated buffer zone that is 14 m in width and extends across the width of the ANC Lands. The proposal includes three irregular triangle shaped open space blocks that back onto the transit buffer, which have been "divided" by two perpendicular townhouse blocks which result in the three open space areas. A trail is no longer indicated south of the 407 Transitway buffer.

[73] A Village Square has been identified on the northern portion of the Holdout Parcel with frontage onto two streets and siding onto the SWM Pond. It is approximately 0.3 ha, and it is indicated that it will be purchased by the Town.

[74] Lastly, communication has been provided by the Ministry of Transportation (Exhibit 4, pages 845-849) further indicating that the existing chain link fence that is found along Neyagawa Boulevard will remain intact and cannot be removed, that front facing dwellings with direct access to the 407 lands are not permitted, and that an additional 14 m building setback is required along Neyagawa Boulevard that is bound by the chain link fence.

ARGO NEYAGAWA CORPORATION APPEAL

[75] The areas in contention pertaining to the ANC Proposed Development is the village square location, the inclusion of a trail, built form, and the DPS conditions.

[76] ANC submitted that the ZBA and DPS are not in their final form and would need to be updated and revised to align with the outcome of this Decision in addition to formatting, including defined zoning provisions for each development block. ANC requests 45 days to update the planning instruments following the issuance of this Decision.

Village Square

[77] ANC has located the future Village Square that is to be purchased by the Town to the rear of the Holdout Parcel which is bound by Street A to the east, that leads from William Halton Parkway, Street C with townhouses across to the north, the SWM Pond to the west, and a conceptual parking lot that is in connection to the conceptual high density residential area that fronts onto William Halton Parkway, as found on Exhibit 22, page 16 and shown below:



[78] What is a Village Square? As outlined in Exhibit 2, page 80, s. 3.6.2.3 of the urban design and open space guidelines:

> Village Squares are the smallest in the park's hierarchy. The design of Village Squares should reflect the needs of surrounding residents, including places to sit and socialize, dedicated play areas for children of all ages that could be maintained by local residents and a significant tree canopy for shade and drainage benefits. Village Squares provide passive open space areas which are intended to serve as focal points within sub-areas of each neighbourhood and are accessible within a five-minute walk.

[79] Mr. Richard supports the inclusion of the Village Square within Block 2 and opined that it is in an ideal location that is within a 500 m radius / walking distance from any location within the proposed development, is an appropriate size, provides good visibility, and has a linkage to the natural backdrop of the SWM Pond. Mr. Richards noted that the Village Square does not need to be in the middle of the Proposed Development to make it safe. He went on to explain that there will be lots of eyes on the

Village Square with natural surveillance and residential dwellings all around and it aligns with “Crime Prevention Through Environmental Design” (“CPTED”).

[80] Mr. Levac communicated that the Village Square is located near the high-density blocks, has street exposure, and has potential synergy with the adjacent SWM. He stated that ANC is a signatory to the Master Parkland Agreement (“MPA”) with the Town and that a Village Square is not required to be located within Block 2, in accordance with figure NOE2, and, therefore, if the Town wishes to develop a Village Square, it will need to acquire land. Mr. Levac opined that the inclusion of a Village Square within Block 2 is consistent with the PPS and conforms to the Town OP and NOESP.

[81] Mr. Loconte communicated that through the application process, he provided comments to ensure that the proposed development meets the long-term park provisions and standards. He opined that he is unsure when the Village Square would be created, as it is outside of the ANC Lands and should be relocated. Mr. Loconte went on to state that the Village Square should be located further from William Halton Parkway to prioritize safety and align with CPTED. He went on to say that the Village Square is a civic hub for the community and would be better situated between the current location of Streets C and G. Mr. Locontes confirmed during his cross examination that he is unable to interpret policies or the MPA and unsure of the process for the Town to acquire park land, however, he stated that they could expropriate it.

[82] Ms. Fearman opined that the Village Square illustration, as shown on Exhibit 22, page 16, is simply a concept and that feature within the Village Square could change. She went on to state that the Village Square should be more centrally located within the development. She provided two location options that she supports, as shown on Exhibit 46, page 21, which are north of the SWM and adjacent to Fourth Line or north of the ANC high density block. Both of these locations are within the ANC Lands and approximately 50 m from the location indicated by ANC.

[83] Similar to Mr. Loconte and Ms. Fearman, Ms. Graham opined that the location of the Village Square should be located within the ANC Lands and be more centrally located within Block 2. Further stating that the Village Square should not be developed in conjunction with the ANC Lands as it would be located on the Holdout Parcel and therefore would fail to facilitate the achievement of complete communities, she stated that its location there would not be consistent with the PPS and the Town OP. However, while under cross examination Ms. Graham agreed that complete communities are achieved through the entire community and not one development. Ms. Graham suggested that a holding provision could be used to ensure conformity and consistency for the delivery of the Village Square on the ANC Lands. Further stating that the holding provisions could be used for two years to allow the Town to decide whether they wish to purchase the lands for the development of a Village Square within the ANC Lands and, in the event they do not, ANC would then be able to proceed to develop it following the conclusion of the two-year hold.

[84] What is the Master Park Agreement? The Town, ANC, and many other property owners are signatories to the MPA (Exhibit 43, pages 19-66), where property owners provided monetary funds, and agreed to terms on where and how parkland will be developed. Moreover Policy 7.7.4.5 (c), Parkland Acquisition in the NOESP states:

> To ensure the orderly and timely conveyance of parkland contemplated by this Plan, the Town shall enter into a Master Parkland Agreement with landowners who propose to develop their lands within the Plan. The Master Parkland Agreement will provide for conveyance to the Town of the parkland contemplated by this Plan and will provide for the cooperation among the landowners within the Plan in compensating each other for over-dedications and under-dedications of parkland, without the Town having to assemble parkland using its right to collect cash in lieu of parkland. All landowners within the area of the Plan who would otherwise be required to convey parkland, or pay cash in lieu of such parkland, to the Town in the manner set out in Subsections a) and b) above, and the relevant provisions of the Planning Act, will generally be required to execute the Master Parkland Agreement as a condition of draft plan of subdivision approval, or as a condition of approval of any other application under the Planning Act respecting the proposed development or redevelopment of their lands. Those landowners who execute the Master Parkland Agreement and comply with its terms will not be required to convey land or pay cash in lieu of such land to the Town in the manner set out in Subsections a) and b) above.

[85] Through the development of the NUC OPA, the North Oakville Community Builders Inc. (“NOCBI”) provided a letter (Exhibit 49) to the Town regarding the following proposed policy:

> 7.7.4.5 (f) In addition to the Master Parkland Agreement, urban squares, promenades, connecting links, and other open spaces may be provided in a variety of ownerships to be determined during the development approval process….

[86] NOCBI stated that the “proposed policy suggests that the Town intends to enshrine in its Official Plan a policy that could directly contravene the NOE Master Parkland Agreement and the Town’s Parkland Dedication By-law”. Shortly thereafter, Policy 7.7.4.5 (f) was removed from the draft NUC OPA.

Village Square Findings

[87] With the execution of the MPA between ANC and the Town, policy 7.7.4.5 (c) which states that “Those landowners who execute the Master Parkland Agreement and comply with its terms will not be required to convey land or pay cash in lieu of such land to the Town” and that a Village Square symbol is not shown on NOE2 in Block 2, the Tribunal finds that ANC is not required to provide a Village Square. Moreover, the Tribunal finds that the Town will need to acquire land for the creation of a Village Square within Block 2 regardless of its location on the Holdout Parcel or ANC Lands. Furthermore, the Tribunal finds that the inclusion of the MPA in the NOESP implies overall parkland development policy conformity.

[88] Furthermore, the Tribunal finds that the location of the Village Square as illustrated by ANC will complement the SWM, is near the high-density block, provides adequate visibility through the road network and eyes on the Village Square from adjacent dwellings, and is within walking distance from all areas of the proposed development.

[89] While considering policy 7.6.6.7.c of the NUC OPA as amended in Part One above, relating to “and delivery/and delivered” and the effect of the MPA, the Tribunal finds that the Town must obtain the lands for a Village Square within Block 2 through a purchase and sale agreement, expropriation, etc. Therefore, the Town is in the “driver’s seat” to coordinate the development of a Village Square.

[90] In the Town’s closing submission, Counsel argues that the use of a holding provision can be imposed through the general power in s. 51(25) of the Act, as a condition of DPS, as it is (1) reasonable: the Village Square will support the Block 2 population, (2) relevant: the proposed development will create demand for recreational amenities, (3) necessary: to achieve policy conformity as opined by Ms. Graham, and (4) equitable: since the majority of residents of Block 2 using the Village Square will reside within ANC Lands. The Town relies on the case *Fieldgate Development and Construction Ltd. v. Richmond Hill (Town),* 1996 Carswell Ont 5703, which pertains to a public school board reserving a block for a future development of a school facility.

[91] On the other hand, ANC argues that there is no provision in the Act that authorises a municipality or the Tribunal to compel a landowner to create, reserve, and hold land for the discretionary parkland acquisition.

[92] The Tribunal looks to s. 36 (1) and (2) of the Act, which states:

> Holding provision by-law
>
> 36 (1) The council of a local municipality may, in a by-law passed under section 34, by the use of the holding symbol “H” (or “h”) in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law. R.S.O. 1990, c. P.13, s. 36 (1).
>
> Condition
>
> (2) A by-law shall not contain the provisions mentioned in subsection (1) unless there is an official plan in effect in the local municipality that contains provisions relating to the use of the holding symbol mentioned in subsection (1). R.S.O. 1990, c. P.13, s. 36 (2).

[93] The Tribunal agrees with ANC that the use of a holding provision cannot be employed for a possible acquisition by the Town. The Tribunal reiterates that if the Town wishes to see the development of a Village Square within Block 2, they must acquire the land.

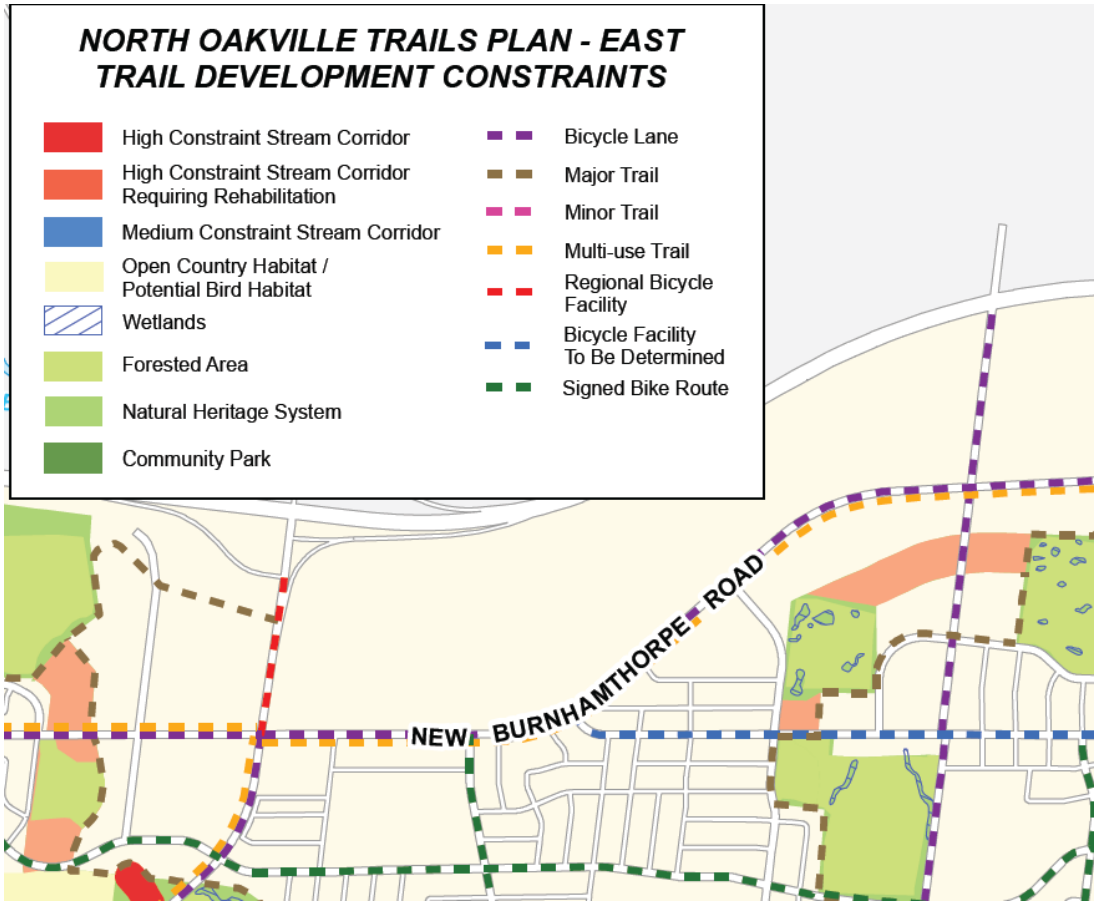
Trail

[94] As mentioned above, the original ANC Proposed Development included a trail along the boundary of the 407 Transitway buffer. However, in the revised Proposed Development, the trail is removed, and ANC suggests that if the Town wishes to construct a trail that it be placed within the buffer.

[95] Mr. Levac and Mr. Richard similarly opined that if the Town wishes to develop a trail, they are able to do so within the 407 Transitway buffer. Further communicating that a trail is not warranted within the developable area of the ANC Lands. Mr. Levac communicated that he relies on Mr. Richards' evidence regarding the trail but notes that a trail is not shown for the ANC Lands on the Town Transportation Plan, NOE4 (Exhibit 1, page 271). Additionally, Mr. Levac agreed, while under cross examination, that slight alterations to the side/rear yard of two lots adjacent to the open space blocks would only be required to permit a 2 m to 4 m wide strip to design the trail in the open space blocks and outside of the buffer.

[96] Mr. Richards opined that a major trail system is not shown on NOE4 for the ANC Lands and that the inclusion of a trail would not create or complete a trail loop. He went on to state that the major trail system will be constructed along and near natural features, and that the natural features are not contained within the ANC Lands. While under cross examination, Mr. Richards confirmed that he did not recommend the removal of the trail and assessed the development as a whole, which did not include the trail. Furthermore, Mr. Richards communicated that the creation of a trail could utilize the lands of both the open space blocks and buffer.

[97] Mr. Loconte communicated that a trail along the north portion of the ANC Lands supports the Town's vision for the trail park system. As shown on the North Oakville Trails Plan ("NOTP"), a major trail is indicated to extend from the west of the NUC lands, cross over Fourth Line, and connect to the proposed bicycle trail system along Neyagawa Boulevard. The connection therefore would create a loop with the Regional bicycle trail and the multi-use trail along William Halton Parkway, as found on Exhibit 2, page 202 and shown below:



[98] Mr. Loconte communicated that by not including the trail within the ANC Lands, it would distinguish the NOTP in that area, as it would fail to produce a loop. He went on to explain that the inclusion of the trail within the buffer is not satisfactory, as the Ministry of Transportation may ask for its removal or alteration at any time, further

stating that the slope of the lands within the buffer is not ideal for a trail. Mr. Loconte communicated that the inclusion of the trail between the buffer and the three open space blocks would connect the blocks and lessen the safety concerns by active pedestrian use of the trail. While under cross-examination, Mr. Loconte communicated that he relies on the NOTP and not NOE4, however, after reviewing NOE4, he confirmed that a trail is not shown on the ANC Lands. He further communicated that he sees no connection in the creation of a trail in the area to the connection with the future 407 Transitway, which is no longer being sought after by the Ministry of Transportation.

[99] Ms. Fearman opined that a trail along the buffer would provide a linkage between the three open space blocks.

[100] Lastly, Ms. Graham communicated that the NOESP provides a basis for the policy direction for trails and directs the use of the NOTP for the full implementation of the trail system. She confirmed that the trail is not shown on the NOE4 for the ANC Lands and that the NOE4 was not amended through the NUC OPA to extend the trail. Ms. Graham looked to s. 7.5.5.11 Bicycle/Pedestrian Trail System of the NOESP, which states:

> An extensive system of recreational trails will be developed related to the Natural Heritage and Open Space System as well as along certain public road rights of way. A conceptual major trail system which will form a basis for the development of this more extensive system is identified on Figure NOE4. However, any proposed trail development within the Natural Heritage and Open Space System shall be subject to further study as part of the Implementation Strategy to the satisfaction of the Town, in consultation with the Region of Halton and Conservation Halton. The system may be refined through the preparation of an Environmental Implementation Report in accordance with the provisions of Section 7.8.3 a) of this Plan.

[101] Further communicating that the NOTP, which is the most up-to-date trail plan for the area, provides more information and direction as to where and how the trail network is implemented, she stated that NOE4 is the trail's skeleton or, in other words, the starting point. She went on to state that trail conformity is not just related to NOE4. However, when asked under cross examination what application would need to be filed

to amend the NOTP to confirm conformity, she was unable to answer. Additionally, Ms. Graham was unsure what the process was for the Town to acquire the lands for the trail and communicated that this is the time to acquire the land as there is a proposed development and that it takes time to acquire the land needed to create the trail network.

[102] Likewise, as above, ANC argues that the Town does not have the statutory authority to require ANC to identify and set aside private land for a public recreational purpose.

Trail Findings

[103] While NOE4 does not include a trail on the ANC Lands, the Tribunal finds that inclusion of the trail shown in the NOTP will: (1) complete functional loops for active recreation for residents in the proposed development, (2) connects the three open space blocks into one, providing “eyes on the park/green space”, (3) have minimal impact on the proposed development design as it can utilize the three open space blocks, sidewalks along the proposed streets, and reduce the rear yards of two units, and (4) ensures the long-term viability of the trail in comparison to the use of the buffer. The NOTP is a guideline document that warrants consideration when lands are in the development stage.

[104] Therefore, the Tribunal is satisfied and finds that by connecting the three open space blocks to allow for the construction of the trail utilizing the open space block and sidewalks has regard for s. 2 of the Act, is consistent with the PPS, conforms to the NOESP, and gives appropriate regard to the NOTP.

Built Form

[105] Stemming from the decision in Part One above, ANC is required to update their proposed development to conform to NUC OPA Policy 7.6.6.4(d) pertaining to the five-storey zone.

[106] Mr. Levac opined that the proposed development provides a range of housing through the high density and back-to-back, rear lane, dual frontage, and standard townhouses.

[107] Ms. Fearman and Ms. Graham opined that the proposed development does not provide a sufficient diversity of built form. Communicating that over 80% of the area of the developable area is planned for townhouses, they opined that by increasing the five-story zone the proposed development would see an increase in density, housing choice, and a diversity in built form.

Built Form Findings

[108] The Tribunal accepts the opinion of Mr. Levac and therefore finds that the Proposed Development's built form has regard to s. 2 of the Act and is consistent with the PPS, as it will provide a range and mix of housing through the variety of townhouses, the five-storey zone, and the high rises at the corner of William Halton Parkway and Neyagawa Boulevard. Furthermore, the built form conforms to the NOESP urban design policy 7.2.3.4, more specifically policy "g" which encourages mixed use development along strategic corridors and policy "j" that promotes a variety of housing with diverse architecture.

DRAFT PLAN OF SUBDIVISION CONDITIONS

[109] Both Ms. Graham and Mr. Levac opined that the conditions of DPS are reasonable apart from Mr. Levac opposing the following conditions as they relate to the Village Square and Trail:

- Condition 21. That the Owner agrees to plan for and design the trails in accordance with the North Oakville Trails Plan and the EIR/FSS to the satisfaction of the Town.

- Condition 61. The Owner shall submit a detailed parks facility fit plan (and detailed cost estimate) to demonstrate the ultimate programming of the park block(s), to the satisfaction of the Director of Parks and Open Space.

- Condition 118. That the Owner agrees to implement cycling and trails plans in accordance with the North Oakville Trails Plan, when finalized, and the enacted Development Charges By-law to the satisfaction of the Town.

- Condition 121. That the Owner, at their sole expense, agrees to develop the parkland to a base-level condition as a local service provision under section 59 of the Development Charges Act.

  This includes but is not limited to:

  a) Clearing and grubbing.
  b) Erosion and sediment control.
  c) Topsoil stripping and stockpiling.
  d) Servicing to just inside the property line (including water, hydro, storm, sanitary, electrical, fiber/phone, catchbasins, manholes, access boxes, meter, and meter boxes).

- The developer is to provide a full functioning electrical and water service to the park (to Oakville Hydro and Region of Halton standards) to which the park contractor will tie into.

- The full electrical and water service includes a water meter, hydro meter, and boxes. All costs associated with providing a full service to the park (including Region of Halton or Oakville Hydro fees/testing/inspections/permits) shall be born by the developer.

- Should the meters and boxes be planned more than 1 meter within park, the town shall bear the cost of the extending water piping or electrical lines to the planned location (e.g. precast shed).

e) Rough grading (pre-grading) to base level conditions and the supply of topsoil to the required depth.
f) Topsoil placement per the applicable subdivision agreement.
g) Temporary fencing (e.g. construction fence).
h) Temporary park sign.
i) Permanent fencing to town standards (e.g. chainlink fence).
j) Applicable heritage feature(s).

- Condition 122. That the base-level pre-servicing of the park blocks (sanitary, storm, water, hydro) shall match (without modification) the ultimate park grading and servicing design.

Draft Plan of Subdivision Conditions Finding

[110] As result of the findings above regarding the Village Square, the Tribunal agrees with Mr. Levac that the conditions 61, 121, and 122, pertaining to the Village Square, are to be removed as a Village Square is not within the DPS and therefore not necessary. However, conditions 21 and 118 relate to the creation of a trail. Based on the findings above, the Tribunal finds that condition 21 and 118 ought to remain as they pertain to the creation of the trail within the proposed development as determined above.

[111] Therefore, the Tribunal accepts the opinion of Ms. Graham that the reminder of the conditions are fair and reasonable and has regard for the criteria of s. 51 (25) of the Act.

ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION APPLICATION

[112] In making a decision with respect to the ZBA, the Tribunal must determine if it is consistent with the PPS, conforms with the Town's OP and NOESP, and has regard for s. 2 of the Act. Furthermore, the Tribunal must determine if the DPS meets the statutory test of s. 51(24) of the Act.

[113] The Tribunal finds the revised Proposed Development through the implementation of the revised ZBA is consistent with the PPS by permitting a mixed used development, that supports active transportation through the development of the trail network. The revised ZBA will contribute to a range and mixed of housing and built form, providing a variety of townhouse forms, medium and high-density units at an appropriate density within a fully serviced strategic growth area. The revised ZBA conforms to the Town's OP and NOESP by creating a sense of place through the development of the Neyagawa Boulevard interface and high density built from at the corner of Neyagawa Boulevard and William Halton Parkway. The variety of built form

will support the achievement of the minimum density target set for Block 2 of the NOESP. Furthermore, the ZBA has regard to the NOTP by creating the trail through the efficient use of sidewalks and the open space block which will provide for the future competition of a trail loop.

[114] The Tribunal considers the criteria for DPS set out in s. 51(24) of the Act. The Tribunal finds that the DPS has regard for s. 51(24) of the Act as it conforms to the Town's OP and NOESP, the lands are suitable for the purpose of subdividing, provides flood control through the development of the SWM Pond, and has an adequate road network and linkage to the surrounding existing road network.

[115] Lastly, based on the above, the Tribunal finds that the ZBA and DPS has regard for s. 2 of the Act.

SUMMARY OF DIRECTIONS AND FINDINGS OF THE ANC APPEAL

[116] In summary, the Tribunal directs ANC to revise their draft planning instruments to conform with the NUC OPA as Ordered below, expand the three open space blocks to amalgamate them as one to allow for the future development of a trail by the Town, remove conditions 61, 121, and 122 from the DPS conditions, and lastly the Town and ANC collaboratively update the formatting of the draft planning instruments to align with the Town's format, including defined zoning per block.

[117] Additionally, the Tribunal directs ANC to revert the driveway width requirements back to the Town's standards as the change was not justified and therefore need to be revised to reflect the Town's standards.

[118] The planning documents affecting the amendment and DPS include s. 2 of the Act, the PPS, the HROP, the Town OP, and the NOESP. The aforementioned planning documents have several common themes that are implemented by the revised ZBA, DPS and conditions, and proposed development, including:

- Contributes to diversifying the range and mix of housing by providing a variety of townhouse forms, medium and high density units;

- Optimizes existing municipal infrastructure by achieving the minimum density target;

- Supports active transportation through the inclusion of the Town's trail network;

- Establishes a sense of place through the creation of a well-designed built form in a mixed-use development; and

- The efficient and optimal use of land and infrastructure.

[119] Therefore, the Tribunal finds that the revised ZBA and DPS have regard for s. 2 of the Act, is consistent with the PPS, conform to the HROP and Town OP, and has appropriate regard for the applicable guidelines. Furthermore, the Tribunal finds that the revised DPS has regard for the criteria set out in s. 51(24) of the Act and the revised conditions of DPS approval are typical, having regard for the criteria of s. 51(25) of the Act.

INTERIM ORDER

OLT-25-000339

[120] **THE TRIBUNAL ORDERS THAT** the appeals related to the Neyagawa Urban Core Official Plan Amendment 45 and 326 in the Town of Oakville are allowed, in part, on an interim basis, contingent upon confirmation, satisfaction, or receipt of those pre-requisite matters identified in paragraph 121 below, and the Official Plan Amendment

set out in **Attachment 1** to this Interim Order, is hereby approved in principle, with the following modifications:

- Policy 7.6.6.4 (c)

  Minimum Density

  The Neyagawa Urban Core Area shall achieve an overall minimum density target of 160 residents and jobs combined per hectare. The general target proportion should be 85% residents and 15% jobs.

  This minimum density target should be achieved through the application of minimum target densities per block, measured across the entire block, as identified in Figure 7.6.6.2:

  i) Block 1 – 200 residents and jobs combined per ha
  ii) Block 2 – 160 residents and jobs combined per ha
  iii) Block 3 – 160 residents and jobs combined per ha
  iv) Block 5 – 160 residents and jobs combined per ha

- Policy 7.6.6.4 (d)

  Building Heights

  i. Residential and mixed use development within 30 metres from the north side of Burnhamthorpe Road West / William Halton Parkway and along the east and up to the Highway 407 Lands / Fence along the west sides of Neyagawa Boulevard north of Burnhamthorpe Road West / William Halton Parkway right-of-way, shall be a minimum height of 5 storeys, excluding podium elements which may be lower.

ii. Residential and mixed use development beyond 30 metres from the north side of Burnhamthorpe Road West / William Halton Parkway and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe Road West / William Halton Parkway right-of-way, shall be a minimum height of 3 storeys. Two-storey townhouses are also permitted in Block 2 provided they shall not exceed 20% of total townhouse units and shall be removed from the Fourth Line and Neyagawa Boulevard frontages.

iii. A maximum height of 20 storeys shall be permitted north of Burnhamthorpe Road West / William Halton Parkway.

- Policy 7.6.6.7 Public Realm and Amenity

c) The locations of urban squares, promenades, connecting links, and other open spaces shall be coordinated as development progresses to ensure that these amenities are provided for residents and employees in a timely manner.

[121] The Tribunal will withhold the issuance of its Final Order contingent upon confirmation of the Town's Solicitor of the following pre-requisite matters:

- The Tribunal has received, and approved, the Official Plan Amendment submitted in a final form, confirmed to be satisfactory to the Town Solicitor.

[122] The Member will remain seized for the purposes of reviewing and approving the final draft of the Official Plan Amendment and the issuance of the Final Order.

[123] If the Parties do not submit the final drafts of the Official Plan Amendment, and provide confirmation that all other contingent pre-requisites to the issuance of the Final Order set out in paragraph 121 above have been satisfied, and do not request the issuance of the Final Order, by Wednesday, June 17, 2026, the Appellants and the Town shall provide a written status report to the Tribunal by that date, as to the timing of the expected confirmation and submission of the final form of the Official Plan Amendment and issuance of the Final Order by the Tribunal.

[124] The Tribunal may, as necessary, arrange the further attendance of the Parties by Telephone Conference Call to determine the additional timelines and deadline for the submission of the final form of the instruments, the satisfaction of the contingent prerequisites and the issuance of the Final Order.

OLT-24-000968

[125] **THE TRIBUNAL ORDERS THAT** the appeals related to Part of Lot 20, Concession 2, NDS, in the Town of Oakville are allowed in part, on an interim basis, contingent upon confirmation, satisfaction or receipt of those pre-requisite matters identified in paragraph 126 below, and the Zoning By-law Amendment set out in **Attachment 2**, the development proposal, as contemplated in the conceptual plan for the Draft Plan of Subdivision as set out in **Attachment 3**, and the Draft Plan of Subdivision Conditions set out in **Attachment 4** to this Interim Order, are hereby approved in principle, with the modifications outlined in paragraph 116 and 117.

[126] The Tribunal will withhold the issuance of its Final Order contingent upon of the conclusion of the following pre-requisite matters:

- The Tribunal has received the Zoning By-law Amendment, Draft Plan of Subdivision, and Conditions submitted in a final form, confirmed to be satisfactory to the Town Solicitor.

[127] The Member will remain seized for the purposes of reviewing and approving the final draft of the Zoning By-law Amendment and Draft Plan of Subdivision, and the issuance of the Final Order.

[128] If the Parties do not submit the final drafts of the Zoning By-law Amendment and Draft Plan of Subdivision, and provide confirmation that all other contingent pre-requisites to the issuance of the Final Order set out in paragraph 126 above have been satisfied, and do not request the issuance of the Final Order, by Wednesday, June 17, 2026, the Appellants and the Town shall provide a written status report to the Tribunal by that date, as to the timing of the expected confirmation and submission of the final form of the Zoning By-law Amendment and Draft Plan of Subdivision, and issuance of the Final Order by the Tribunal.

[129] The Tribunal may, as necessary, arrange the further attendance of the Parties by Telephone Conference Call to determine the additional timelines and deadline for the submission of the final form of the instruments, the satisfaction of the contingent prerequisites, and the issuance of the Final Order.

"Kurtis Smith"

KURTIS SMITH
MEMBER

Attachment 1

Town-Recommended Edits to Council-Adopted By-law 2025-005 (Feb 10, 2026 version)

OAKVILLE

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2025-005

A by-law to adopt Official Plan Amendment No. 326 to the 1984 Oakville Official Plan to establish policies for the Neyagawa Urban Core strategic growth area, and to adopt Official Plan Amendment No. 45 to the Livable Oakville Plan to update the town's urban structure accordingly
(Town of Oakville, Neyagawa Urban Core Review, File No. 42.15.60)

WHEREAS subsection 21(1) of the *Planning Act,* R.S.O. 1990, c.P.13, as amended, states that a council of a municipality that is within a planning area may initiate an amendment to any official plan that applies to the municipality, and section 17 applies to any such amendment;

WHEREAS it is deemed necessary to pass an amendment to the 1984 Oakville Official Plan to implement the recommendations of the Neyagawa Urban Core Review to establish policies for a strategic growth area within the North Oakville East Secondary Plan Area at the intersection of Neyagawa Boulevard and Burnhamthorpe Road West / William Halton Parkway; and,

WHEREAS it is also deemed necessary to pass an amendment to the Livable Oakville Official Plan to update Schedule A1, Urban Structure, which is referenced in the 1984 Oakville Official Plan's North Oakville East Secondary Plan, to identify the Neyagawa Urban Core strategic growth area as "Nodes and Corridors."

COUNCIL ENACTS AS FOLLOWS:

1. For the purposes of this by-law:

    a. "1984 Oakville Official Plan" means the Official Plan for the Oakville Planning Area adopted by the Council of the Corporation of the Town of Oakville on July 5, 1983 by By-law 1983-114, approved as modified by the Minister of Municipal Affairs and Housing on December 21, 1984 subject to certain referrals and deferrals, and as subsequently amended.

b. "North Oakville East Secondary Plan" means OPA 272 to the 1984 Oakville Official Plan, which was approved by the Ontario Municipal Board on January 11, 2008, and as subsequently amended.

c. "Livable Oakville Official Plan" and "Livable Oakville Plan" mean the Official Plan for the Oakville Planning Area that currently applies to the lands south of Dundas Street and the lands north of Highway 407, and was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011, and as subsequently amended.

d. The subject lands are as identified in **Appendix "A"** to this by-law.

2. Official Plan Amendment Number 326 to the 1984 Oakville Official Plan, attached as **Appendix "B"** to this by-law, is hereby adopted.

3. Official Plan Amendment Number 45 to the Livable Oakville Official Plan, attached as **Appendix "C"** to this by-law, is hereby adopted.

4. Each Official Plan Amendment is subject to appeal rights set out in section 17 of the *Planning Act*, R.S.O. 1990, c. P.13, and shall come into effect once the deadline for filing appeals has passed or all appeals have been withdrawn or finally disposed of.

5. This Official Plan Amendment is exempt from approval pursuant to Ontario Regulation 525/97 Exemption from Approval (Official Plan Amendments).

PASSED this ____ day of _____, 2025

_____ MAYOR

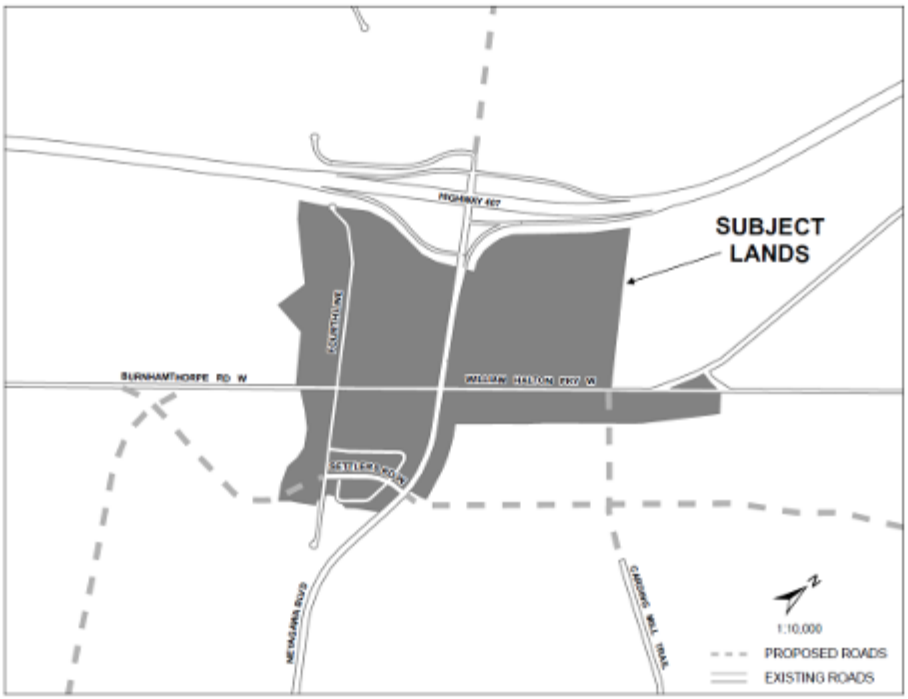
_____ CLERK

OAKVILLE

DRAFT By-Law Number: 2025-005

Appendix "A" to By-law 2025-005

Lands subject to amendments to the 1984 Oakville Official Plan and the Livable Oakville Official Plan (Neyagawa Urban Core Area)



Appendix "B" to By-law 2025-005

Official Plan Amendment Number 326 to the 1984 Oakville Official Plan

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number 326 to the 1984 Oakville Official Plan's North Oakville East Secondary Plan.

Part 1 – Preamble

A. Subject Lands

The proposed Official Plan Amendment (OPA) relates to the lands located at the intersection of Neyagawa Boulevard and Burnhamthorpe Road West / William Halton Parkway as identified in **Appendix "A"** to By-law 2025-005.

B. Purpose and Effect

The purpose of this proposed OPA is to identify and establish policies for the Neyagawa Urban Core strategic growth area at the intersection of Neyagawa Boulevard and Burnhamthorpe Road West / William Halton Parkway.

The effect of the proposed OPA to the 1984 Oakville Official Plan's North Oakville East Secondary Plan will:

- update schedules to identify the Neyagawa Urban Core strategic growth area and designate the lands as "Neyagawa Urban Core Area"
- provide area-specific land use policies to support the creation of a transit-supportive, active transportation supportive, complete community that includes a mix of medium and high density residential, commercial and institutional uses
- provide area-specific functional and implementation policies to enable and guide redevelopment consistent with the above, which address matters including urban design, transportation, stormwater management, and parkland dedication and public realm enhancements

The proposed OPA will result in revisions to the following parts of the North Oakville East Secondary Plan:

- Section 7.3.2 Urban Core
- Section 7.6.6 Neyagawa Urban Core Area
- Figure NOE 1 Community Structure
- Figures NOE 2 Land Use Plan

C. Background and Basis

- As part of the province's goal of building 1.5 million homes by 2031, the town has pledged to support the delivery of 33,000 housing units in this timeframe.
- The Provincial Planning Statement, 2024 (PPS 2024) came into effect October 20, 2024, replacing the Growth Plan for the Greater Golden Horseshoe, 2019 and the Provincial Policy Statement, 2020.
- The PPS, 2024 Vision states the following: "*Ontario's land use planning framework, and the decisions that are made, 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.*"
- According to the PPS, 2024, Strategic Growth Areas (SGAs) are *"settlement areas, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher density mixed uses in a more compact built form."*
- According to the Regional Official Plan (ROP), a Strategic Growth Area *"means lands identified by the Region or its Local Municipalities within the Urban Area that are to be the focus for accommodating population and employment intensification and higher-density mixed uses in a more compact built form. Strategic Growth Areas include Urban Growth Centres, Major Transit Station Areas, Regional Nodes, Regional Corridors, and Local Nodes as identified in Local Official Plans."*
- The ROP, as amended by Regional Official Plan Amendment (ROPA) 48 and 49 and approved by the Minister of Municipal Affairs and Housing, implements the Regional Urban Structure to establish a hierarchy of Strategic Growth Areas (SGAs) and assigns Strategic Growth Areas Targets including "minimum density targets of residents and jobs combined" as well as a "combined general target proportion of residents and jobs" that the town is required to plan to achieve.

- The Neyagawa Urban Core is identified as a Primary Regional Node in the Regional Official Plan (ROP) with a role in accommodating mixed-use intensification and supporting a provincial, regional and local transit system and is assigned a minimum density of 160 of residents and jobs combined per hectare.
- The town is required to plan for growth in conformity with the policies of the ROP. As of July 1, 2024 (Bill 185), the Region of Halton became "an upper-tier municipality without planning responsibility" and the ROP became the town's official plan.
- Through the Regional Official Plan Review, a strategic employment area conversion for a portion of the lands abutting Highway 407 was also approved for the Neyagawa Urban Core.
- The planning of the NUC at a density and mix of uses sufficient to support higher order transit also assists in the delivery of a ~~407 Transitway~~ transit terminal ~~at Neyagawa Blvd and Highway 407~~. Ministry of Transportation guidelines suggest a minimum density threshold of 160 of residents and jobs combined per hectare to support higher order transit which is consistent with what is assigned to the NUC as a Primary Growth Node under the ROP.
- The NUC is part of the Urban Core Areas in the North Oakville East Secondary Plan (NOESP). The NUC is being planned as a transit-supportive community with reliable coordination between land use and transit, ~~including the 407 Transitway (Bus Rapid Transit).~~
- The vision for North Oakville is to create a compact, pedestrian-friendly urban community with diverse housing options, from large-lot detached homes to high-rise apartment buildings aimed at accommodating 55,000 people and providing 35,000 jobs.
- The Neyagawa Urban Core lands are currently identified as "Nodes and Corridors for Further Study" within the approved town-wide urban structure.
    - "For those areas identified on Schedule A1 – Urban Structure as Nodes and Corridors for Further Study, future review shall provide updated and new policies to delineate boundaries, the mix of land uses and the intensity and scale of development."
- On October 4, 2021, the Planning and Development Council received the report "Neyagawa Urban Core Review – Background and Preliminary Directions" which introduced the study and provided background information and initial analysis by staff.

- A Public Information Meeting was held on February 17, 2022, to solicit public input to the Neyagawa Urban Core Review.
- A Statutory Public Meeting was held on May 16, 2022. A copy of the draft Official Plan Amendment was posted in conjunction with the Notice of Statutory Public Meeting.
- Since the May 16, 2022 Statutory Public Meeting, staff prepared updates to the Draft OPA to respond to:
    - comments received at the Statutory Public Meeting;
    - feedback from Councillors;
    - meetings with stakeholders;
    - changes in policy context over the last two years including:
        - ROPA 48 and 49 being passed which included updates to the Regional Structure such as employment conversions, intensification and density targets, approved by the Minister of Municipal Affairs and Housing
        - concluded North Oakville East Commercial Study (NOECS)
        - Changes to Provincial Policy and the introduction of the Provincial Planning Statement 2024 (PPS, 2024)
- A Statutory Public Meeting was held on November 25, 2024. The proposed official plan amendments for the Neyagawa Urban Core Area were based on the findings of the Neyagawa Urban Core Review including additional research, analysis and revisions undertaken by staff and including input from Council, landowners, the public and agency stakeholders.
- Since the November 25, 2024 Statutory Public Meeting, further amendments have been proposed to address comments from Council and the public which includes the property owners whose lands are subject to the proposed amendments.
- The proposed OPA contains new and updated policies for the NUC that will enable development of a mixed use, higher order transit supportive, complete community that is responsive to the climate emergency.
- A copy of the proposed OPA was posted in conjunction with the Notice of Statutory Public Meeting on **February 11, 2025**.

Part 2 – The Amendment

A. Text Changes

The amendment includes the changes to the text of the 1984 Oakville Official Plan's North Oakville East Secondary Plan as indicated in the following table.

Text that is **bolded and underlined** is new text to be inserted. Text that is crossed out ("~~strikethrough~~") is to be deleted.

Item No.	Section	Description of Change
1.	**7.3.2** COMMUNITY STRUCTURE, URBAN CORE	Revise the policy as follows: 7.3.2 URBAN CORE The Urban Core designations reflect the most urban part of the North Oakville East Plan Area. These areas provide for the densest development and the highest order activities including a full range of residential, retail and service commercial, entertainment, cultural, business and institutional uses. Mixed use development is encouraged. Ultimately it is intended that Urban Core lands will become true mixed use urban areas. The primary focus of this development is along Trafalgar Road, with the north side of Dundas St. and the intersection of Neyagawa Boulevard and Burnhamthorpe Road West **/ William Halton Parkway also** having an important **role in accommodating growth.** ~~more secondary role.~~
2.	**7.5.13** COMMUNITY DESIGN STRATEGY, URBAN CORE AREAS – INTERIM USES & PHASED DEVELOPMENT	Revise the policy as follows: Urban Core Areas, ~~particularly~~ **including** the Trafalgar Urban Core Area, **and the Neyagawa Urban Core Area** are intended to ultimately provide for a ~~primarily~~ mixed use development which is the densest in North Oakville. In order to ensure that the ultimate development form is not constrained by interim land uses and the development of initial phases, the following planning and design principles will form the basis for development: f) Design excellence shall be promoted **for interim uses and all phases of development** and shall convey aspects of the Town's local character throughout the Urban Core Areas.
3.	**7.5.16** COMMUNITY DESIGN STRATEGY, NEYAGAWA URBAN CORE	Revise the policy as follows: The Neyagawa Urban Core is intended to provide a **higher order transit-supportive,** mixed use area to accommodate a range of commercial, residential, employment and institutional uses as a focal point for the western portion of the Planning Area. ~~Development will be at lower densities than those found in the Trafalgar Urban core, however,~~ **Mixed use development shall be permitted throughout the area. Key community design elements of this area include:**

Item No.	Section	Description of Change
		a) Where retail and service commercial development is permitted, it **should** ~~will~~ be ~~encouraged to be~~ oriented to the street creating a pleasant, pedestrian shopping environment. These retail and service commercial uses may be in stand alone **buildings subject to the policies of 7.6.6.2 (f)** ~~stores~~ or on the ground floors of mixed use buildings. b) **Where retail and service commercial development is provided:** ~~In areas of commercial development~~: i) the principal public entrance should provide direct **and barrier-free** access onto the public **realm**~~sidewalk~~; ii) the primary windows and signage should face the street; iii) buildings facing the street should ~~be encouraged to~~ **incorporate** ~~have~~ awnings, canopies, arcades or front porches to provide weather protection; iv) no **surface** parking, driveways, lanes or aisles should be permitted between the buildings and public sidewalks; v) buildings should have a consistent setback and parking lots abutting the street should be limited **in size** and designed in accordance with the provisions of Section 7.5.7.1; vi) the location and design of any large retail stores shall consider the design alternatives set out in Section 7.5.13 b); and, vii) any commercial nodes including large retail stores should be integrated into the pattern of streets and blocks of which they are a part. The pattern of blocks and the physical design of the buildings in relation to the street should encourage pedestrian circulation to, from and within this commercial area. Streets, sidewalks and the orientation of buildings **and their main entrances** shall be designed **and positioned** to create comfortable, enjoyable pedestrian movement in a vibrant public realm. c) Minimum and maximum setbacks, densities, **indoor and outdoor private amenity space** and other standards will be implemented through the zoning by-law to ensure that development achieves the standards required as a basis for the creation of this core area.

Item No.	Section	Description of Change
4.	**7.5.16** COMMUNITY DESIGN STRATEGY, NEYAGAWA URBAN CORE	Insert a new policy subsection as follows: **c) In accordance with the policies of Part E, Section 7.1.5, the Neyagawa Urban Core is identified as Nodes and Corridors in the town-wide Urban Structure and is a *strategic growth area*.**
5.	**7.6.6.1** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Purpose	Revise the policy as follows: ***a) Purpose*** The Neyagawa Urban Core Area designation on Figure NOE2 is intended to allow the creation of a ~~secondary~~ core area at the intersection of Neyagawa Boulevard and **Burnhamthorpe Road West / William Halton Parkway** ~~and a new east-west Major Arterial/Transit Corridor~~. The intent of this ~~Core~~ area is to **create a mixed use, complete community with densities that support future ~~higher order~~ transit infrastructure. ~~including a 407 Transitway Terminal. The designation may also~~** ~~permit the provision of convenience commercial, institutional and employment uses to serve adjacent neighbourhoods, as well as related residential development.~~ **A ~~future 407 Transitway T~~ transit terminal is an important component of this transit-supportive, pedestrian-oriented complete community. ~~Adjacent development should be designed to facilitate safe active transportation and vehicular access to the station~~** **b) *Planning for Transit*** **In support of transit planning for the Neyagawa Urban Core Area, relevant transit authorities/operators will undertake studies for a transit terminal to be located within the Neyagawa Urban Core for planned higher density development.** **c) *Planning for a Complete Community*** **Land use designations and implementing development plans shall permit the provision of convenience commercial, institutional and employment uses to serve adjacent neighbourhoods, as well as residential development. Development within the Neyagawa Urban Core shall also ensure safe and convenient mobility throughout, including active transportation and vehicular access.**

Item No.	Section	Description of Change
6.	**7.6.6.2** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Permitted Uses, Buildings and Structures	Revise the policy as follows: ~~a) The permitted uses shall be the full range of office, commercial including retail and service commercial, accommodation, health and medical, institutional and medium and high density residential uses.~~ **a) A wide range of uses shall be permitted including, office, retail and service commercial uses, institutional, major office, offices, places of entertainment, indoor sports facilities, hotels and medium and high density residential uses. Interim stand alone retail and commercial uses, in accordance with Policy 7.6.6.2(d), shall also be permitted.**
7.	**7.6.6.2** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Permitted Uses, Buildings and Structures	Revise the policy as follows: **b)** ~~Permitted uses shall be primarily located in medium and high density residential, office and institutional buildings.~~ Both mixed use and single use buildings shall be permitted. ~~and this may include single use retail and service commercial buildings in accordance with the provisions in Section 7.6.6.3(c).~~
8.	**7.6.6.2** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Permitted Uses, Buildings and Structures	Adding a new policy 7.6.6.2(c) as follows, and renumbering the following sections of the plan accordingly: **c) The size and location of uses shall be determined through the development process and regulated by the implementing zoning.**

Item No.	Section	Description of Change
9.	**7.6.6.2** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Permitted Uses, Buildings and Structures	Adding a new policy 7.6.6.2(d) as follows, and renumbering the following sections of the plan accordingly: **d) Interim stand alone retail and service commercial buildings may be permitted subject to the appropriate siting and configuration of the buildings in a manner that:** **i. should allow for the eventual provision of local roads and small blocks;** **ii. should allow for the creation of safe, accessible pedestrian and transit friendly streetscapes and routes;** **iii. should orient main entrances of buildings to the street or within the block facing a future street for the initial and future development;** **iv. should allow for the provision and configuration of parking for the initial development which will also accommodate intensification over time;** **v. should allow for the achievement of both interim and longer term development objectives, through intensification around initial buildings or reserved sites and redevelopment of the initial buildings themselves; and** **vi. shall not preclude the long-term development potential of the property.**

Item No.	Section	Description of Change
10.	**7.6.6.2** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Permitted Uses, Buildings and Structures	Adding a new policy 7.6 .6.2(e) as follows, and renumbering the following sections of the plan accordingly: **e) A minimum of ~~16,000~~ 14,000 square metres of retail and service commercial uses should be provided within the Neyagawa Urban Core Area.** **The distribution of retail and service commercial uses amongst the blocks identified in Figure 7.6.6.2 shall offer convenient pedestrian access to retail and service commercial uses and support walkable communities. This distribution will be implemented through development applications. Each new development application will be required to demonstrate how the development is contributing to the minimum requirement with specific amounts incorporated into the zoning by-law.** **The distribution should be:** **i. A minimum of ~~3,000~~ 1,000 square metres provided across blocks 1 and 2;** **ii. A minimum of 9,300 square metres provided on block 3; and** **iii. A minimum of 3,700 square metres provided on block 5.**  Figure 7.6.6.2

Item No.	Section	Description of Change
11.	**7.6.6.2** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Permitted Uses, Buildings and Structures	Revise the former policy 7.6.6.2 (c) now renumbered as (f) as follows: **f)** ~~The total retail commercial development in this designation shall not exceed a total of 31,000 sq. metres of gross leaseable floor area and may include supermarkets. Other commercial development such as financial institutions, service stations, restaurants and service commercial uses shall not be subject to this floor area limit.~~ No single user or retail store shall exceed a maximum of 7,000 sq. metres of gross leaseable floor area.
12.	**7.6.6.2** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Permitted Uses, Buildings and Structures	Adding a new policy 7.6 .6.2(g) as follows: **g) A food store should be provided within Block 3 of Figure 7.6.6.2.**
13.	**7.6.6.2** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Permitted Uses, Buildings and Structures	Adding a new policy 7.6.6.2(h) as follows: **h) Development adjacent to employment districts shall incorporate measures to buffer and transition to sensitive land uses and achieved through future development applications, and site-specific Land Use Compatibility studies.**
14.	**7.6.6.3** *[Now 7.6.6.4]* LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Land Use Policies	Renumber Section 7.6.6.3 Land Use Policies as Section 7.6.6.4 Land Use Policies.
15.	*New* **7.6.6.3** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Functional Policies	Insert a new policy subsection as follows and renumbering the following sections of the plan accordingly: **7.6.6.3 Functional Policies** **In addition to the policies in Section 7.5.2 through 7.5.11 and 7.8 of this Plan, the following functional policies apply to the Neyagawa Urban Core Area.**
16.	*New* **7.6.6.3.1** LAND USE STRATEGY,	Insert a new policy subsection as follows: **7.6.6.3.1 Transportation** **a) A future transit terminal will serve inter-regional bus**

Item No.	Section	Description of Change
	NEYAGAWA URBAN CORE AREA, Functional Policies, Transportation	connections ~~along Highway 407~~ and connect with local transit. ~~The facility should be located adjacent to the 407 Transitway in the area of Neyagawa Boulevard and Highway 407.~~ b) The ~~province, the~~ Town~~, and landowners~~ shall work co-operatively with the Province, transit authorities / operators and landowners to deliver ~~explore options for the development of~~ a transit terminal within the Neyagawa Urban Core in accordance with Policy 7.6.6.1b). ~~in the area of Neyagawa Boulevard and Highway 407.~~ c) ~~The~~ A transit terminal location is shown conceptually on Figure NOE 4 Transportation Plan and the location may be moved without amendment to this plan. ~~provided it is adjacent to the 407 Transitway~~. d) Changes to the requirements, location or alignment of new transit facilities, pedestrian and cycling facilities and roads shall not require an amendment to this Plan provided that the general intent and purpose of this Plan is maintained and intensification opportunities are not precluded. e) Development shall align with the existing and planned transportation system including a transit terminal identified in accordance with Policy 7.6.6.1b), higher order transit service, active transportation infrastructure, and measures such as transportation demand management. f) New road, transit, and active transportation infrastructure shall be provided to accommodate future growth and development. g) Development should occur on public roads. Where it is demonstrated that a public road is not warranted, development through plans of condominium on private roads may be permitted, provided all required services are appropriately accommodated and all applicable policies of this Plan are addressed. h) The location of roads shall be determined through draft plans of subdivision, condominium plans, detailed stormwater management and/or functional servicing studies, Transportation Studies and any other technical studies required to the satisfaction of the Town and Halton Region. i) Passenger amenities in high density residential or mixed use buildings adjacent to transit stops, including ~~the~~ a future transit terminal, should be provided. j) Parking

Item No.	Section	Description of Change
		i. Structured parking, both above and below ground should be provided where feasible. Underground parking structures are preferred. ii. Above ground parking structures should be integrated with development, and shall be appropriately sited and screened, including appropriate landscaping, to the satisfaction of the Town. Active uses at-grade should be provided within parking structures that face a public street and/or outdoor pedestrian amenity space. iii. Where surface parking is provided, the maximum portion of a lot used for commercial and visitor surface parking shall be determined through implementing zoning. Surface parking shall be appropriately sited and screened to minimize the view of the parking from the street and other pedestrianized amenities. iv. ~~The Town shall work with the Ministry of Transportation to ensure an approach to the provision of parking for a 407 Transitway Terminal that allows opportunities for parking rate reductions and implementation of stand alone or integrated (mixed-use) parking structures.~~ k) Development shall incorporate safe, accessible and direct circulation routes to and through the site that connect pedestrians to: i. principal entrances of buildings, amenity areas and parking areas; ii. public sidewalks and transit facilities; iii. parks and open space; l) Mid-block Connections: i. Development shall promote safe, barrier-free, convenient, and predictable mid-block connections. ii. The location of mid-block connections should relate to the placement of the buildings, and align with existing or planned transportation (including active transportation) circulation routes. iii. Mid-block connections may be publicly or privately owned and shall be publicly accessible. iv. Mid-block connections may be used to support site servicing or site access. v. Mid-block connections should: • form uninterrupted connections through a block to allow

Item No.	Section	Description of Change
		for continuous transportation opportunities; • be designed to be universally accessible; • include appropriate pedestrian-scaled lighting; • incorporate active transportation infrastructure including bicycle parking; and, • have appropriate and clear signage and way-finding. m) In addition to policies in Section 7.5.4 i), developments shall have regard for the implementation strategies and guidelines set out in the Town and Region's Transportation Master Plans.
17.	*New* **7.6.6.3.2** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Functional Policies, Stormwater Management	Insert a new policy subsection as follows: a) Development shall implement stormwater management techniques and best practices, including low impact development, in accordance with provincial environmental permissions and obligations for municipal stormwater management systems and to the satisfaction of the Town and Conservation Authority as set out within the Environmental Implementation Report / Functional Servicing Study (EIR/FSS) and subsequent updates through detailed design. b) Stormwater management facilities that provide Regional event controls shall be publicly owned within town-owned and accessible lands. c) Stormwater management should include green infrastructure opportunities to support climate change resiliency. d) Where applicable, Parks and open space areas should incorporate green infrastructure that enhances the ecological function of the area and supports stormwater management, including surface or subsurface stormwater facilities where appropriate.

Item No.	Section	Description of Change
18.	*New* **7.6.6.3.3** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Functional Policies, Urban Design	Insert a new policy subsection as follows: **7.6.6.3.34 Urban Design** **a) Development shall be designed in accordance with the design direction provided in Section 7.2.3.4 and Section 7.5.3 of this Plan, and the Livable by Design Manual.** **Alternative design approaches to those found in the Liveable by Design Manual may be proposed, with appropriate justification and after consultation with the Town, provide that they meet the intent and purpose of the urban design policies of the Plan.** **b) The direction provided through Section 7.5.13 for retail and service commercial uses shall be achieved through the implementing zoning and further implemented through the zoning by-law amendment and site plan processes.**

Item No.	Section	Description of Change
19.	*New* **7.6.6.3.4** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Functional Policies, Urban Design	**Built Form** **a) Multiple towers within a block, development site, or adjacent properties should ~~have varying heights to~~ enhance visual interest and contribute to a distinctive skyline, such as through varying building heights.** **b) For buildings greater than 12 storeys:** ***i. should be designed with a slender tower profile and sited to maximize solar energy, ensure adequate sunlight and sky views, minimize wind impacts on pedestrian spaces and adjacent properties, and avoid excessive shadowing on the public realm.*** **ii. should ensure a pedestrian-oriented built form, and provide active façades oriented to public streets.** ***iii. along public streets or publicly accessible amenity space, a stepback between the podium base and tower portion should be provided to reinforce the character of the public realm.*** ***iv. the distance between the facing walls of towers should be a minimum of 25 metres at the tower base.*** ***v. the distance between facing walls of ~~podiums~~ portions of residential buildings between 5 and 12 storeys, where there are windows or other openings on both building faces, should be a minimum of 15 metres.*** **c) For two facing residential buildings between 5 and 12 storeys in height ~~greater than four storeys~~, where there are windows or other openings on both building faces, a minimum building separation distance of 15.0 metres should be provided. ~~between buildings exceeding four storeys to ensure adequate privacy, natural light, and air circulation.~~** **d) For clarity, policy (b)(v) and (c) do not apply to buildings or portions of buildings four storeys in height or below.**
20.	**7.6.6.4 [formerly 7.6.6.3]** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Land Use Policies	This section was previously renumbered as Section 7.6.6.4. Revise the policy as follows: a) Development will be focused at the intersection of Neyagawa **Boulevard** ~~Blvd.~~ and Burnhamthorpe Road **West / William Halton Parkway** and visually connected by establishing coherent streetscapes along adjacent sections of Neyagawa **Boulevard** ~~Blvd.~~ and Burnhamthorpe Road **West / William Halton Parkway** through a number of design features and mechanisms, ~~identified in the applicable urban design guidelines,~~ including provisions for landscaping, signage, street

Item No.	Section	Description of Change
		furniture and other features of the public right of way, and guidelines for siting and massing of adjacent buildings. Development will also be physically connected by road, transit, pedestrian and bicycle linkages. ~~b) A mix of uses shall be permitted at the following heights and densities:~~ ~~• Minimum density - FSI of 0.5 with the exception of service station sites and as set out in Subsection c);~~ ~~• Maximum density - FSI of 2;~~ ~~• Medium Density Residential Density – Notwithstanding the foregoing, where medium density residential uses are permitted such development shall have a minimum density of 25 units per net hectare and a maximum density of 75 units per net hectare;~~ ~~• Minimum height - 5 metres for a commercial building and generally 3 storeys for other development; and,~~ ~~• Maximum height - 8 storeys.~~ ~~c) Where the minimum standards are not proposed to be achieved with the initial development proposals, the applicant shall be required to submit an intensification plan demonstrating how the ultimate density and other objectives for the site can be achieved. The intensification plan shall address:~~ ~~• the provision of local roads and small blocks;~~ ~~• the means to achieve a safe pedestrian and transit friendly streetscape with the initial uses;~~ ~~• the siting and orientation of buildings within the block and to the street for the initial development and longer term intensification;~~ ~~• the siting and orientation of parking for the initial development and changes to parking to accommodate the intensification process; and~~ ~~• the ability to achieve both short term and longer term intensification, the former potentially through intensification around initial buildings or reserved sites and the latter through possible redevelopment of the initial buildings themselves.~~ ~~Based on this information, the Town will consider a reduction in the minimum density on specific sites to the following minimum densities:~~ • ~~0.25 for retail and service commercial uses provided the interim development also complies with the design policies of Section 7.5.16 b) and the land use policies of this section; and~~ • ~~0.3 for all other uses.~~

Item No.	Section	Description of Change
21.	**7.6.6.4 [formerly 7.6.6.3]** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Land Use Policies	Insert a new policy subsection as follows: **b) A mix of uses shall be permitted in the Neyagawa Urban Core Area with a range of building heights and densities to support higher order transit.** **c) Minimum Density** **The Neyagawa Urban Core Area shall achieve an overall minimum density target of 160 residents and jobs combined per hectare. The general target proportion should be 85% residents and 15% jobs.** **This minimum density target should be achieved through the application of minimum densities per block, measured across the entire block, as identified in Figure 7.6.6.2:** **i) Block 1 – 200 residents and jobs combined per ha** **ii) Block 2 – 200 residents and jobs combined per ha** **iii) Block 3 – 200 residents and jobs combined per ha** **iv) Block 4 – existing** **v) Block 5 - 160 residents and jobs combined per ha** **d) Building Heights** **i. Residential and mixed use development within 3050 metres from the north side of Burnhamthorpe Road West / William Halton Parkway and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe Road West / William Halton Parkway right-of-way, shall be a minimum height of 5 storeys, excluding podium elements which may be lower.** **ii. Residential and mixed use development beyond 3050 metres from the north side of Burnhamthorpe Road West / William Halton Parkway and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe Road West / William Halton Parkway right-of-way, shall be a minimum height of 3 storeys. Two-storey townhouses are also permitted in Block 2 provided they shall not exceed 20% of total townhouse units and shall be removed from the Fourth Line and Neyagawa Boulevard frontages.** **iii. A maximum height of 2018 storeys shall be permitted north of Burnhamthorpe Road West / William Halton Parkway.** **iv. A maximum height of 12 storeys shall be permitted south of Burnhamthorpe Road West / William Halton Parkway.** **v. In addition to policy 7.6.6.3 (iv), east of Neyagawa Boulevard**

Item No.	Section	Description of Change
		and south of Burnhamthorpe Road West/ William Halton Parkway, heights shall transition down to a maximum of 4 storeys where a building abuts a designation other than Neyagawa Urban Core Area to the south. vi. Retail and service Commercial buildings shall have a minimum height of 5 metres. vii. Stand-alone retail and service commercial should be located beyond 50 metres from the north side of Burnhamthorpe Road West / William Halton Parkway and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe Road West / William Halton Parkway right-of-way.
22.	*New* **7.6.6.5** *LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA*, Cultural Heritage	Insert a new policy subsection as follows: **7.6.6.5 Cultural Heritage** **Proposed development shall be reviewed by the Town to ensure consistency with policies contained in Section 7.4.14.**
23.	*New* **7.6.6.7** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Public Realm and Amenity	Insert a new policy subsection as follows: **7.6.6.7 Public Realm and Amenity** a) **The public realm, comprised of public streets, urban squares, promenades, and connecting links as outlined in the Town's Parks Plan, shall be designed to create a desirable place for residents, workers, and visitors.** b) **The public realm shall incorporate barrier-free, and interconnected pedestrian-oriented spaces and routes that enhance walkability and other active transportation year-round and provide quality spaces for public life.** c) **The locations and delivery of urban squares, promenades, connecting links, and other open spaces shall be coordinated and delivered as development progresses to ensure that these amenities are provided for residents and employees in a timely manner.** d) **Urban squares, promenades, connecting links, and other open spaces shall be designed, maintained, and operated as:** i. **Flexible spaces that are passive in programming and oriented to urban activities that occur throughout the day**

Item No.	Section	Description of Change
		and year-round; ii. Places designed to complement the built form and public realm, and incorporate hardscapes, softscapes, tree plantings, furnishings, context sensitive lighting, and other urban amenities; and, iii. An integral part of the public realm by providing convenient active transportation routes and places to gather and facilitate public activity.
24.	*New* **7.6.6.8** LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Implementation	Insert a new policy subsection as follows: **7.6.6.8 Implementation** **In addition to the policies in Section 7.10 of this Plan, the following implementation policies apply.** **a) Phasing/Transition** **Development shall be coordinated with the provision of infrastructure, including:** i. transit ~~(conventional and higher order rapid transit)~~; ii. street network capacity; iii. pedestrian and cycling facilities; iv. water and wastewater services; v. stormwater management services and capacities; vi. streetscape improvements; vii. parks and open space; viii. public realm enhancements; and, ix. utilities; **b) Further to subsection (a) above, the timing of development shall be subject to the availability of required infrastructure, including but not limited to future transportation network improvements and stormwater, water and wastewater services.** **c) Initial phases of development shall not preclude the achievement of a compact, pedestrian-oriented and transit-supportive urban form.** **d) The development of land shall have regard for potential redevelopment of adjacent lands.** **e) Redevelopment of lands should maintain established retail and service commercial uses.** **f) Interim service commercial uses located in stand-alone**

Item No.	Section	Description of Change
		buildings are expected to redevelop over time. Development applications should demonstrate development potential through an intensification plan.

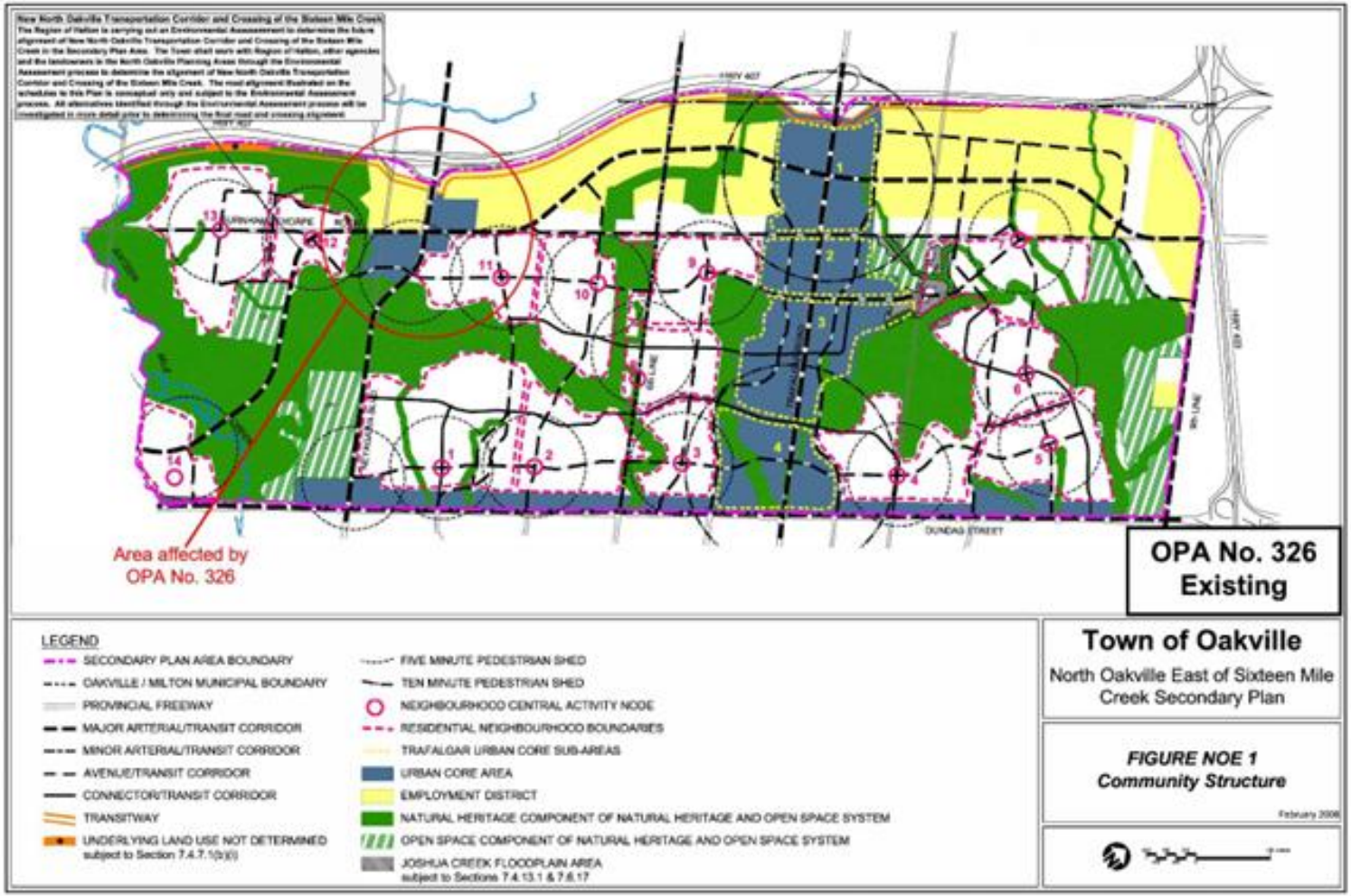
B. Figure Changes

The amendment includes the changes to the figures of the 1984 Oakville Official Plan's North Oakville East Secondary Plan as indicated in the following table and shown in **Attachment 1**. Notwithstanding the replacement of existing schedules or the insertion of new schedules, changes are limited to the subject lands identified in **Appendix "A"** to By-law 2025-005.

Item No.	Figure	Description of Change
1.	North Oakville East Secondary Plan, Figure NOE1, Community	Delete the Existing Figure and replace it with the Proposed Figure as shown in Attachment 1.
2.	North Oakville East Secondary Plan, Figure NOE2, Land Use Plan	Delete the Existing Figure and replace it with the Proposed Figure as shown in Attachment 1.

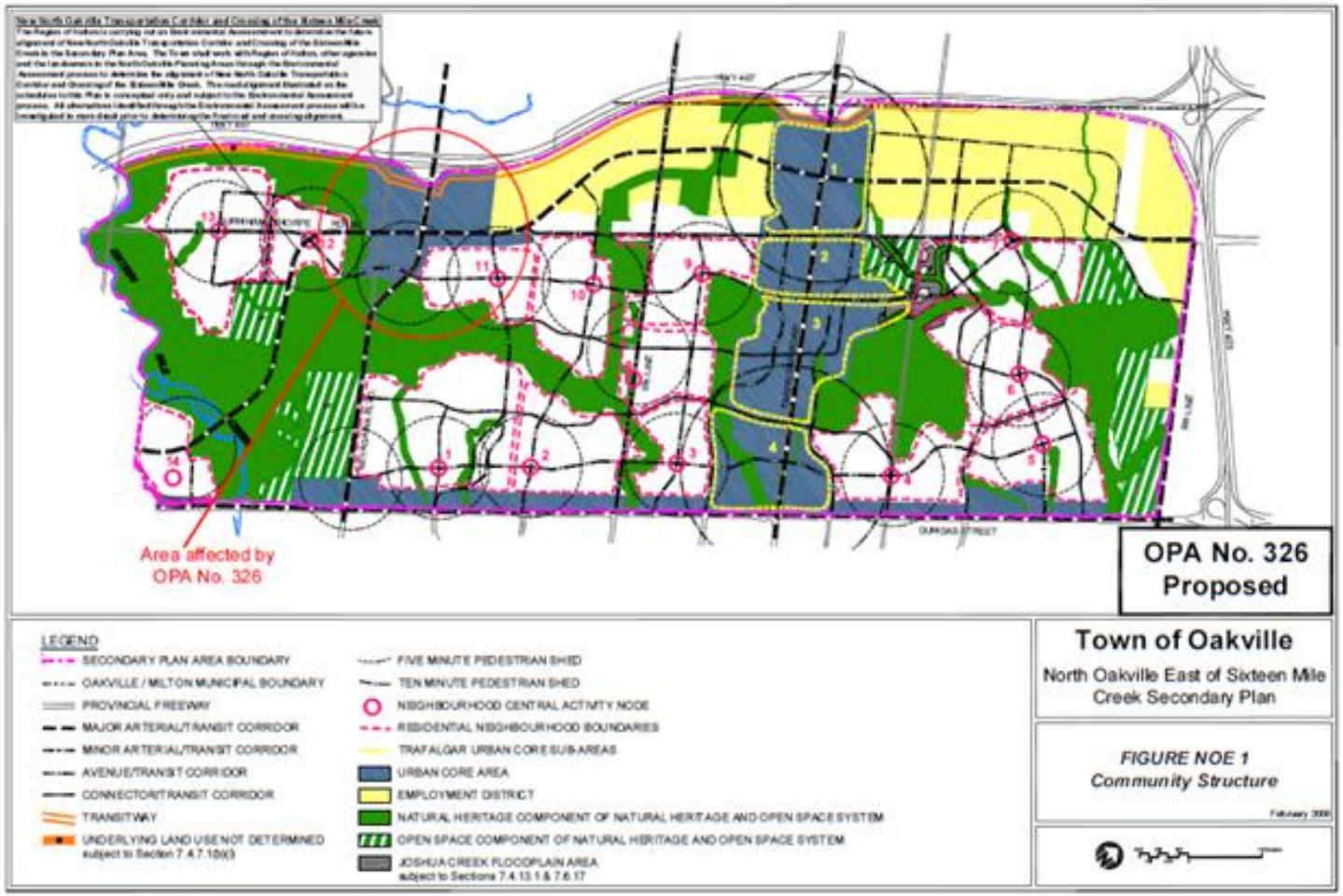
Attachment 1 to OPA 326 to the 1984 Official Plan

Changes to the Figures of the 1984 Oakville Official Plan's North Oakville East Secondary Plan



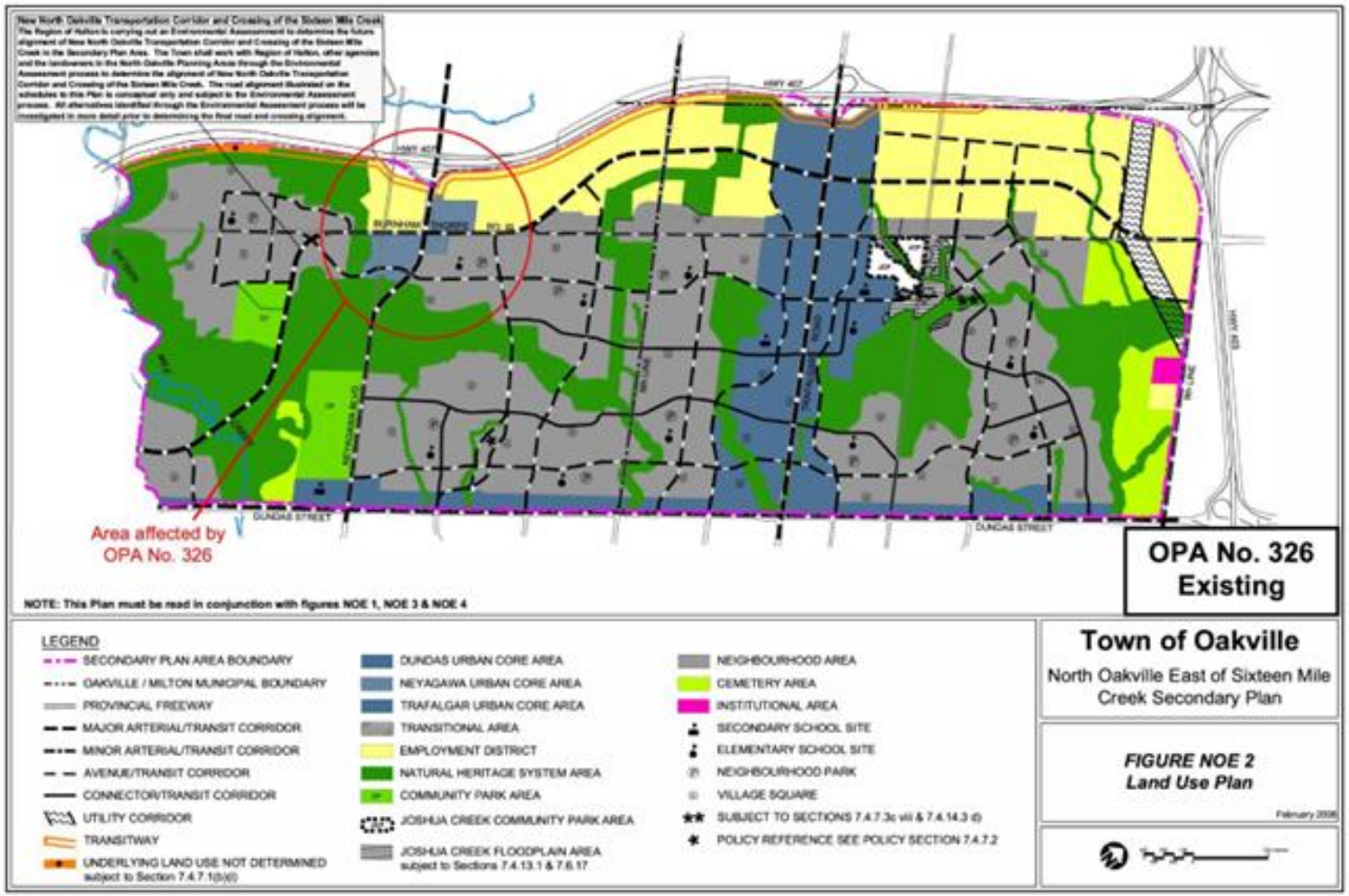
OAKVILLE

DRAFT By-Law Number: 2025-005



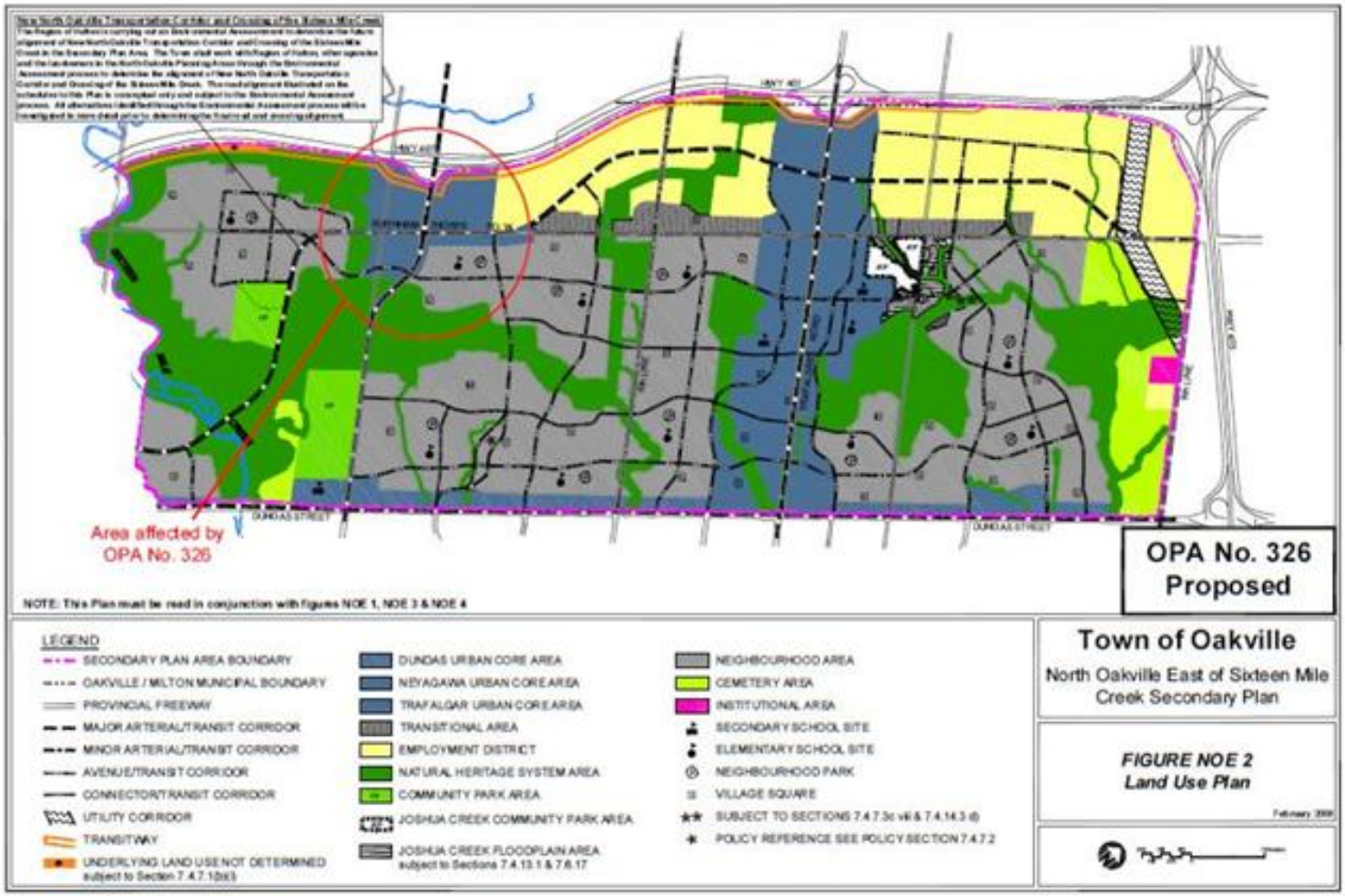
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DRAFT By-Law Number: 2025-005



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DRAFT By-Law Number: 2025-005



OAKVILLE

DRAFT By-Law Number: 2025-005

Appendix "C" to By-law 2025-005

Official Plan Amendment Number 45 to the Livable Oakville Official Plan

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number 45 to the Livable Oakville Official Plan.

Part 1 – Preamble

A. Subject Lands

The proposed Official Plan Amendment (OPA) relates to the lands located at the intersection of Neyagawa Boulevard and Burnhamthorpe Road West / William Halton Parkway as identified in **Appendix "A"** to By-law 2025-005.

B. Purpose and Effect

The purpose of the proposed OPA is to update Schedule A1, Urban Structure, to the Livable Oakville Plan to identify the Neyagawa Urban Core Area as defined through the Neyagawa Urban Core Review as "Nodes and Corridors." The effect of this change will be that this area will be identified as a strategic growth area within the town's land use planning framework. The Neyagawa Urban Core Area is being planned to accommodate medium and high density, mixed use development over the long term as proposed by OPA 326 to the 1984 Official Plan's North Oakville East Secondary Plan Area.

C. Background and Basis

- The Neyagawa Urban Core is an element identified in the urban structure as a "Node for Further Study". Livable Oakville, Section 3.6 Urban Structure, Nodes and Corridors, states:
  - "For those areas identified on Schedule A1 – Urban Structure as Nodes and Corridors for Further Study, future review shall provide updated and new policies to delineate boundaries, the mix of land uses and the intensity and scale of development."
- The Neyagawa Urban Core Review addressed the need for further study and has resulted in proposed policy and mapping updates to the North Oakville East Secondary Plan and Livable Oakville Official Plan.

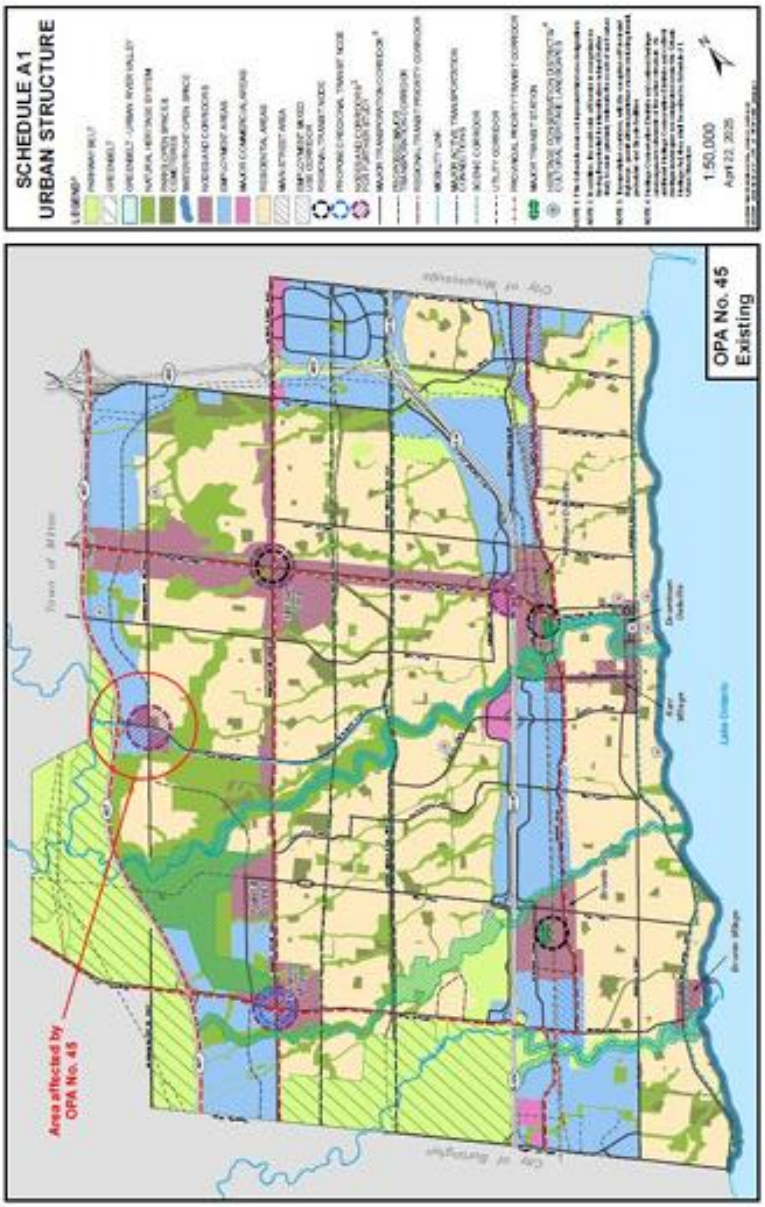
- An OPA to Livable Oakville is required to change the boundary of the Neyagawa Urban Core Area and re-designate the lands within the A1 – Urban Structure Schedule of Livable Oakville from "Node for Further Study" to "Nodes and Corridors".

Part 2 – The Amendment

Delete the existing Schedule A1, Urban Structure, and replace it with the proposed Schedule A1, Urban Structure, as shown in Attachment 1 to this OPA to identify the Neyagawa Urban Core Area as "Nodes and Corridors."

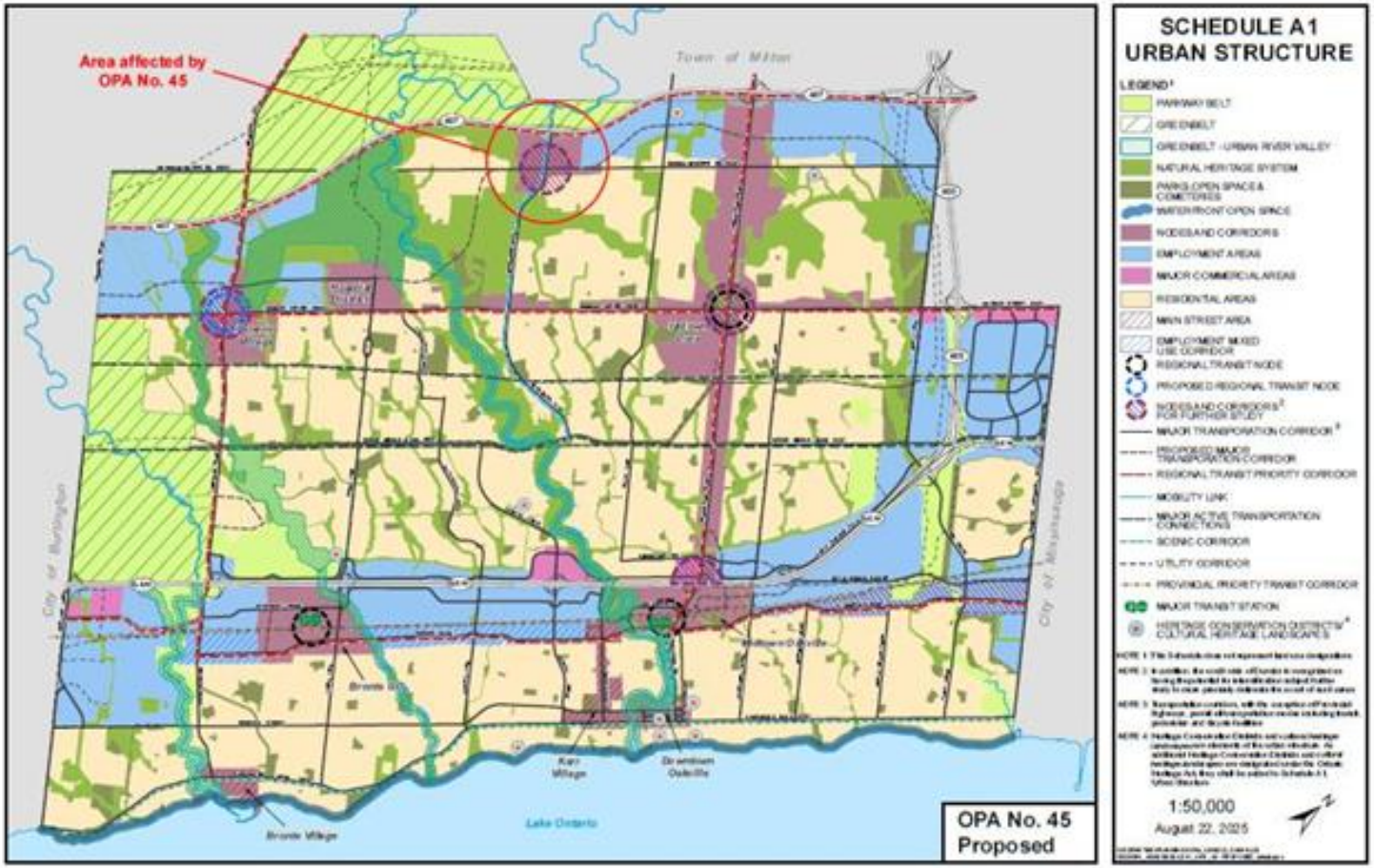
Attachment 1 to OPA 45 to the Livable Oakville Official Plan

Changes to Schedule A1, Urban Structure


SCHEDULE A1
URBAN STRUCTURE
LEGEND
1:50,000
April 22, 2025
OPA No. 45
Existing
Area affected by
OPA No. 45

OAKVILLE

DRAFT By-Law Number: 2025-005



Attachment 2

THE CORPORATION OF THE TOWN OF OAKVILLE
BY-LAW NUMBER 2025-XXX

A by-law to amend the Town of Oakville Zoning By-law 2009-189, as amended, to permit the development of a mixed use subdivision, for the lands described as Part of Lot 20, Concession 2, N.D.S. Town of Oakville (Argo Neyagawa Corporation, Town File No. Z.1220.02)

By Decision Order of the O.L.T case file # xxx

1. Map 12(4) of By-law 2009-189, as amended, is further amended by rezoning the lands depicted on Schedule 'A' of this By-law.
2. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding new Section 8.XX as follows:

8.*	**ARGO NEYAGAWA CORPORATION**	Parent Zone: NUC
Map 12(4)	**Part of Lot 20, Concession 2, N.D.S.**	(2025-XXX)
8.XXX.X Zone Regulations for All Lands		
The following regulations apply to all lands identified as subject to this Special Provision:		
a) For the purposes of this special provision "rooftop terrace" means an outdoor amenity area located on the roof of any storey of a building.		
b) Rooftop terraces shall be permitted.		
c) Permitted uses and buildings in the Neighbourhood Centre NC Zone, which shall be subject to the regulations of the Neighbourhood Centre NC Zone unless otherwise modified by this Special Provision.		
8.XXX.X Zone Provisions for Apartment Buildings		
a)	Maximum height	20 storeys
b)	Notwithstanding Section 4.21.a) of this By-law, maximum projection into any yard for an awning on the ground floor	Up to the applicable *lot line*
c)	Notwithstanding Section 4.21.d) of this By-law, maximum projection into any yard for balconies and open-air terraces	Up to the applicable *lot line*
d)	Notwithstanding Section 4.21.e) of this By-law, uncovered platforms 0.6 m or greater in height measured from surrounding grade and porches, exclusive of stairs, including a balcony on top of a porch including vertical supports and a roof above and landing shall be permitted to encroach into any required yard	2.0 m
e)	Notwithstanding Section 4.21.h) of this By-law, uncovered stairs below grade accessing a main building shall be permitted within 0.0 m of any lot line	
f)	Notwithstanding Section 4.25.1 of this By-law, a minimum landscape strip along a lot line that is not a street line	1.0 m
g)	Landscape area	Up to 10%
h)	Below *grade setbacks*	Minimum 0 metres

i)	Stairs and air vents associated with an underground parking *structure* are permitted in any *yard*	
j)	Notwithstanding Section 5.4.1.3, parking spaces which do not have to comply	Up to 5%
k)	Minimum number of parking spaces for residential uses contained within an Apartment Building	1.00 per dwelling unit, plus 0.15 parking spaces per dwelling unit for visitors
l)	Notwithstanding Section 5.4.1.5, tandem parking is permitted	Up to 10% of total resident parking supply
m)	The following regulations apply to lands identified as Block A on Figure 8.XXX.X: i. All lands identified as Block A shall be considered as one *lot* for the purposes of this By-law ii. Stacked townhouse dwelling shall be permitted iii. The lot line abutting Burnhamthorpe Road West/William Halton Parkway shall be deemed the front lot line	
n)	Notwithstanding Table 7.3.2, no maximum *Floor Space Index* shall apply	
o)	Notwithstanding Section 4.14.2, the maximum height for all accessory structures	4.5 m
8.XXX.x	**Zone Provisions for all Townhouse Dwellings**	
a)	Minimum lot depth for townhouse dwelling with street access private garage (i.e. street-oriented towns)	22.0 m
b)	Notwithstanding Section 4.17.2, a minimum amenity area for townhouse dwelling unit street access private garage and townhouse dwelling unit with lane access	10 square metres
c)	Notwithstanding Section 4.21 of this By-law, the maximum width of a Bay, Box Out and Bow Windows, with or without foundations which may be a maximum of three storeys in height and which may include a door	4.0 m
d)	Notwithstanding Section 4.21 of this By-law, a porch shall be permitted to have a minimum depth from the exterior of the building to the outside edge of the porch of 1.5 m. Required depths shall be provided for a minimum of 40% of the porch. However, steps, columns and supporting structures may encroach into the required depth. Porches shall have walls that are open and unclosed for at least 40% of the total area of the vertical planes forming its perimeter other than where it abuts the exterior of the building or inset screening	
e)	Notwithstanding Section 4.21.e) of this By-law, uncovered platforms 0.6 m or greater in height measured from surrounding grade and porches, exclusive of stairs, including a balcony on top of a porch including vertical supports and a roof above and landing shall be permitted to encroach into any required front yard	2.0 m
f)	Notwithstanding Section 4.21.d) of this By-law, a balcony shall be permitted within 1.0 m of any lot line	
g)	Notwithstanding Section 4.26, external heating, air conditioning and home back-up generator equipment shall be permitted in any side yard or on a second storey balcony	

h)	Two-storey townhouse dwellings are permitted provided no front lot line or rear lot line abuts Fourth Line or Neyagawa Boulevard.	
8.XXX.x Zone Provisions for Townhouse Dwelling with Street Access Private Garage [i.e. Dual Frontage towns]		
a)	The lot line abutting Neyagawa Boulevard and Fourth Line shall be deemed the front lot line	
b)	Notwithstanding Section 4.18.3 of this By-law, a maximum driveway width of 5.8 m is permitted	
8.XXX.x Zone Provisions for Townhouse Dwelling Unit Back to Back		
a)	Notwithstanding Section 5.4.1.2 of this By-law, a parking space in a private garage shall have an unobstructed area with a width of not less than 2.95 metres for a single car private garage or a tandem double car private garage	
8.XXX.x Zone Provisions for Rear Lane Dwellings		
a)	Notwithstanding Section 4.18.3 of this By-law, a maximum driveway width of 6.0 m is permitted	
b)	For all lots abutting Streets B, C, and D, that also abut a rear lane, the front lot line shall be the line abutting Streets B, C, and D, with access and parking from the rear lane.	
8.XXX.x Zone Provisions for Stacked Townhouse Dwellings		
a)	Minimum number of parking spaces for Stacked Townhouse dwellings	1.00 per dwelling unit, plus 0.15 parking spaces per dwelling unit for visitors
8.XXX.X Zone Provisions for FD sp X		
a)	Notwithstanding Section 7.13.1 of this By-law, only uses permitted	Open Space or Landscape Buffer
8.XXX.X	**Only Permitted Uses Prior to Removal of the "H"**	
	For such time as the "H" symbol is in place, these lands shall only be used for the following uses:	
a)	Legal *uses*, b*uildings,* and *structures* existing on the *lot*.	
8.XXX.x	**Conditions for Removal of the "H"**	
	The "H" symbol shall be removed in accordance with OLT Case No. XXX decision and by Town Council passing a By-law under Section 36 of the Planning Act. The following conditions shall first be completed to the satisfaction of the Town of Oakville:	
a)	The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation program and shall not be in default of any associated Allocation Agreements, including ensuring that all required payments associated with the Allocation Program have been made;	
b)	The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreement;	
c)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner's Notice (PWCN) Letter;	
d)	If applicable, should the associated Allocation law file requires the conversion of IDUs, the Owner shall have the equivalent or sufficient number of IDUs converted to SDEs or has been provided written	

	confirmation that all of the Water/WasteWater infrastructure, as referenced in Schedule "G2" will be operational within twelve (12) months of the giving of such Notice; and,	
e)	The Region of Halton has provided written confirmation that the above conditions have been satisfied to the Region's satisfaction.	

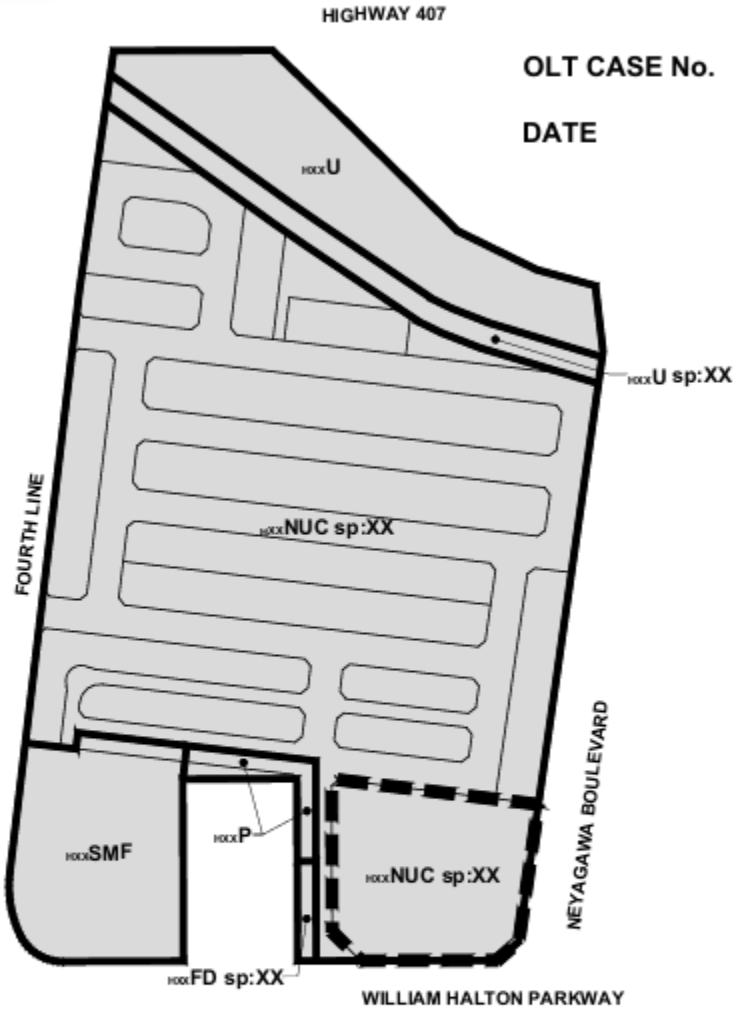
3. This By-law comes into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended,

By Decision Order of the O.L.T case file # xxx

Approved on:_____

OAKVILLE

Schedule "A" to By-Law Number: 2025-***



AMENDMENT TO BY-LAW 2009-189

Rezoned from Future Development (FD) to
Neyagawa Urban Core (HXXNUC sp:XX);
Stormwater Management Facility (HXXSMF);
Park (HXXP),
Utility (HXXU), (HXXU sp:XX) &
Future Development (HXXFD sp:XX)

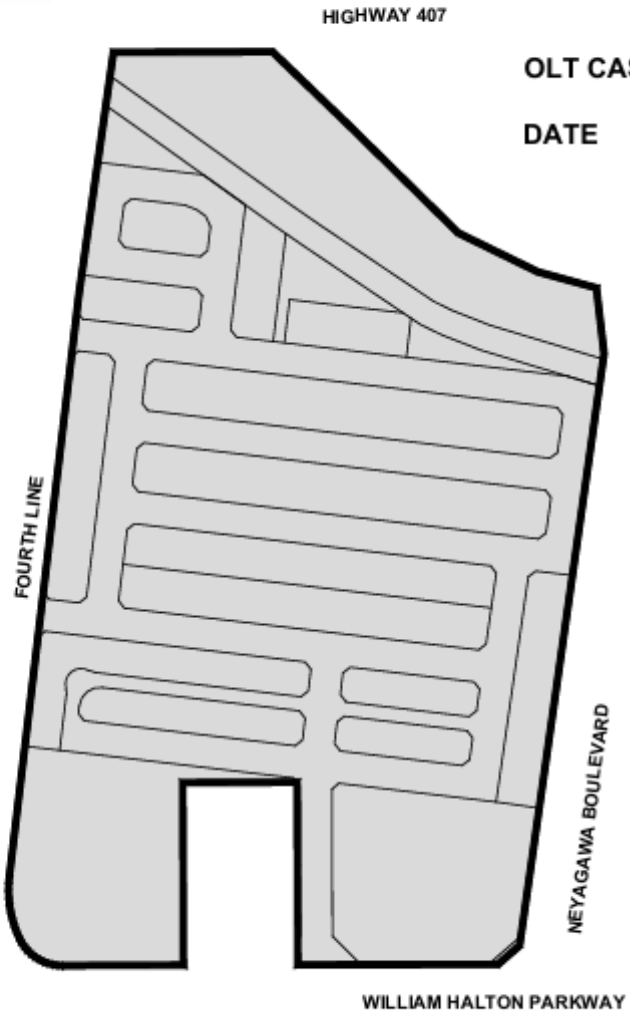
Block 'A'

EXCERPT FROM MAP
12(4)

1:3000

OAKVILLE

Schedule "B" to By-Law Number: 2025-***



OLT CASE No. _____

DATE _____

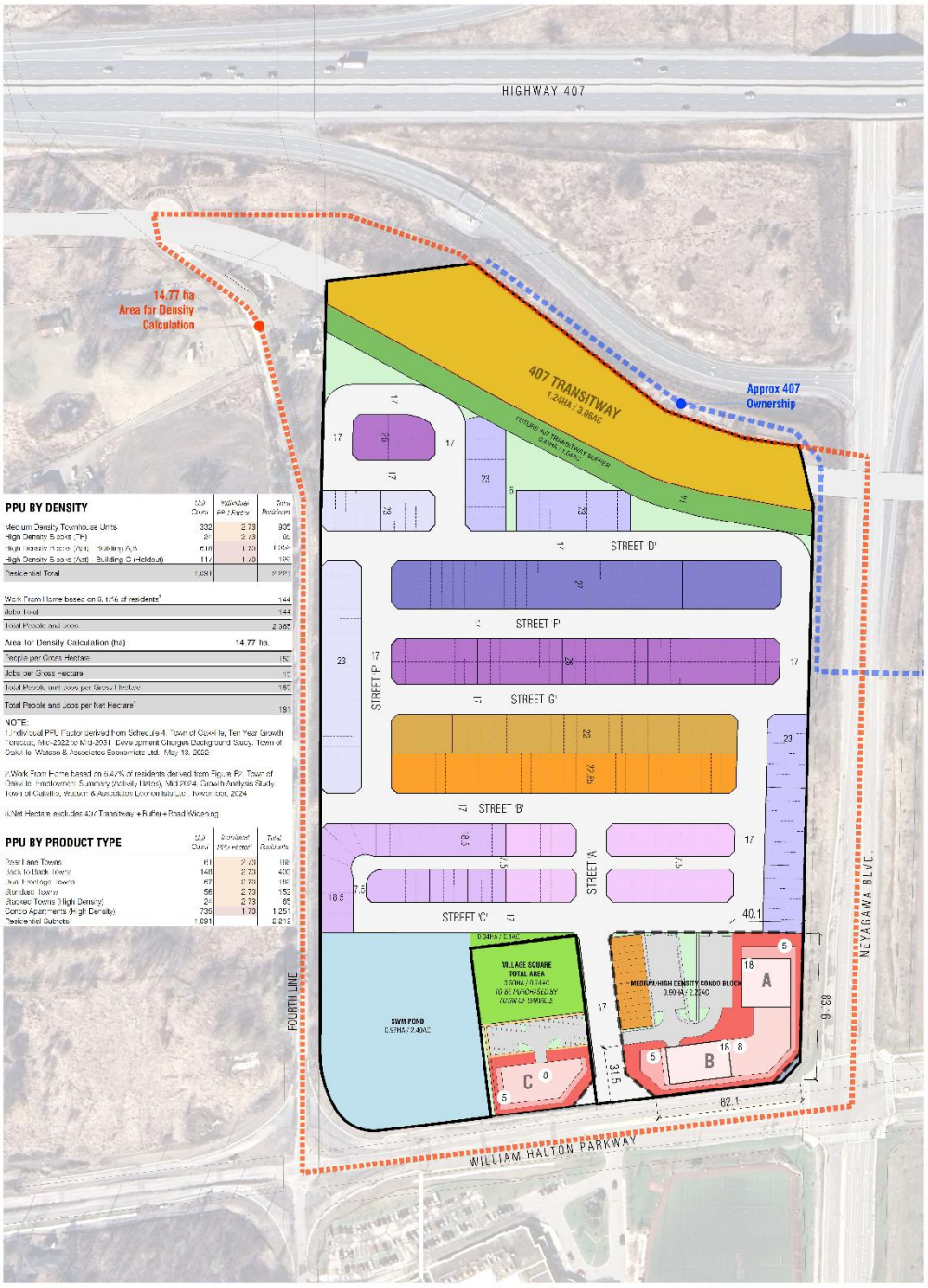
AMENDMENT TO BY-LAW 2009-189

Lands Subject to Holding Provisions

EXCERPT FROM MAP
12(4)

1:3000

Attachment 3



PPU BY DENSITY

	Unit Count	Individual PPU Factor[1]	Total Residents
Medium Density Townhouse Units	332	2.73	905
High Density 5 story (TH)	37	2.73	99
High Density 5 story (Apt) - Building A/B	618	1.70	1,052
High Density 5 story (Apt) - Building C (Holdout)	112	1.70	190
Residential Total	1,091		2,251

Work From Home based on 6.41% of residents[2]	144
Jobs Total	144
Total People and Jobs	2,395
Area for Density Calculation (ha)	14.77 ha.
People per Gross Hectare	153
Jobs per Gross Hectare	10
Total People and Jobs per Gross Hectare	163
Total People and Jobs per Net Hectare[3]	191

NOTE:
1.Individual PPU Factor Derived from Schedule 4, Town of Oakville, Ten Year Growth Forecast, Mid-2022 to Mid-2031, Development Charges Background Study, Town of Oakville, Watson & Associates Economists Ltd., May 13, 2022

2.Work From Home based on 6.41% of residents derived from Figure F2, Town of Oakville, Employment Summary (Activity Rates), Mid 2024, Growth Analysis Study, Town of Oakville, Watson & Associates Economists Ltd., November, 2024

3.Net Hectare excludes 407 Transitway +Buffer+Road Widening

PPU BY PRODUCT TYPE

	Unit Count	Individual PPU Factor[1]	Total Residents
Town/Lane Towns	61	2.73	166
Back to Back Towns	148	2.73	404
Dual Frontage Towns	67	2.73	182
Standard Towns	56	2.73	152
Stacked Towns (High Density)	24	2.73	65
Condo Apartments (High Density)	736	1.70	1,251
Residential Subtotal	1,091		2,219

- All Units in Metric Unless Otherwise Noted.
- Base Information Obtained From Various Sources And Is Approximate.
- Schedule / Plan Information is Conceptual And Requires Verification by Appropriate Agency
- Aerial Photo: Google Earth

GERRARD DESIGN

ARGO NEYAGAWA | Oakville, ON

PRELIMINARY CONCEPT

NOV 15, 2025
PROJECT 2142
SCALE 1:2000

CP-76

Attachment 4

CONDITIONS OF DRAFT PLAN APPROVAL

Town File No.'s: 24T-24001/1220
Draft Plan Dated October 3, 2025

TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL AND FOR THE REGISTRATION OF THE DRAFT PLAN OF SUBDIVISION BY Argo Neyagawa Corporation

This approval applies to the draft plan of subdivision (24T-24001/1220 prepared by Glen Schnarr & Associates Inc. dated October 3, 2025 illustrating 61 blocks. The conditions applying to the approval of the final plan for registration are as follows:

	CONDITIONS TO BE MET PRIOR TO PRE-GRADING OR PRE-SERVICING	*CLEARANCE AGENCY*
1.	That the Owner shall carry out the stage three and, if required, stage four **archaeological assessment(s)** of the subject property based on the recommendations as outlined in the stage two archaeological assessment, and, if recommended, mitigate/salvage/excavate any significant resources to the satisfaction of the Ministry of Citizenship and Multiculturalism and the Town of Oakville. No grading or other soil disturbance shall take place on the subject property prior to the receipt of the archaeological assessments and their associated letters of acknowledgement from the Ministry of Citizenship and Multiculturalism to the Town of Oakville. Study areas cleared of archaeological potential through archaeological assessments may proceed with grading and/or soil disturbance once the archaeological assessments and associated Letters of Acknowledgement from the Ministry of Citizenship and Multiculturalism have been reviewed and approved by Town staff. Maps indicating areas of cleared study areas are to be provided through the archaeological assessment(s) and areas under continued archaeological assessment need to be fenced off from the rest of the property if work is undertaken on cleared study areas.	MCM OAK (PS)
2.	That the Owner shall have an **Environmental Audit** undertaken by a qualified professional engineer to ensure that the land is suitable for the proposed use. If in the opinion of the professional engineer, the Environmental Audit indicates the land may not be suitable for the proposed uses, the engineer must so advise the Town of Oakville. The Owner undertakes to do further investigative studies and to do all work required to make the lands suitable for the proposed use and any land to be conveyed to the Town including roads, stormwater management facilities, parks and the natural heritage system.	OAK (DS)(PS)
3.	That the Owner shall conduct a survey of the property to identify all existing wells related to the former use of the lands. The Owner further agrees to **decommission any existing wells** in accordance with Ministry of Environment, Conservation and Parks Guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.	RMH (DS)
4.	That the owner shall prepare and implement a **tree preservation plan**, prior to pre-grading, to the satisfaction of Parks and Open Space Department. Further, the owner shall not disturb or remove trees without written permission from the Town.	OAK (EP) OAK (POS) OAK (POSF)
5.	That the Owner shall not install any municipal services on the site until the Owner has entered into a **Preservicing Agreement** or Subdivision Agreement with the Town. Pre-servicing may occur in accordance with the Town's pre-servicing policy.	OAK (DS)
6.	The Owner and/or their engineering consultants, shall arrange and hold a pre-construction meeting with Development Services and the contractor to review and discuss mitigation measures for all construction related impacts, including mud tracking, dust suppression, truck routes and contractor/trades parking, material storage, stockpile location, working hours, noise mitigation, etc, prior to the commencement of topsoil stripping	OAK (DS, TE, PS, EP)

	and earthworks. Prior to the Earthworks Pre-construction Meeting, a Site Alteration Permit from the Town must be secured by the Owner and perimeter erosion and sediment control measures must be installed. A second pre-construction meeting is also required prior to the commencement of any servicing works. Prior to the Servicing Pre-construction Meeting, a complete set of approved Engineering Plans is required, including the Traffic Management Plan and Composite Utility Plan.	
7.	That the Owner ensures that there are no works undertaken during ecologically sensitive timing windows unless approved by the respective provincial and/or federal agency.	OAK (EP)
8.	That, prior to pre-grading or pre-servicing, and prior to first engineering submission, the Owner submits an updated substantially complete Environmental Implementation Report and Functional Servicing Study (EIR/FSS) as well as supporting documents that reflects the approved draft plan concept. This document package is subject to the review process and shall be completed to the satisfaction of the Town of Oakville, Conservation Halton and Halton Region.	OAK (EP) CH RMH (DS)
9.	That the Owner prepares and submits a Functional Servicing Report and Stormwater Management Plan prior to pre-servicing in accordance with the updated substantially complete Environmental Implementation Report and Functional Servicing Study, to the satisfaction of the Town of Oakville and Conservation Halton.	OAK (DS) CH
10.	That the Owner is required to submit a revised Functional Servicing Study outlining in detail the proposed servicing of this property that includes water modelling and that addresses secondary watermain connections, flows, pressures and dead-end watermains to Halton Region's Development Project Manager, Regional Planning and Public Works Department for review and approval prior to the submission of an engineering submission to the Region.	RMH (DS)
11.	That the Owner is required to submit a revised Functional Servicing Study that includes water modelling for both the interim and ultimate water pressure conditions for the Region's zone realignment that demonstrates the impact these changes will have on the development.	RMH (DS)
12.	That the Owner is required to submit a revised Functional Servicing Study outlining in detail the proposed servicing of this property that includes water modelling and that addresses secondary watermain connections, flows, pressures and dead-end watermains to Halton Region's Development Project Manager, Regional Planning and Public Works Department for review and approval prior to the submission of an engineering submission to the Region.	RMH (DS)
13.	That the Owner agrees that warning clauses shall be included in a registered portion of the Regional Subdivision Agreement, and in subsequent offers of purchase and sale on all units within this development and, registered on title regarding potential water pressures changes within the subdivision resulting from the realignment of the Region's water pressure zones from the existing zone condition to the interim and ultimate zone pressure conditions to the satisfaction of Halton Region.	RMH (DS)
14.	That the Owner agrees that warning clauses shall be included in a registered portion of the Regional Subdivision Agreement, and in subsequent offers of purchase and sale on all units within this development and, registered on title regarding potential high water pressures within the subdivision to the satisfaction of Halton Region.	RMH (DS)
15.	That the Owner submits grading plans for all lots and blocks that back onto stormwater management blocks to the satisfaction of Conservation Halton and the Town of Oakville.	OAK (EP, DS, POS) CH
16.	That the Owner prepares and implements a report outlining erosion and siltation controls measures required prior to and during the construction of	OAK (EP, DS) CH

	the subdivision to the satisfaction of Conservation Halton and the Town of Oakville. A separate sediment and erosion control plan will be required for the following three phases of construction: a) earthworks b) servicing c) home construction.	
17.	That the Owner erects a suitable temporary barrier to work fence prior to and during construction or regrading along the rear of blocks adjacent to stormwater management block and associated buffer blocks.	OAK (EP) CH
18.	That the Owner submits the required monitoring plans and completes baseline monitoring in accordance with the approved EIR/FSS to the satisfaction of Conservation Halton and the Town of Oakville prior to any site alteration.	OAK (EP) CH
19.	That the Owner acknowledges no conflict with existing pole mounted or above-grade Hydro infrastructure and proposed future buildings.	OH
20.	That the Owner obtains any permits from Ministry of Transportation for any site alteration within 45 metres of the highway right-of-way and within 395 m radius from the intersection of Hwy 407 and a municipal road.	MTO
21.	That the Owner agrees to plan for and design the trails in accordance with the North Oakville Trails Plan and the EIR/FSS to the satisfaction of the Town.	OAK (DS) OAK (POS) OAK (EP) CH
22.	That the Owner obtain consent from adjacent landowners that grading and transitional works will be permitted on adjacent land owner's properties prior to pre-grading and prior to pre-grading and prior to submitting a detailed engineering design for the Subdivision to the Town of Oakville. This includes Region owned lands.	OAK (DS) RMH (DS)
23.	That the Owner shall further revise and update the stormwater management strategy in the EIR/FSS in accordance with the general requirements set out in NOCSS, to the satisfaction of the Town of Oakville under interim and ultimate built out conditions. This includes providing controls for approximately a 1.7 Ha catchment of land which includes Fourth Line and a portion of lands west of Fourth Line.	OAK (DS)
	CONDITIONS TO BE MET PRIOR TO MARKETING AND SALES	
24.	That the Owner finalize and submit for approval a revised **Urban Design Brief**.	OAK (PS)
25.	The Owner shall submit elevation drawings (all facades), typical floor plans (all levels) including garage floor plan showing vehicle space and storage areas and typical lotting plans for all models on lots not subject to Site Plan Approval to Planning and Development Urban Design staff for review and approval. Upon acceptance, these drawings shall be added as an Appendix to the Urban Design Brief. The Owner agrees that compliance with this condition is required prior to the Owner marketing or selling any such units.	OAK (PS)
26.	That the Owner shall select a **control architect** who shall ensure all development which is exempt from Site Plan Approval process, proceeds in accordance with the Town-approved Urban Design Brief. The Owner shall submit a letter to the Town from the selected control architect acknowledging the following: i. a control architect has been retained for this subdivision and does not have any perceived or real pecuniary interests or conflicts with performing the required duties; ii. the control architect acknowledges the final Urban Design Brief prepared for this subdivision and agrees to implement the same; iii. the control architect is responsible for ensuring the Town-approved models, as appended to the Urban Design Brief, will be sited in accordance with the Urban Design Brief direction;	OAK (PS)

	iv. the control architect will ensure that any sold units meet the design direction and criteria of the Town-approved Urban Design Brief, prior to submitting for building permit review; and, v. the control architect will discuss with Town staff any identified issues vi. the control architect will submit stamped/signed drawings with the building permit application in accordance with the foregoing.	
	CONDITIONS TO BE MET PRIOR TO INITIATING SALES PROGRAMME **NEIGHBOURHOOD INFORMATION MAPPING**	
27.	The developer shall prepare a preliminary neighbourhood information map for the subdivision, to the satisfaction of the Town's Director of Planning and Development. The Map is to be posted in a prominent location in each sales office from where homes in the subdivision are being sold and included within the individual purchase and sale agreements. The Map shall include the location and type of parks, open space / valleyland and walkways, a general description of their proposed facilities as well as the following information: a) All approved street names, b) The proposed land uses within the subdivision based on the draft approved plan, c) The immediately surrounding existing and proposed land uses and potential building heights, d) For any DUC/TUC or mixed use blocks include the min/max heights permitted within the Zoning By-law including any development file numbers if applications for these blocks are under review, e) Where applicable, a statement indicating that place of worship and school sites may be used for residential uses if they are not acquired for their original purpose within the time period specified in the subdivision agreement, f) Those lots or blocks that have existing and potential environmental noise constraints based on the noise feasibility study. Include all relevant warning clauses on the map, g) The approximate locations of noise attenuation walls and berms, h) The approximate locations and types of other fencing within the subdivision, i) Where parks and open space, stormwater management facilities and walkway / vista blocks / servicing blocks are located, j) The types and locations of village squares, parks, ~~valley lands~~ and other open space (i.e., passive or active) and a general description of their proposed facilities and anticipated level of maintenance, k) The locations of all anticipated Canada Post Community Mailboxes, l) The anticipated Transit routes through the subdivision, m) Garage Floor Plan for each unit type offered showing typical vehicle type accommodation, waste and yard care storage, and bicycle storage. n) The following standard notes:	OAK (PS)

	1. "This map, and the following list, is intended to provide potential home buyers with general information about the neighbourhood and the surrounding area. If you have specific questions, you are encouraged to call the Town's Planning Department during normal business hours which are 8:30 am to 4:30 pm, Monday to Friday." 2. "Please Note: this map is based on information available on _____ (month/year) and may be revised without notice to purchasers." 3. "The map shows that there will be several types of proposed and potential housing and building heights in the subdivision." 4. "Sites shown on the map for future schools, townhouses, parks, shopping etc. could have driveways anywhere along their street frontage." 5. "Some streets in this subdivision will be extended in the future and temporary access roads may be closed." 6. "There may be catch basins or utilities easements located on some lots in this subdivision." 7. "Some lots and blocks will be affected by noise from adjacent roads, and warnings will apply to purchasers." 8. "Some dwelling units are in proximity to commercial, institutional and/or school uses from which activities may at times be audible. The map shows that some of the lots affected by noise will be fitted with noise barriers and some of the homes will be provided with central air conditioning to allow bedroom windows to be closed if necessary due to the noise." 9. "Village Square (Parkette) Block(s) ___ will be developed as passive park(s) and may contain play equipment, walkways, lighting, landscaping and free-play areas. Residents close to Block(s) ___ may be disturbed by noise and lighting from the park. For detailed information pertaining to the park or open space issues, please contact the Town's Parks and Open Space Department 905.845.6601" 10. "Stormwater management ponds in this subdivision will be left in a natural condition with minimal maintenance and no grass cutting, only periodic removal of debris. Residents adjacent to these blocks are requested to limit the use of pesticides and fertilizers to reduce adverse effects ~~on the NHS~~, and to not remove or replace vegetation in the ~~NHS or~~ stormwater management ponds." 11. "Community mailboxes will be directly beside some lots." 12. "Purchasers are advised that the final location of walkways in Blocks _____ may change without notice." 13. "School sites in this subdivision may eventually be converted to residential uses." 14. "Most streets contain on-street parking, and may be available for overnight parking, subject to parking permits." 15. "The completion of some dwellings in this subdivision may be delayed until after the completion of exterior finishes on the adjacent buildings."	

	16. "There may be Transit bus routes on some streets within this subdivision with stops beside some homes. Oakville Transit reserves the right to introduce transit services and facilities such as bus stops, shelters, pads and associated amenities on any municipal rights-of-way to provide effective service coverage." 17. "Boulevard trees will be planted according to Town standards and a tree will not necessarily be located in front of every home. Purchasers are further advised that home builders are not permitted to charge a purchaser separately for the cost of trees, sodding, fencing and paving of the driveway apron. The Town will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance." 18. "The design of features on public lands may change. Builders' sales brochures may depict these features, however, the Town has no control over builders' sales brochures." 19. "Gates are not permitted in fences when lots abut a trail, active park or stormwater management pond." 20. "The Town's Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot." 21. "Not all vehicle types can be accommodated on the proposed lots whether on the driveway or within a garage area. Check with your builder regarding the particular situation for the model and lot you intend to purchase." 22. "Driveway entrance widenings or modifications on private or public lands beyond what was approved as part of the subdivision design will not be permitted. Property Owners must take note of the available parking space on their approved driveway and within the garage and purchase homes with knowledge that additional space for more personal / family vehicles may be limited or unavailable." 23. "This community is subject to Architectural Control. Models available for sale have to be pre-approved by the Control Architect and certain models may not be available for some of the lots. Check with your builder regarding the particular situation for the model and lot you intend to purchase." 24. "Halton Region is responsible for household garbage, recycling and green bin collection. For further information, please call 311 or visit Halton.ca" 25. "For further general information on proposed and existing land use, please call the Town's Planning and Development Department 905.845.6601." 26. "For detailed grading and berming information, please call the Town's Transportation and Engineering Department 905.845.6601" The developer shall ensure that each builder selling homes within the subdivision: a) provides prospective purchasers with a "Notice to New Home Purchasers" from the Town in the prescribed format that includes all of the notes required on the neighbourhood information maps, and, attaches a copy of the most up-to-date neighbourhood information map to each offer of purchase and sale agreement.	

	CONDITIONS TO BE MET PRIOR TO FINAL APPROVAL / REGISTRATION	
28.	That prior to registration the Owner is required to provide digital copies of the registered plan of subdivision in AutoCAD 2012 or later version with the following coordinate system NAD 83 / UTM Zone 17 to the Regional Municipality of Halton and the Town of Oakville.	RMH (DS)
29.	That prior to registration the Owner shall submit to the Town of Oakville Planning Services Department digital copies of the final draft plan of subdivision along with the applicable Land Registry Office PX Number (or form) for sign-off. Upon acceptance, the town will forward these materials to the Region of Halton for final sign-off.	RMH (DS)
30.	The Owner agrees that a final phasing plan shall be submitted prior to registration of the first phase. The phasing plan will indicate the sequence of development, the land area in hectares, the number of lots and blocks for each phase, and the proposed use of all blocks including the proposed number of units, bedroom count for the specific units to be developed, site access to each phase, grading and the construction of public services, and which allocation law file the noted units are using. The phasing must be reflected in all engineering reports. Note: For Lands utilizing Infrastructure Development Units (IDUs), the Owner acknowledges and agrees that no portion of the proposed first phase of development shall proceed without a Holding Provision.	RMH (DS)
31.	Prior to final approval, the Owner shall address all the requirements of the Allocation Program including, but not limited to, the signing of any additional agreements, provision of any required payments, and the issuance of a Region of Halton Public Works Commissioner's Notice (PWCN), to the satisfaction of the Region of Halton.	RMH (DS)
32.	For the portion of the plan subject to IDUs under the Allocation Program, the Owner agrees that the Region will not execute a subdivision agreement until the following conditions are met, to the satisfaction of the Region: a. The equivalent or sufficient number of Infrastructure Dependent Units (IDUs) are converted to Single Detached Equivalents (SDEs) or has been provided written confirmation that all of the W/WW infrastructure, as referenced in Schedule "G2" will be operational within twelve (12) months of the giving of such Notice and if applicable; and, b. The Region's Commissioner of Public Works has given a written Notice to the Owner that all of the Projects referenced in Schedule "G-1" of the 2023 Allocation Agreement are to be built as part of a plan of subdivision or a servicing agreement with respect to the Owner's lands within twelve (12) months of the giving of such Notice.	RMH (DS)
33.	The Owner agrees that the purchase and sale of all prospective units shall not occur until: a. The equivalent or sufficient number of Infrastructure Dependent Units (IDUs) are converted to Single Detached Equivalents (SDEs) and, has been provided written confirmation that all of the W/WW infrastructure, as referenced in Schedule "G2" will be operational within twelve (12) months of the giving of such Notice and if applicable; and, b. The Region's Commissioner of Public Works has given a written Notice to the Owner that all of the Projects referenced in Schedule "G-1" of the 2023 Allocation Agreement are to be built as part of a plan of subdivision or a servicing agreement with respect to the Owner's lands within twelve (12) months of the giving of such Notice.	RMH (DS)

34.	That the Owner shall provide confirmation to the satisfaction of the Town's Finance Department that **all outstanding property taxes** and outstanding debts have been paid prior to plan registration.	OAK (F)
35.	That the Owner shall provide the Town with a **letter from the Trustee** confirming that the Owner is in compliance with the Cost Sharing Agreement and s.4.7 of the North Oakville East Master Parkland Agreement prior to the release for registration of each phase of the plan of subdivision.	OAK (PS)
36.	That the Owner enter into a standard form **subdivision agreement** to the satisfaction of the Town to address all matters related to the financial and construction obligations and build out of the subdivision, including but not limited to, development charge reimbursements, works to be completed on behalf of the Town, subdivision assumption and maintenance and monitoring of stormwater management facilities, homeowner warning clauses, etc.	OAK (PS,DS)
37.	That the Owner shall provide a **certificate signed by the surveyor** and the Owner stating that the plan proposed to be submitted for registration is the same as the latest (most recent) draft approved plan and, if the plans are not the same, that any differences between the proposed registered plan and the latest draft plan are accepted by the Town.	OAK (PS,DS)
38.	The Owner constructs and certifies the Low Impact Development (LID) pilot projects in accordance with the Town approved LIDs locations, type and detailed designs as identified through the Environmental Implementation Report and Functional Servicing Study (EIR/FSS), and Functional Servicing Report and Stormwater Management Plan to the satisfaction of the Town of Oakville prior to registration. Certification must include inspection by a qualified person and as-constructed drawings. Certification may occur before the LID catchment is stabilized and before LID is on-line. Any adjustments to LIDs completed post-certification must be completed to the satisfaction of the Town.	OAK (DS)
39.	The Owner prepares a Low Impact Development (LID) Monitoring Plan to the satisfaction of the Town, including the evaluation of the functional performance and long-term operational impacts of the LID pilot projects. It must include a financial assessment, comparing the operational and maintenance costs of a conventional end-of-pipe stormwater pond to the LID pilot sites.	OAK (DS)
40.	That the Owner ensures that the stormwater management pond and stormwater outfall to service the subject lands are designed, constructed, stabilized and operational in accordance with Town-approved engineering drawings, approved EIR / FSS, approved Stormwater Management Plan, MECP Environmental Compliance Approval (ECA), and Conservation Halton permits to the satisfaction of the Town of Oakville and Conservation Halton. The Owner is responsible for planting all required vegetation within 12 months of draft plan registration.	OAK (DS, POS) CH
41.	That the Owner shall **dedicate all lands to be conveyed to the Town, Regional Municipality of Halton or other authority** free of charge and with clear title (free and clear of encumbrances) and any necessary easements. A Certificate of Title shall be provided, in a form satisfactory to the Town, Region or other authority.	OAK (PS, DS) RMH (DS)
42.	That the Owner prepare and agree to implement the following studies and plans to the satisfaction of the Town (and the Regional Municipality of Halton where applicable): • Traffic Impact Study including any required updates • Traffic and Parking Management Plan • Transit Facilities Plan • Street Signage and Pavement Marking Plan • Functional Design Study • Composite Utility Plan • Noise Impact Study • Erosion, Sediment, Dust Mitigation Plan	OAK (EP,DS,POS) RMH (DS)

	• Hydrogeology Study	
43.	Any lands within 23.5m from the existing constructed centreline of Neyagawa Boulevard (Regional Road 4) measured westerly, that are part of the subject property shall be dedicated to the Regional Municipality of Halton for the purpose of road right-of-way widening and future road improvements. In this regard, the Owner shall submit a draft R-Plan and revised site plan drawing, to the satisfaction of Halton Region.	RMH (DS)
44.	Any lands within 17.5m from the existing constructed centreline of William Halton Parkway (Regional Road 40) that are part of the subject property shall be dedicated to the Regional Municipality of Halton for the purpose of road right-of-way widening and future road improvements. In this regard, the Owner shall submit a draft R-Plan and revised site plan drawing, to the satisfaction of Halton Region. In this regard, the Owner shall submit a draft R-Plan and revised site plan drawing, to the satisfaction of Halton Region.	RMH (DS)
45.	A daylight triangle measuring 15m along Neyagawa Boulevard (Regional Road 4) and 15m at William Halton Parkway (Regional Road 40) shall be dedicated to the Regional Municipality of Halton for the purpose of road right-of-way widening and future road improvements. In this regard, the Owner shall submit a draft R-Plan and revised site plan drawing, to the satisfaction of Halton Region.	RMH (DS)
46.	All lands to be dedicated to Halton Region shall be dedicated with clear title (free and clear of encumbrances) and a Certificate of title shall be provided, in a form satisfactory to the Director of Legal Services or designate.	RMH (DS)
47.	The Owner will be required to apply for and be issued Municipal Consent Permit(s) and an Entrance Permit for all proposed road works on Regional Roads. As part of those Permit, the Owner will be subject to fulfilling any comments or conditions noted in the applicable permits.	RMH (DS)
48.	That a survey sketch confirming the widening requirement, daylight triangle shall be submitted to the satisfaction of the Region. Any required road widening daylight triangle shall be depicted on the site plan to the satisfaction of the Region.	RMH (DS)
49.	The Owner shall provide a revised Transportation Impact Study, to the satisfaction of Halton Region, based on information from and discussions with Halton staff, and to the satisfaction of the Town of Oakville.	OAK (DS,TE, T) RMH (DS)
50.	The Owner shall provide a revised Noise Assessment Study, to the satisfaction of Halton Region, based on information from and discussions with Halton staff, and to the satisfaction of the Town of Oakville and their peer reviewer.	OAK (PS,TE) RMH (DS)
51.	The owner may be required to enter into a Servicing Agreement for the completion of required Works for all development associated road improvements (such as access construction, turning lanes, pavement markings, signage, etc.), if warranted. Road improvements will be determined after the review and approval of the TIS. The owner is responsible for all costs associated with the improvements detailed as part of the works and must submit for approval detail design drawings and cost estimates. Detailed design drawings are required for review and approval for all proposed/approved intersection/access road improvements, based on the approved Transportation Impact Study.	RMH (DS)
52.	That the Owner shall submit a final Environmental Impact Report / Functional Servicing Study (EIR/FSS) Stormwater Management Plan, Functional Servicing Report to address all comments from the Town, Conservation Halton and Regional Municipality of Halton and agree to implement all final recommendations contained within the approved EIR / FSS, Stormwater Management Plan, Functional Servicing Plan, including any addendums (inclusive of all transportation infrastructure - roads,	OAK (PS, EP,DS,POS) CH RMH (DS)

	transit, pedestrian and cycling) to the satisfaction of the Town, Regional Municipality of Halton and Conservation Halton	
53.	Upon draft approval Regional services within the plan of subdivision may be installed, provided the engineering drawings have been approved by the Region and Town of Oakville, the Regional subdivision agreement has been executed, appropriate financial security has been posted, all relevant fees have been paid to the satisfaction of the Region, and all requisite government approvals have been obtained and notices given to all public utilities to the satisfaction of Halton Region.	RMH (DS)
54.	That the Owner shall revise/update the ES6-West Environmental Impact Report / Functional Servicing Study (EIR/FSS) Addendum to reflect all comments from the Town, Conservation Halton and Regional Municipality of Halton and agree to implement all final recommendations contained within the approved ES6-West Environmental Impact Report / Functional Servicing Study (EIR/FSS) Addendum including any addendums (inclusive of all transportation infrastructure - roads, transit, pedestrian and cycling) to the satisfaction of the Town, Regional Municipality of Halton and Conservation Halton.	RMH (DS)
55.	That the Owner prepares and submits a Functional Servicing Report and Stormwater Management Plan in accordance with the approved Environmental Implementation Report and Functional Servicing Study (EIR/FSS) to the satisfaction of Conservation Halton and the Town of Oakville.	OAK (PS, EP,DS) CH
56.	That the owner provide the required analysis to demonstrate that the hydraulic grade line has been appropriately considered in the design of any units with reverse slope driveways, to the satisfaction of the Town.	OAK (DS)
57.	That the Owner shall provide a **construction phasing and sequencing plan** to the satisfaction of the Town (and Region where applicable) for the purpose of ensuring an appropriate sequence of development from initial construction to assumption and which reflects all applicable studies including the EIR/FSS **[Stormwater Management Plan, Functional Servicing Report, Environmental Impact Study]** and Transit Facilities Plan. The Phasing Plan should identify how transit service will operate within the plan, including provisions for safe pedestrian access to designated bus stop locations, such that: • a contiguous transit service area will be maintained that does not result in lengthy transit routes or "leapfrogging" • interim and/or permanent transit streets are to be built first • the Owner is encouraged to construct housing on transit streets first, where practicable • roadways to be upgraded where required to accommodate transit vehicles during initial or interim phases • permanent or temporary pedestrian facilities to be constructed early and maintained during development for access and routing to bus stop locations. Where mutually agreed upon between the Owner and the Town, a contribution may be made by the Owner to the Town's early implementation initiative relating to Transit service delivery.	OAK (DS, TE, EP, T)
58.	That the owner shall submit a roadway plan for the subdivision showing following information to the satisfaction of the Town's Transportation and Engineering Department: • Right-of-way widths and on-street parking spaces with respect to the location of the driveways. A summary table to provide total number of parking spaces provided in the subdivision. • Active Transportation Plan of the subdivision showing trails, sidewalks, and pedestrian crossing locations in accordance with Active Transportation Master Plan for Transportation Planning staff review and approval. • Transit Plan of the subdivision showing transit services and facilities such as bus stops, shelters, pads and associated amenities on municipal right-of-way for Oakville Transit staff review and approval.	OAK (TE)

	• A Traffic Management Plan showing temporary signage and pavement marking plan during construction period for vehicular traffic, pedestrian, parking, municipal services and emergency services for staff review and approval	
59.	That the Owner shall provide **digital discs of the registered plan of subdivision** with the following coordinate system UTM NAD 83 Zone 17 with approved delineated features to the Regional Municipality of Halton and the Town of Oakville prior to registration of the plan.	OAK (DS) RMH (DS)
60.	That the Owner provides digital copies of the registered plan of subdivision including all approved natural hazard delineations (e.g., wetland boundaries, stable top of bank, flood plain, meander belt, shoreline flooding limits, dynamic beaches and karst features) to Conservation Halton, prior to registration of the plan. Digital data should be delivered in one of the following formats: a) ESRI geodatabasev10.x (or newer) feature classes b) ESRI shape file format. c) AutoCAD DWG or DXF Format, version 2019 or earlier If the Project Consultant utilizes ESRI products to produce maps, the matching .mxd will be provided that corresponds to the map figure. Digital data will be provided in UTM NAD 83 Zone 17 NAD 83 datum. Data referencing elevations (e.g., floodplains) shall be referenced to appropriate vertical benchmarks. The datum must be specified as one of Canadian Geodetic Vertical Datum of 1928 (CGVD28) with 1978 adjustment, or Canadian Geodetic Vertical Datum of 2013 (CGVD2013). Vertical datums must be clearly identified in the survey documentation. Flood plain models used in the delineation of flood hazards must be provided to Conservation Halton and referenced to the above mapping standards. Questions can be directed to Conservation Halton GIS staff.	CH
61.	The Owner shall submit a detailed parks facility fit plan (and detailed cost estimate) to demonstrate the ultimate programming of the park block(s), to the satisfaction of the Director of Parks and Open Space.	OAK (POS)
62.	That the Owner shall **install information signs**, not less than 2 metres by 3 metres, on all commercial, Natural Heritage and park blocks clearly advising of the future use and function of these blocks and the facilities / amenities to be constructed within the Natural Heritage System or park block prior to registration. The Owner agrees to install signs on all frontages of the Natural Heritage or park blocks at locations to be determined by the Town. The Owners is to maintain these signs in good, readable condition until such time as the land is developed.	OAK (POS, DS)
63.	That the Owner shall provide the Town, together with the final plan, a list of **lot and block widths, depths and areas** prepared by an Ontario Land Surveyor, to ensure all lot and blocks meet or exceed the minimum requirements of the approved Zoning By-law. The Owner shall agree to revise the draft plan as required in order to comply with all provisions of the approved Zoning By-law.	OAK (Z)
64.	That all **public streets** within the subdivision be named to the satisfaction of the Transportation and Engineering Department and in accordance with **Street Names for Public Roads** procedure.	OAK (TE)
65.	That prior to registration of the plan, the Owner's surveyor shall submit to the Town **horizontal co-ordinates of all boundary monuments**. These co-ordinates are to be based on 6 degree UTM Projection, NAD83 Datum. Exemptions and alternatives to this can only be granted by the Planning and Development Department.	OAK (DS)
66.	That the Owner shall enter into a **subdivision agreement** and satisfy all requirements, financial and otherwise, of the Regional Municipality of Halton, including but not limited to, the phasing of the plan for registration, the provision of roads and the installation of water and sanitary sewer services, utilities and drainage works. This agreement is to be registered on title to the lands.	RMH (DS)

67.	That the Owner shall prepare a **detailed engineering submission** to be submitted to the Region's Development Project Manager for review and approval prior to the preparation of the Regional subdivision agreement, to the satisfaction of Halton Region.	RMH (DS)
68.	That the Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notified by the Region's Development Project Manager that: a) sufficient **Water and Wastewater Plant** capacity exists to accommodate this development; and, b) sufficient **storage and pumping facilities** and associated infrastructure relating to both water and wastewater are in place.	RMH (DS)
69.	That the Owner be required to design and construct a local watermain external to this subdivision on the frontage of Fourth Line to "STREET D" at their sole expense as per the design standards of the Region of Halton and to the satisfaction of Halton's Development Project Manager.	RMH (DS)
70.	The Owner shall submit to the Planning and Development Department a pdf of the M-plan along with the applicable Land Registry Office Review Form for sign-off. Upon acceptance, the town will forward these materials to the Region of Halton for their sign off.	RMH (DS) OAK (PS)
71.	The Owner shall enter into a Regional Subdivision Agreement and satisfy all requirements, financial and otherwise, of The Regional Municipality of Halton, including but not limited to, the phasing of the plan for registration, the provision of roads and the installation of water and sanitary sewer services, utilities and drainage works.	RMH (DS)
72.	All updated/amended Warning Clauses must be reviewed and approved by Halton Region and the Town of Oakville. All applicable warning clauses shall be listed in the Town of Oakville Site Plan Agreement and also be inserted in the Agreements of Purchase and Sale or Lease. That the owner/applicant agrees to the following, to the satisfaction of Halton Region: a) That for all lands, lots or blocks that will be fitted with noise control measures and/or features, the Owner shall instruct its sales staff and agents (in the sales centre or otherwise) to notify all interested or potential purchasers, parties, buyers and/or future owners of the recommendations and warning clauses of the approved updated Noise & Vibration Impact Study as early in the purchasing process as possible (pre-sale); and, b) That for all lands, lots or blocks that will be fitted with noise control measures and/or features, the recommendations and warning clauses of the approved updated Noise & Vibration Impact Study shall be registered on title, included in all pre-sales materials and all agreements of purchase and sale.	RMH (DS) OAK (PS) OAK (DS)
73.	That the Owner agrees that **should the development be phased**, a copy of the phasing plan shall be submitted prior to final approval to the Halton District School Board and the Halton Catholic District School Board. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase.	HDSB HCDSB
74.	That the Owner shall provide the Town with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of **Community Mail Boxes** as required by Canada Post Corporation, prior to registration of the plan.	CP
75.	Prior to registration of the plan, the Owner shall make satisfactory arrangements with Enbridge Gas Inc. (Enbridge Gas) to provide the **necessary easements and/or agreements required by Enbridge Gas**	Enbridge Gas

	for the provision of local gas service for this project. Once registered, the owner shall provide these easements to Enbridge Gas at no cost, in a form agreeable and satisfactory to Enbridge Gas.	
76.	The Owner shall confirm that **sufficient wire-line communication / telecommunication infrastructure** is currently available within the proposed development to provide communication / telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the developer may be required to pay for the connection to and/or extension of the existing communication / telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the communication / telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services).	BC Cogeco Rogers
77.	Upon draft approval Regional services within the plan of subdivision may be installed, provided the engineering drawings have been approved by the Region and Town of Oakville, the Regional subdivision agreement has been executed, appropriate financial security has been posted, all relevant fees have been paid to the satisfaction of the Region, and all requisite government approvals have been obtained and notices given to all public utilities to the satisfaction of Halton Region.	RMH (DS)
78.	That the Owner provides high level revised waste management plan the high-density building, to the satisfaction of Halton Region.	RMH (DS)
79.	That the Owner provides confirmation that the centre line turning radiuses for all laneways and roads which require Regional waste collection services are 13m and demonstrates this on a plan, to the satisfaction of Halton Region.	RMH (DS)
80.	That the owner acknowledges, in writing, that the developer will be fully responsible for collection and disposal of all waste until the developer is able to confirm that the development has reached 90% occupancy and demonstrate that a waste collection truck is able to safely and consistently perform collection services without obstruction or delay, and that the development meets the Region's *Development Design Guidelines for Source Separation of Solid Waste*, to the satisfaction of the Region.	RMH (DS)
81.	The Owner acknowledges, in writing, they will provide a letter to all tenants/owners within the development which clearly communicates the details of the Waste management system that will be provided by the Developer and when Region collection will begin, to the satisfaction of Halton Region. This includes that waste collection for the proposed development will not commence until the proposed development is 90% occupied and that a Waste collection truck is able to safely and consistently perform collection services without obstruction or delay. The owner shall provide a copy of the letter, which clearly communicates the details of the Waste management system, addressed to all tenant/owners within the development, to the satisfaction of Halton Region.	RMH (DS)
82.	The Owner agrees that until notice from Halton Region's Commissioner of Public Works is given to the Owner that development of these lands is able to proceed by the issuance of a building permit with residential water/wastewater capacity or that units under the Region's Allocation Program will be operational within 12 months, that the Owner shall not seek the issuance of building permits for any development in this phase and: a. Shall not sell or offer for sale any lot or block or any part thereof within this phase if such sale obligates the Owner or permits the purchaser to construct a residential building on such lot or block; and,	RMH (DS)

	b. Shall not seek final approval for registration of such lots or blocks or any part thereof. •	
	CONDITIONS TO BE MET PRIOR TO FINAL APPROVAL/ REGISTRATION **NEIGHBOURHOOD INFORMATION MAPPING**	
83.	The developer shall prepare a final neighbourhood information map, based on the final M-plan, and approved by the Town's Director of Planning and Development, to replace the preliminary neighbourhood information map in all affected sales offices. This map shall contain the following information: a) all of the information required on the preliminary map, b) the locations of all sidewalks and walkways, c) the locations of all rear yard catch basins and utilities easements on private property where applicable, d) the proposed locations of all above ground utilities, where known, e) the proposed locations of all bus stops, f) The proposed locations of all temporary mailboxes. The developer shall ensure that each builder selling homes within the subdivision: a) provides prospective purchasers with a "Notice to New Home Purchasers" from the Town in the prescribed format that includes all of the notes required on the neighbourhood information maps, and, attaches a copy of the most up-to-date neighbourhood information map to each offer of purchase and sale agreement.	OAK(PS)
	CONDITIONS TO BE INSERTED INTO SUBDIVISION AGREEMENT	
84.	The Owner acknowledges that the Town may require **minor revisions** to the draft plan to ensure property alignment with existing or proposed lots, blocks, streets, and/or facilities on lands adjacent to this draft plan.	OAK (PS)
85.	That the Owner agrees to submit a revised **Planning Statistics Spreadsheet** to the satisfaction of Planning Services based upon the registration of M-Plans.	OAK (PS)
86.	That the Owner acknowledges that any eligible **Development Charge** reimbursements will be in accordance with the Town's Development Charge By-law. The Owner agrees to submit progress reports for any **Development Charge reimbursable** items identified to be reimbursed through Development Charge credits, whether repaid through Development Charge credits or other means, in a form satisfactory to the Town's Finance Department. The Owner further agrees to abide by the Town's requirements for matters dealing with Development Charge credits.	OAK (F)
87.	The Owner acknowledges that **work completed on behalf of the Town** shall not exceed the estimated values contained within the subdivision agreement and that the Town will not accept any further progress certificates relating to the Schedule 'K' works and will not consider the payment of said progress certificates received after the assumption of the subdivision by the Town. The Owner further acknowledges that work done on behalf of the Town may not be reimbursed until funded in the Town's approved capital budget.	OAK (DS, F)

88.	The Owner agrees to provide notice to prospective purchasers upon the completion and approval of the **Composite Utility Plan** showing the location of all community facilities (community mail boxes, bus shelter and stops, street trees, sidewalks, street light poles, hydrants, cable boxes, transformers or any other above grade facilities) to the satisfaction of staff and that this plan be displayed in the sales office.	OAK (DS)
89.	That the Owner's engineer provide certification that all **Erosion and Sediment Controls** are in a state of good repair and Stormwater outfalls are operational to the satisfaction of the Planning and Development Department prior to building permit issuance.	OAK (DS)
90.	The Owner agrees that LIDs will be monitored in accordance with the approved LID Monitoring Plan for a minimum of 3 years after the approval of certification and activation of LIDs. The Owner is required to submit annual monitoring reports, address deficiencies of the LID practices and prepare an Operations and Maintenance Manual to the satisfaction of the Town prior to assumption of the stormwater facilities. These commitments will form part of the Owners Subdivision Agreement.	OAK (DS)
91.	That the Owner agrees to construct stormwater management facilities according to the approved plans and reports for this subdivision. Additionally, the Owner agrees to monitor and maintain the facilities until they are accepted by the town. The Owner shall provide a monitoring procedure and schedule for all stormwater management facilities / works immediately after all stormwater management facilities / works become operational. All monitoring shall be in accordance with the requirements of the approved EIR / FSS, Stormwater Management Plan, Functional Servicing Plan, Development Engineering Procedures and Guidelines Manual and Town of Oakville Stormwater Management Facilities: Monitoring, Inspection and Maintenance Guidelines. Monitoring and maintenance are to be undertaken by the Owner for a minimum period of 2 years for Ponds and 3 years for LIDs once all stormwater management works become operational and stabilized or at the Town's discretion for a minimum period of 2 year for Ponds and 3 years for LIDs following construction of the majority of the contributing drainage area in accordance with the approved Operations Maintenance and Monitoring Program. Should the monitoring results fail to demonstrate to the satisfaction of the Town of Oakville, acting reasonably, that the performance of the stormwater management facilities / works is in accordance with acceptable engineering practices, the Owner shall take immediate remedial action.	OAK (DS, POS)
92.	That the Owner agrees to design and construct at their own cost the Urbanization of the east side of Fourth Line from William Halton Parkway to north entrance limit of the proposed development in accordance with the approved TIS.	OAK (POS, DS)
93.	That the Owner agrees to design and construct at their own cost any external servicing works that are required to facilitate the development proceeding. This includes storm and sanitary sewers, and watermain.	OAK (POS, DS)
94.	That storm sewerage, lot grading and street grading must be in conformity with the Town of Oakville's **Storm Drainage Policies and Criteria** and to the satisfaction of the Planning and Development Department, in accordance with the Development Engineering Procedures and Guidelines Manual.	OAK (DS)
95.	That the Owner agrees to provide grading plans for all lots/blocks that directly abut the NHS, stormwater management pond, or an existing subdivision.	OAK (EP, DS, POS)
96.	The Owner agrees to pay for **electricity supplied to light the streets** in the development until such time as the first homeowners take possession. This will include the supply of power to the street lights, the commodity cost, transmission and independent electricity marketing operator charges, distribution charges and administration fees, details of which will be outlined in the subdivision agreement.	OAK (DS)

97.	The Owner shall agree to **deposit mylars and digital discs** (.dwg file format) of the registered plan of subdivision to the satisfaction of the Town.	OAK (DS)
98.	That the Owner agrees to pay for and install all required **temporary signage** as per the approved Traffic and Parking Management Plan prior to the issuance of any building permits and agrees to ensure that these temporary signs are maintained throughout the construction phase or until the permanent signage is installed.	OAK (DS)
99.	That the Owner agrees to pay for and install all **permanent signage** within six (6) months of the first building occupancy as per the approved Traffic and Parking Management Plan. In the event that the Owner fails to install the permanent signage in the required timeframe the Town may carry out the work on behalf of the Owner, and will charge the Owner a 100% administration surcharge for all costs incurred by the Town in carrying out this work	OAK (DS)
100.	That the Owner shall place **public and educational signage** within the stormwater management Blocks to identify the general operation of the stormwater management facilities and list public restrictions for recreational use all to the satisfaction of the Engineering and Construction Department.	OAK (DS)
101.	That the Owner agrees within the subdivision agreement to deliver to the Town the following materials to accommodate **PSAB requirements** (hereinafter in this section referred to as the "Materials") within the times herein provided: a) Prior to registration of the Plan, a table in form and content acceptable to the Town and certified accurate by an Ontario Land Surveyor, setting out the area of all lands to be dedicated to the Town pursuant to this agreement, including rights of way (herein after referred to as the "Dedicated Lands"); b) Prior to acceptance of Maintenance, a table in form and content acceptable to the Town, and certified by the Owner's Engineer, setting out all materials used in the Town's Work, the dates of their respective installation, together with certification of their fair market value at installation; and c) Prior to assumption of the Plan, updated certification by the aforementioned Ontario Land Surveyor, Owner's Engineer or Appraiser as applicable, of the Materials and their current fair market value in form and content acceptable to the Town, together with certification in the manner and by the persons set out herein of any works to be assumed by the Town and not previously certified.	OAK (DS)
102.	That the Owner agrees that all **roadways** are to be designed to Town of Oakville standards and partial roads within the draft plans are not permitted, unless other suitable arrangements are made with the Director of Transportation and Engineering.	OAK (TE)
103.	In the event that required subdivision land use and **notice signage** becomes damaged and/or missing from their original approved locations, the Town may re-install signage on the Owner's behalf and the Owner shall reimburse the Town for such works.	OAK (DS)
104.	That the Owner satisfies the **telecommunications** provider with respect to their land requirements and agrees to permit all electrical and telecommunication providers who have signed the Town's access agreement to locate on the roads within the plan and that the Owner allow these services to connect to the buildings, all to the satisfaction of the Town.	OAK (DS)
105.	That the Owner shall provide in each of the sales offices a **large coloured map**, not less than 1.5 metres by 2 metres, of the approved land use plans to date and/or where applicable, the land use plans approved in the Official Plan for the overall community together with a copy of the Town of Oakville Official Plan and a prominent note indicating that further	OAK (DS)

	information can be obtained from the Oakville Planning and Development Department.	
106.	a) That the Owner acknowledges that during the active construction process it is anticipated that **sediment accumulation** in the stormwater management pond will occur at an above average rate compared to the rate for a stabilised condition. Based on this assumption the Owner agrees to monitor the sediment accumulation level and clean the pond periodically to ensure its operational efficiency is maintained. Prior to assumption a condition and monitoring report is to be prepared by the Owner's Engineer which is to outline the monitored performance of the pond as documented over time and the current state of sediment level within the pond. The Engineers report will make recommendations with respect to any maintenance required at the time of the requested assumption and itemise such items which the Owner will be required to remediate prior to the assumption. b) That the Owner agrees, at the time of the requested assumption, to provide an up-to-date **bathymetric survey** to determine the sediment level within the storm water management pond. If the accumulated sediment level is less than 25% of the design sediment storage volume within the fore-bay and/or main bay area of the pond, the Owner will provide a cash-in-lieu payment to the town for future clean-out based on an amount to be determined. Notwithstanding the above, should the sediment accumulation exceed 25% of the design sediment storage volume, the Owner agrees to clean out the pond. c) That the Owner agrees that the Town shall retain **securities for any Stormwater Management Facility** for at least a minimum two year maintenance period after the construction and stabilization of the stormwater management pond, or at the Town's discretion, for a minimum 2 year period following the assumption the majority of contributing development plans. The value of this security will be determined by the Town based on the size of any pond as well as the number of contributing plans.	OAK (DS)
107.	That the Owner designs, constructs and has in operation all necessary **flood control structures and stormwater outfall structures** prior to the issuance of any building permits to the satisfaction of the Conservation Halton and Planning and Development Department and Parks and Open Space Department.	OAK (DS, POS) CH
108.	That the Owner install a 1.2 metre high black vinyl coated chain link fence, or equivalent barrier as approved by the Town, along the common boundary line, setback 0.15 metres on Town property, between the parkland / stormwater management facility (where applicable) blocks and the abutting lots and/or blocks. The fence must be installed prior to Building Permit issuance on adjacent lots in order to ensure there is no encroachment by the builder or homeowner into the ~~natural heritage system~~ / parkland / stormwater management facility (where applicable) blocks to the satisfaction of the Planning and Development Department, Transportation and Engineering Department, and Parks and Open Space Department. And further that the Owner provide a legal survey, prepared and signed by an OLS), confirming the location of all fencing installed in 100% on public property and also confirming that there are no known encroachments at the time of assumption.	OAK (PS) OAK (POS) OAK (TE)
109.	That the Owner retain the services of a landscape architect in good standing with the OALA from a roster of prequalified landscape architectural consultants and agrees to provide for the preparation and submission of landscape plans including planting, grading, sodding, fencing and the design of park facilities together with cost estimates for the open space system including parkland, walkways, valley land / natural heritage system buffer areas and stormwater management facilities; and further, that the applicant finance the provision of the park facilities and the implementation of the landscape plans to the satisfaction of the Planning and Development Department, Parks and Open Space Department and Transportation and Engineering and in accordance with the Town's Development Charges By-law. And further, that the Owner	OAK (PS, POS, DS, EP) CH

	prepare a **facility fit plan** for any urban square, village square or neighbourhood park blocks confirming that the expected program elements may be incorporated. This will include any and all active sports fields, their associated buffer requirements and all supporting amenities.	
110.	That the Owner agrees at their cost to implement a **municipal tree planting program** for all public roads in accordance with the approved Composite Utility Plan and/or Tree Planting Plan. The selection of species, caliper and timing of work shall be undertaken to the satisfaction of the Parks and Open Space Department and in accordance with the latest Town standards and specifications within the final and approved North Oakville Urban Forest Strategic Management Plan, where applicable.	OAK (DS, POSF)
111.	That the Owner agrees to submit **prior to Assumption** an inventory of all boulevard trees planted by species, size, tree attributes, planting date(s), and x/y coordinates in a digital format acceptable to the Parks and Open Space Department and Planning and Development.	OAK (POSF, DS)
112.	That the Owner warranty all **boulevard street trees** and trees planted in open space areas for a period of 2 years from the date of planting and agrees to maintain in a healthy condition all trees until Assumption or to the end of the warranty period, where the warranty extends beyond assumption. A minimum of two deficiency inspections must be performed by Forestry staff and corrected to the satisfaction of Parks and Open Space.	OAK (DS, POSF)
113.	That the Owner agrees to place **topsoil** on lots, boulevards and parkland in accordance with approved Town standards.	OAK (POS, DS)
114.	That the Owner agrees to submit monthly (or after significant rainfall equal or greater than 10mm or snowmelt events) sediment and erosion control reports during construction to the satisfaction of Conservation Halton and the Town of Oakville.	CH
115.	That the Owner agrees to post acceptable securities with the Town of Oakville as part of the subdivision agreement, for the purpose of ensuring the construction and completion of all works identified on the approved plans including the rehabilitation of any natural heritage system block (including CH regulated areas) or open space areas to the satisfaction of Conservation Halton and the Town of Oakville which may be disturbed during the development of the subdivision.	OAK (DS) CH
116.	That the Owner shall prepare and implement at no cost to the Town, a **landscape, restoration and enhancement plan for the stormwater management facility** to the satisfaction of the Planning and Development Department, Parks and Open Space and Conservation Halton in accordance with the Town's stormwater management Landscaping Standards. The Owner shall be entirely responsible for the implementation of these features including all financial costs.	OAK (DS, EP, POS)
117.	That the Owner agrees to not store **construction materials** on vacant lots and/or open space blocks that abut lots which are occupied by homeowners.	OAK (DS, POS)
118.	That the Owner agrees to implement **cycling and trails plans** in accordance with the North Oakville Trails Plan, when finalized, and the enacted Development Charges By-law to the satisfaction of the Town.	OAK (POS)
119.	That the Owners agrees that prior to the conveyance of any parkland, the Owner shall be responsible for the installation and maintenance of temporary fencing around the parkland and its maintenance until such time as the development of the park block is completed.	OAK (POS)
120.	That the Owner agrees not to stockpile any soils or materials, or use as an interim construction staging area, on any lands to be conveyed to the town.	OAK (POS)

121.	That the Owner, at their sole expense, agrees to develop the parkland to a base-level condition as a local service provision under section 59 of the *Development Charges Act*. This includes but is not limited to: a) Clearing and grubbing. b) Erosion and sediment control. c) Topsoil stripping and stockpiling. d) Servicing to just inside the property line (including water, hydro, storm, sanitary, electrical, fiber/phone, catchbasins, manholes, access boxes, meter and meter boxes). • The developer is to provide a full functioning electrical and water service to the park (to Oakville Hydro and Region of Halton standards) to which the park contractor will tie into. • The full electrical and water service includes a water meter, hydro meter and boxes. All costs associated with providing a full service to the park (including Region of Halton or Oakville Hydro fees/testing/inspections/permits) shall be born by the developer. • Should the meters and boxes be planned more than 1 meter within park, the town shall bear the cost of the extending water piping or electrical lines to the planned location (e.g. precast shed). e)Rough grading (pre-grading) to base level conditions and the supply of topsoil to the required depth. f) Topsoil placement per the applicable subdivision agreement. g) Temporary fencing (e.g. construction fence). h) Temporary park sign. i) Permanent fencing to town standards (e.g. chainlink fence). j) Applicable heritage feature(s).	OAK (POS)
122.	That the base-level pre-servicing of the park blocks (sanitary, storm, water, hydro) shall match (without modification) the ultimate park grading and servicing design.	OAK (POS)
123.	That the Owner provides **a fire break plan** and other fire prevention measures to the satisfaction of the Town of Oakville, where necessary.	OAK (FD)
124.	That the owner agree that **no fill from the site may be dumped on or off-site** in an area regulated by Conservation Halton without the prior written permission of Conservation Halton.	CH
125.	That the Owner acknowledges that all works which are the responsibility of the Owner to complete shall be supervised during construction by a **licensed Professional Engineer** of the Province of Ontario with all professional engineering fees paid by the Owner. The Owner's engineer must provide competent full time inspection staff on site during construction activities to obtain the required "record" field information, and to ensure compliance with the approved drawings and the Region's Current Construction and Design Standards.	RMH (DS) OAK (DS)
126.	That the Owner agrees that **pre and post development storm water flows** from the site to the existing drainage system are maintained both during and after construction, such that there are no adverse impacts to the existing storm drainage system to the satisfaction of Halton Region's Development Project Manager.	RMH (DS)
127.	That the Owner shall conduct a survey of the property to identify all existing wells related to the former use of the lands. The Owner further agrees to decommission any existing wells in accordance with Ministry of Environment Guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.	RMH (DS)

128.	That the Owner agrees to conduct a **survey of the static water level** and quality of all wells within 500 metres of the plan. The Owner further agrees to resolve any claims of well interruption due to the construction of municipal services to the satisfaction of the Region's Development Project Manager.	RMH (DS)
129.	The Owner agrees to conduct a survey of the property to identify all existing private septic systems related to the former use of the lands. The owner further agrees to decommission any existing private septic systems in accordance with MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.	RMH (DS)
130.	That the Owner acknowledges that development shall be subject to full **municipal water and sanitary sewer services** to the satisfaction of the Regional Municipality of Halton.	RMH (DS)
131.	The Owner agrees to provide and install individual pressure reducing valves (PRV) at each residential unit within the subdivision as required by the Ontario Building Code to the satisfaction of Halton Region.	RMH (DS)
132.	The Owner agrees that should the development be phased, the Owner shall submit a **phasing plan** prior to final approval of the first phase. The phasing plan will indicate the sequence of development, the land area in hectares, the number of lots and blocks for each phase and the proposed use of all blocks including, the proposed number of units, the specific lots to be developed, site access to each phase, grading and the construction of public services. The phasing must be reflected in all engineering reports. The phasing shall be to the satisfaction of the Regional Municipality of Halton, Conservation Halton and the Town of Oakville.	RMH (DS) OAK (DS) CH
133.	The Owner agrees that warning clauses shall be included in a registered portion of the Regional Subdivision Agreement, and in subsequent offers of purchase and sale on all units within this development and, registered on title regarding Noise impacts.	RMH (DS)
134.	That the Owner agrees to place the following notification in all offers of purchase and sale for all lots and/or units and in the Town's subdivision agreement to be registered on title: *"Purchasers/tenants are advised that this development and associated blocks/units are directly adjacent/in close proximity to a Regional road. Halton Regional roads are classified as major arterial roadways and as such: Serve mainly inter-regional and regional travel demands; May serve an Intensification Corridor; Accommodate all truck traffic; Accommodate higher order transit services and high occupancy vehicle lanes; Connect Urban Areas in different municipalities; Carry high volumes of traffic; Distribute traffic to and from Provincial Freeways and Highways; Accommodate active transportation. Truck traffic is permitted on all Regional roads, and is one of the functions of the Regional road network. Therefore, despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic will interfere with some activities of the dwelling occupants, including any raised patio and/or balcony, as sound levels exceed the sound level limits of the Municipality and the Ministry of Environment, Conservation and Parks."*	RMH (DS)
135.	*The Owner agrees to ensure that the developer implement the recommendations and incorporate the Noise Control Requirements and Warning Clauses recommended in the approved "Environmental Noise Feasibility Study – ARGO NEYAGAWA", Town of Oakville prepared by Valcoustics Canada Ltd. (dated XXXX 2025) in all applicable residential Purchase of Sale Agreements, including but limited to:*	RMH (DS)

	"Purchasers are advised that ground floor units with balconies with direct unobstructed access to the Regional road system and/or the Active Transportation Network will not be eligible under the retrofit provisions of the Region's Noise Attenuation Policy/Noise Abatement Guidelines in the future." *"Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants, including any raised patio and/or balcony, as sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."* *"Purchasers/tenants are advised that this development and associated blocks/units are directly adjacent/in close proximity to a Regional road. Halton's Regional roads are classified as major arterial roadways and as such: Serve mainly inter-regional and regional travel demands; May serve an Intensification Corridor; Accommodate all truck traffic; Accommodate higher order transit services and high occupancy vehicle lanes; Connect Urban Areas in different municipalities; Carry high volumes of traffic; Distribute traffic to and from Provincial Freeways and Highways; Accommodate active transportation. Truck traffic is permitted on all Regional roads, and is one of the functions of the Regional road network. Therefore, despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic will interfere with some activities of the dwelling occupants, including any raised patio and/or balcony, as sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."*	
136.	That the Owner agrees to phase the development of the subject lands to the satisfaction of Conservation Halton and the Town of Oakville.	OAK (DS) CH
137.	That the Owner shall submit a copy of the **approved sidewalk plan**, prepared to the satisfaction of the Town of Oakville, to the Halton District School Board and Halton Catholic District School Board.	OAK (DS) HDSB HCDSB
138.	That the Owner provides the Halton District School Board and Halton Catholic District School Board a **geo-referenced AutoCAD file** of the draft M-plan once all Lot and Block numbering configuration has been finalized. Should any changes occur after the initial submission to Lot and Block configuration or numbering on the draft M-plan the Owner shall provide a new AutoCAD file and a memo outlining the changes.	HDSB HCDSB
139.	That the Owner agrees to erect and **maintain signs** at all major entrances into the new development advising prospective purchasers that a permanent school is not available, and that alternate accommodation and/or bussing will be provided. The Owner will make these signs to the specifications of the respective School Board and erect them prior to the issuance of building permits.	HDSB HCDSB
140.	That the Owner agrees to ensure that all new home buyers will be officially notified of the exact **Community Mail Box** locations prior to any house sales. Also, that the owner shall post in a clear site a copy of the plan indicating the Community Mail Box sites at the sales office. This plan is requested to be completed and approved prior to the start of the House sales for the subdivision. Once the homeowner has closed their home sale, the developer shall notify all new homebuyers of the process to initiate Mail Delivery as well as the address of the local Post office where new homeowners can go and show their warranty documentation as well as a license for identification to begin the process of requesting mail delivery.	CP
141.	The Owner agrees to provide the location of all **Community Mail Boxes** on the approved Composite Utility Plan to the satisfaction of the Town and Canada Post.	CP

142.	The Owner agrees, prior to offering any units for sale, to display and maintain a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all **Community Mail Boxes** within the development, as approved by Canada Post. Further, the Owner agrees to inform all homebuyers of the process to initiate mail delivery for their new home address.	CP
143.	The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.	CP
144.	The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.	CP
145.	The Owner agrees to provide a suitable and safe temporary site for **Community Mail Box** locations. This temporary mail box pad will be a compacted gravel area with a minimum of a single row of patio stones for mail box placement. Temporary pad specifications will be provided to the Owner during the siting process. This location must be set up a minimum of 30 days prior to first occupancies.	CP
146.	The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy	CP
147.	That the Owner acknowledges that where multi-unit or commercial, office or similar buildings are located, one or more conduit or conduits of sufficient size will be provided from each unit to the room(s) in which the **telecommunication facilities** are situated and three conduits from the room(s) in which the telecommunication facilities are located to the street line.	BC /Cogeco/Rogers
148.	The Owner agrees to (a) permit all CRTC-licensed telecommunications companies intending to serve the Subdivision (the "Communications Service Providers") to install their facilities within the Subdivision, and (b) provide joint trenches for three agencies for such purpose.	(BC/Cogeco/Rogers)
149.	That the Owner acknowledge its responsibility to up-front the cost of any expansion to the **electrical distribution system**, calculated in accordance with the Ontario Energy Board Distribution System Code.	OH
150.	That the Owner agrees to place the following **notification in all offers of purchase and sale** for all lots and/or units and in the Town's subdivision agreement to be registered on title: a) "Purchasers and/or tenants of are advised that their properties are adjacent to or near lands which may be developed for **future residential (high density), commercial or mixed commercial / residential uses**." b) "Purchasers and/or tenants are advised that **private landscaping** is not permitted to encroach within the Town's road allowance, public open space, Stormwater Management Ponds, or any other Town property. Any unauthorised encroachments are to be removed by the homeowner prior to Assumption. If not removed by the homeowner unauthorized landscape material may be removed without notification by the Town." c) "Purchasers and/or tenants are advised that the Town of Oakville's current **street tree planting standards**, are intended to have an average of one tree for every 12 metres of frontage, but not every dwelling will receive a tree. The ability to plant a street tree depends on factors such as housing form, setbacks, utilities, driveway width, and location. The Town will determine whether a street tree will be planted, especially on narrow building lots." d) "Purchasers and/or tenants of lots or units adjacent to or near village squares, neighbourhood/community parks, or servicing/walkway blocks are advised that these open spaces will	OAK (PS, TE, DS,POS) CH HDSB HCDSB CP

	be used for both active and passive public recreation, including walkways, bikeways, playgrounds, sports fields (lit or unlit), splash pads, skateboard parks, tennis courts, visitor parking, and multi-use courts. These areas may also contain **children's play equipment**, community mailboxes, and sports field lighting, which could generate **noise or nuisance**, particularly for those living nearby. Park facilities may be used during the day, evenings, and weekends, with visitors parking on the street in front of dwellings." e) "Purchasers and/or tenants of lots or units adjacent to or near ~~**channel blocks, and**~~ storm water management blocks, village squares, ~~**neighbourhood/community parks**~~ or any other parkland and open space are advised that these areas, in whole or in part, may be vegetated to create a natural setting. In such areas, the Town may not carry out **routine maintenance** such as grass and weed cutting." f) "Purchasers and/or tenants of lots or units in Blocks XXare advised that they abut a **Walkway Block** which will allow for public access. These walkways may be lit or unlit at certain times." g) "Purchasers and tenants of Blocks XX are advised that a **public trail or walkway** may be installed near their property, in accordance with the North Oakville Trails Plan. Normal use of the trail may generate occasional noise that could impact outdoor activities. Individual gate access to these areas is prohibited, and no encroachments, private landscaping, vegetation removal, or dumping of yard waste or household materials is allowed. The Town reserves the right to install public trail connections within these blocks." h) "Purchasers and /or tenants are advised that **gates are not permitted** to be installed along any boundary fence adjacent to any lands intended for a park or stormwater management pond. In the event a gate is installed, it will be removed at the owner's expense" i) "Purchasers and/or tenants are advised that, prior to placing any structures, including **air conditioners**, in **side and rear yards**, the Zoning By-law should be reviewed to determine compliance, and a Site Alteration Permit may be required before proceeding with any site work." Grading alterations or the placement of any structures, including sidewalks, that impact or alter the approved lot drainage arrangement are not permitted within 0.3m (1 foot) of all side and rear yards without prior review and approval from the Town of Oakville." j) "Purchasers and/or tenants are advised that an overall **grade control plan** has been approved for this lot and Plan of subdivision. Some lots will incorporate the drainage of adjoining lots through **swales and rear lot catch basins**. The drainage and grading arrangement for the entire area, including the subject lot, must be maintained and cannot be altered without the approval of the Town of Oakville. Additionally, purchasers of lots XX are advised that their properties are subject to a municipal storm sewer drainage easement to accommodate rear lot catch basins located on or adjacent to their lot or block. Any **unauthorized alteration of the established grading or drainage** patterns may negatively affect the lot or neighbouring lots. The builder is responsible for addressing grading issues until the Town accepts the lot grading certification prior to assumption. After assumption, any grading issues will become the homeowner's responsibility." k) "Purchasers and/or tenants are advised that a **private swimming pool** cannot be installed until the property receives the final lot grading certification confirming the lot has been constructed/graded according to the approved plans. Once certified, owners must	

	obtain the necessary permits for pool installation, which may include changes to the lot's grading." l) "Purchasers and/or tenants are advised that **stormwater management ponds** will contain water, with levels rising and falling due to rainfall. The pond(s) is not intended for recreational use. It will undergo regular maintenance and periodic clean-outs. Additionally, the Town reserves the right to install a public trail connection within this area." m) "Purchasers and/or tenants are advised that **winter maintenance** and snow plowing from public streets and laneways will be done in accordance with the Council approved protocol and policies for snow removal." n) "Purchasers and/or tenants are advised that overnight **on-street parking** may be available on one side of the street. Vehicles may be parked overnight with a valid permit, but a permit does not guarantee a specific parking space or availability if all spaces are occupied." o) "Purchasers and/or tenants are advised that this subdivision was designed with a defined amount of **on-street parking** for public use. **Driveway widening** or modifications beyond the approved subdivision design are not permitted. Public roads accommodate pedestrians, cyclists, and various vehicles, and on-street parking is open to the public, not reserved for individual property owners and is especially important near parks, schools, laneways, and commercial or mixed-use areas. Purchasers should consider their approved driveway and garage capacity when buying a home, as additional **parking may be limited or unavailable**." p) "Purchasers and/or tenants are advised that North Oakville is founded on the principle of prioritizing public transit, and as such, buses operate at varying frequencies throughout the neighbourhoods. Residents should expect bus operations as part of the community. Transit infrastructure, including **bus stops and shelters**, may be installed on municipal streets as temporary or permanent features." q) "Purchasers are advised that the following street(s) in the area may be designated as **interim or permanent bus routes**, and that bus stops and shelters may be installed along the street(s): Streets xx" r) "Purchasers and/or tenants of lots xx are advised that a **noise wall** is located on public property and that no modifications or alterations are permitted to the noise wall structure." s) "Purchasers and/or tenants are advised of the following warning clauses regarding **school accommodation and facilities**: a. Student accommodation in the community is not guaranteed. b. Students may be accommodated in temporary facilities or bussed to schools outside the area. c.Attendance areas and student redirection may change to address accommodation pressures. d. School buses will not enter culs-de-sac or private roads, and pick-up points will generally be located on through streets convenient to the respective student transportation services. e. Additional pick-up points will not be located within the subdivision until major construction is complete.	

	f. For properties or units abutting, fronting, or adjacent to school sites, temporary facilities or portables may be placed on the school site to accommodate pupils exceeding the building's capacity. g. For properties or units near school sites, homeowners can expect occasional noise from school facilities and higher-than-normal traffic volumes resulting from school activities. h. Gates are not permitted to be installed along any boundary fence with a school. In the event a gate is installed, it will be removed at the owner's expense. t) "Purchasers and/or tenants are advised that home/business mail delivery will be from designated **Community Mail Boxes** and that purchasers are to be notified by the developer/owner regarding the exact centralized mail box locations prior to the closing of any home sales." u) "Purchasers and/or tenants are advised that there may be sidewalks and/or **above ground utility facilities** such as fire hydrants, hydro transformers, switchgears structure, community mailboxes, cable / telecommunication pedestals and on-street parking restrictions located in front of their property within the Town's road allowance or on easements. The switchgear structure and easement are owned and maintained by Oakville Hydro, and the operation and maintenance of this facility may occasionally produce audible noise." v) "Purchasers and/or tenants are advised that there is the potential for high water pressures within the subdivision." w) "Purchasers and/or tenants of lots or units are advised that the developer/builder will be responsible for waste disposal until such time as Halton Region deems their street to be safe and accessible to receive Regional waste collection services." x) "Purchasers and/or tenants must inform future buyers of these warning clauses indefinitely. A property cannot be exempt from this agreement unless this specific section is mentioned in the exemption." In cases where offers of purchase and sale have already been executed, the owner/developer shall send a letter to all purchasers which includes the above statements.	
	CLOSING CONDITIONS	
1	Prior to signing the final plan the **Director of Planning and Development** shall be advised that all conditions have been carried out to the satisfaction of the relevant agencies, and that a brief but complete statement detailing how each condition has been satisfied has been provided.	OAK (PS)
2	Prior to signing the final plan the Director of Planning and Development shall be advised by the **Regional Municipality of Halton** that all applicable conditions inclusive have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) RMH (DS)
3	Prior to the signing of the final plan the Director of Planning and Development shall be advised by **Conservation Halton** that all applicable conditions have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) CH
4.	Prior to signing the final plan the Director of Planning and Development shall be advised by the **Halton District School Board** that all applicable	OAK (PS) HDSB

	conditions have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	
5.	Prior to signing the final plan, the Director of Planning and Development shall be advised by the **Halton Catholic District School Board** that all applicable conditions have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	OAK (PS) HCDSB
6.	Prior to signing the final plan, the Director of Planning and Development shall be advised by the **telecommunications provider** that all applicable conditions have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	OAK (PS) BC, Cogeco, Rogers
7.	Prior to signing the final plan the Director of Planning and Development shall be advised by **Canada Post** that all applicable conditions have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) CP
8.	Prior to signing the final plan the Director of Planning and Development shall be advised by the **Ministry of Tourism, Culture and Sport** that all applicable conditions have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) MTCS RMH (LPS)
9.	Prior to signing the final plan, the Director of Planning and Development shall be advised by **Oakville Hydro** that all applicable conditions have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	OH
10.	Prior to signing the final plan, the Director of Planning and Development shall be advised by **Union Gas/Enbridge Gas** that all applicable conditions have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	UG/Enbridge
11.	Prior to signing the final plan, the Director of Planning and Development shall be advised by **Ministry of Transportation** that all applicable conditions have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	MTO
	All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being *Day ___, Month ____, 20xx.*	OAK (PS)

LEGEND – CLEARANCE AGENCIES

BC	Bell Canada
Cogeco	Cogeco Cable
CP	Canada Post
HCDSB	Halton Catholic District School Board
HDSB	Halton District School Board
CH	Conservation Halton
MECP	Ministry of Environment, Conservation and Parks
MNRF	Ministry of Natural Resources, Forestry and Parks
MTCS	Ministry of Tourism, Culture and Sport
MTO	Ministry of Transportation
OAK (A)	Town of Oakville – Planning Administration
OAK (EP)	Town of Oakville – Environmental Planning
OAK (F)	Town of Oakville – Finance
OAK (FD)	Town of Oakville – Fire Department
OAK (L)	Town of Oakville – Legal
OAK (POS)	Town of Oakville – Parks and Open Space Department

OAK (PS)	Town of Oakville – Current Planning and Development
OAK (T)	Town of Oakville – Transit
OAK (DS)	Town of Oakville – Planning and Development/Development Services
OAK (TE)	Town of Oakville – Transportation and Engineering
OAK (Z)	Town of Oakville – Building Services Department, Zoning Section
OH	Oakville Hydro
RMH (DS)	Regional Municipality of Halton – Development Services
Rogers	Rogers
Enbridge Gas	Enbridge Gas

NOTES:

1. That the Owner shall obtain a Permit from Conservation Halton, pursuant to Ontario Regulation 162/06, for any development or site alteration within the regulated area including, but not necessarily limited to, dumping of fill, grading, stormwater outfalls, and watercourse crossings.

2. The Owner should obtain authorization from Fisheries and Oceans Canada(DFO) for the Harmful Alteration, Disruption or Destruction of Fish Habitat, pursuant to the **Fisheries Act**, where necessary.

3. The Owner should obtain the written approval of the Ministry of Environment, Conservation and Parks(MECP) for any work within significant habitat of endangered and threatened species, as per the **Endangered Species Act**, where necessary.

4. The Owner should obtain the written approval of the Environment and Climate Change Canada or Fisheries and Oceans Canada for any work within significant habitat of endangered and threatened species, as per the **Species at Risk Act**, where necessary.

5. The Owner should ensure that any vegetation removal take place outside of the nesting season, pursuant to the **Migratory Bird Convention Act**, where necessary.

6. The Owner should obtain the written approval of the Ministry of Natural Resources and Forestry (MNRF) for any work pursuant to **the Lakes and Rivers Improvement Act**, where a dam or blockage of the watercourse is proposed, where necessary

7. That the Owner shall obtain a site alteration permit under By-law 2008-124, as it may be amended from time to time or any successor thereto, prior to any earth moving activities. Matters to be addressed as part of the site alteration permit shall include but not be limited to confirmation of construction access, installation and maintenance of erosion and sediment controls, mud tracking, stabilisation, grading and seeding of non-development blocks.

8. The owner is to enter into satisfactory arrangements with the Town related to the payment of Parkland / Cash in Lieu in accordance Section 42 of the Planning Act and the Town's By-law 2022-108 and the payment of a Community Benefit Charge (if applicable) in accordance with By-law 2022-069 The owner is to contact the Towns Manager of Realty Services no later than 90 days prior to their intended date to draw the first building permit for the proposed development or redevelopment, to arrange coordination of the necessary appraisal.

9. The required payments and contributions for water, wastewater and roads are payable in accordance with the terms and conditions set out in the applicable allocation program agreement in which the Single-Detached Equivalents are being reserved for the Owner.

10. The Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed

Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website at www.halton.ca/developmentcharges to obtain the most current development charge and Front-ending Recovery Payment information, which is subject to change.

11. Fees are required by Halton Region for each extension to draft approval and for major revisions to the draft plan or conditions.

12. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the subdivision:
    - Final draft M plans signed and dated by the Owner, Surveyor and initialled by the Town's Planner
    - Regional Registration fee
    - LRO Confirmation Email of LRO Pre-approval and PX number

13. Education Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits that are additional to the maximum yield that is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.