



OAKVILLE TOC

# Land Use Compatibility Assessment

157-165 Cross Avenue  
Oakville, Ontario

# Table of Contents

<b>1.0</b>	<b>Introduction</b>	<b>1</b>
1.1	Purpose and Objectives .....	1
<b>2.0</b>	<b>Description of the Site and Surrounding Area</b>	<b>2</b>
2.1	Zoning .....	2
<b>3.0</b>	<b>Summary of Relevant Land Use Policies, Regulations, and Guidelines</b>	<b>3</b>
3.1	Halton Region’s Land Use Compatibility Guidelines .....	3
3.2	Halton Region’s Air Quality Guidelines.....	4
3.3	Provincial Policy Statement, 2020.....	4
3.4	Environmental Protection Act.....	5
3.5	D-Series Guidelines.....	6
3.6	Ontario Regulations 419/05 and 1/17 – Local Air Quality .....	8
3.7	The MTO Guide .....	9
3.8	NPC-300 Noise Guidelines .....	10
<b>4.0</b>	<b>Methodology</b>	<b>11</b>
<b>5.0</b>	<b>Industry Classification within the Surrounding Area</b>	<b>12</b>
5.1	Potential Adverse Effects .....	13
<b>6.0</b>	<b>Future Industrial Uses</b>	<b>14</b>
6.1	420 South Service Road East – Former General Electric Corp.’s Lamp Plant.....	14
6.2	540, 546, and 548 Trafalgar Road .....	14
<b>7.0</b>	<b>Transportation Facilities</b>	<b>16</b>
7.1	Noise.....	16
7.2	Vibration .....	16
7.3	Air Quality .....	16
7.3.1	Site Layout .....	17
7.3.2	Physical Barriers .....	17

7.3.3 Building Design..... 17

8.0 Conclusions 18

Figures

Figure 1: Site and Surrounding Area ..... Appendix A

Figure 2: Industries Identified during Assessment..... Appendix A

Tables

Table 1: Industrial Categorization Criteria..... 7

Table 2: Industrial Classification Study Distances ..... 8

Table 3: Class I Industries ..... 12

Appendices

A Site Plans

B Zoning



## 1.0 Introduction

### 1.1 Purpose and Objectives

Dillon Consulting Limited (Dillon) was retained by Cross Realty LP to complete a Land Use Compatibility Assessment (the Assessment) for a proposed residential development (Proposed Development) located at 157-165 Cross Avenue in Oakville, Ontario. The Assessment has been completed in support of a Transit Oriented Communities (TOC) submission for the Proposed Development.

The purpose of the Assessment is to assess the potential for nuisance impacts resulting from noise, vibration, and air quality (including odour and dust) emissions from surrounding land uses on the Proposed Development.

The Assessment was conducted in consideration of the following documents:

- Halton Region's Land Use Compatibility Guidelines;
- The Provincial Policy Statement (PPS), 2020;
- The Ontario Environmental Protection Act (EPA);
- The Ministry of Environment, Conservation and Parks' (MECP's) D-Series of Guidelines for land use compatibility between industrial and sensitive land uses;
- The MECP's local air quality regulation, Ontario Regulation 419/05;
- The MTO's Environmental Guide for Assessing and Mitigating the Air Quality Impacts and Greenhouse Gas Emissions of Provincial Transportation Projects (the MTO Guide); and
- The MECP's Noise Publication NPC-300.



## 2.0

## Description of the Site and Surrounding Area

The Proposed Development is located at 157 and 165 Cross Avenue in Oakville, Ontario. The subject lands are currently occupied by low-rise commercial buildings and surface parking lots. The development is proposed to consist of two towers on top of a three-storey podium. Tower A will consist of 58 storeys and Tower B will consist of 50 storeys. There is commercial and office space located on Level 1 and Level 2 of the podium, as well as an approximate 647 square meter privately-owned publicly accessible spaces (POPS) at grade.

Surrounding the Proposed Development are the following existing land uses:

- North – Commercial and office with associated parking lots;
- East – Oakville GO Station with associated parking lots;
- South – Residential (with several single-detached houses) and commercial with associated parking lots; and
- West – Commercial with associated parking lots.

The subject site and surrounding area are shown in Figure 1. The site plan is provided in Appendix A.

## 2.1

### Zoning

At the time of this assessment, the subject lands are zoned Midtown Transitional Commercial (MTC) as per the Town of Oakville's Zoning By-Law 2014-014, as amended. Dillon notes that, the majority of the Midtown Oakville land parcels are currently under appeal, and therefore is not in force.

Immediately adjacent to the subject lands in all directions are lands zoned Midtown Transitional Commercial (MTC). Beyond the adjacent lands, the following zoned lands are located with respect to the Proposed Development:

- Midtown Transitional Employment (MTE) – Located 195 metres (m) northeast of the Proposed Development;
- Urban Centre (MU3) – Located 220 m southeast of the Proposed Development;
- Residential High (RH), Future Development (FD), and Natural Area (N) – Located 200 m south and southwest of the Proposed Development;
- Residential Medium (RM4) and Residential Low (RL2) – Located 250 m northwest of the Proposed Development; and
- Commercial (C3) and Utility (U) – Located 300 m north of the Proposed Development.

The zones listed are identified in the zoning map - obtained from the Town of Oakville's online interactive zoning map - provided in Appendix B.

## 3.0

## Summary of Relevant Land Use Policies, Regulations, and Guidelines

The following documents and guidelines, described in detail in this section, were considered in the Land Use Compatibility Assessment:

- Halton Region’s Land Use Compatibility Guidelines;
- Halton Region’s Air Quality Guidelines;
- The Provincial Policy Statement (PPS), 2020;
- The Ontario Environmental Protection Act (EPA);
- The Ministry of Environment, Conservation and Parks’ (MECP’s) D-Series of Guidelines for land use compatibility between industrial and sensitive land uses;
- The MECP’s local air quality regulation, Ontario Regulation 419/05; and
- The MECP’s Noise Publication NPC-300.

## 3.1

### Halton Region’s Land Use Compatibility Guidelines

The Halton Region’s Land Use Compatibility Guidelines provide a framework for the assessment of land use compatibility within the Region. With respect to this study, the application of the Halton Region’s Land Use Compatibility Guidelines follows the framework provided in the MECP’s D-Series Guidelines (described in Section 3.4).

The Halton Region’s Land Use Compatibility Guidelines applies to industrial and sensitive land uses that are in proximity to each other, and is used to inform Official Plan and Zoning By-law amendments. The goal of the guidelines is to minimize adverse effects of industrial, transportation, and utility on sensitive uses. Section 3.2 of guidelines provides the following steps for determining land use compatibility between a proposed sensitive land use and existing industrial uses:

1. Determine the nature of the Proposed Development;
2. If Proposed Development is a sensitive land use, identify potential land use compatibility conflicts;
3. If the Proposed Development is within the potential influence area of an existing industry, carry out studies to determine actual area of influence; and
4. If the Proposed Development falls within actual area of influence of existing industry, assess potential approaches to mitigation.

The Land Use Compatibility Guidelines have been applied to assess the potential for and minimize adverse effects between industrial/commercial lands that are in proximity to the residential land uses of the Proposed Development.

### 3.2 Halton Region's Air Quality Guidelines

The Halton Region's Air Quality Guidelines require that any sensitive uses within 30 m of an arterial road or 150 m of a Provincial highway require an assessment of transportation-related air quality. As the Proposed Development is not within 30 m of an arterial road or 150 m of a Provincial highway, no transportation air quality assessment was performed. Note that Dillon considered both the existing alignment and the proposed future realignment of the QEW when measuring setback distances to the Proposed Development. Further consideration of air quality related to transportation is provided later in this report.

### 3.3 Provincial Policy Statement, 2020

The latest update to the Provincial Policy Statement (PPS) was issued under Section 3.0 of the Planning Act and came into effect May 1, 2020. The PPS provides policy direction on matters of provincial interest related to land use planning and development. The update to the PPS supports the government's goals related to increasing housing, supporting jobs, and reducing red tape.

The PPS states under Part V Section 1.2.6:

*1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise, and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures.*

*1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing, or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards, and procedures:*

- a) there is an identified need for the proposed use;*
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
- d) potential impacts to industrial, manufacturing, or other uses are minimized and mitigated."*

Employment Areas are defined under the PPS as “those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.”

The PPS states in Section 1.3.2 that in relation to Employment Areas:

*“1.3.2.2 At the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the employment area.*

*Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas.*

*“1.3.2.3 Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.*

*Employment areas planned for industrial, or manufacturing uses should include an appropriate transition to adjacent non-employment areas.”*

As per the region of Halton’s Official Plan Map 6a – Midtown Oakville GO UGC/MTSA, the Proposed Development is not located within a regional employment area. Regional employment areas are located approximately 600 m north and 850 m southwest of the Proposed Development.

At the time of this assessment, the Ontario government has released the Provincial Planning Statement, 2024 (2024 PPS) which will come into effect October 20, 2024. The 2024 PPS replaces the 2020 PPS and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019. The released 2024 PPS does not materially affect the land use compatibility assessment process.

### 3.4 Environmental Protection Act

The Ontario Environmental Protection Act (EPA) provides a framework under which industrial compliance and land use compatibility are assessed. With respect to land use compatibility, the EPA provides direction that:

1. Under Section 9 of the EPA, all regulated industrial and commercial facilities must apply for and obtain approval for any activities that may cause or results in contaminants to be discharged to the natural environment, as described in regulations 419/05 and 1/17;
2. Under Section 14 of the EPA, a person shall not discharge a contaminant or cause or permit the discharge of a contaminant into the natural environment, if the discharge causes or may cause an adverse effect. Adverse effects are defined within the EPA as:

*“one or more of,*

- a) impairment of the quality of the natural environment for any use that can be made of it,*
- b) injury or damage to property or to plant or animal life,*
- c) harm or material discomfort to any person,*
- d) an adverse effect on the health of any person,*
- e) impairment of the safety of any person,*
- f) rendering any property or plant or animal life unfit for human use,*
- g) loss of enjoyment of normal use of property, and*
- h) interference with the normal conduct of business;”*

The EPA’s definition of a contaminant includes but is not limited to: air contaminants, odours, noise, and vibration, and has been determined in past decisions to include light. Obtaining approval for air and noise requires that a facility demonstrate, through a technical assessment, compliance with the applicable guidelines and regulations such as Ontario Regulation 419/05 and NPC-300.

The adverse effect clause in the EPA is applicable to the assessment of nuisance complaints in a land use compatibility context. Nuisance contaminants, such as noise, vibration, dust, and odour, may result in complaints which may be determined to fall under the adverse effects clause. When considering land use changes which may introduce new sensitive receptors in an area, it is important to consider a facility’s current environmental approval as well as the potential for their operations to result in a nuisance impact.

### 3.5

## D-Series Guidelines

The intent of the MECP’s D-Series of Guidelines is to minimize or prevent, through the use of buffers and separation of uses, the encroachment of incompatible land uses. Guideline D-6 delegates responsibility to the planning authorities and requires that they be followed where there is potentially encroachment of sensitive land uses to existing industrial lands and vice versa.

With respect to Guideline D-6, sensitive receptors include: residences, senior-citizen homes, schools, day care facilities, hospitals, and churches or similar institutional uses, as well as recreation areas deemed by the planning authority to be sensitive. Certain commercial and institutional uses may be deemed sensitive on a case-by-case basis and based on typical operating hours.

Guideline D-6 provides industrial categorization criteria for the purpose of classifying industrial and commercial facilities based on their output, scale, process, and operations. The industrial categorization criteria is provided in Table 1.

Note that the examples provided in this table should not be considered a comprehensive list but are to be used to provide examples of each industrial category. Additionally, the examples listed in Table 1 may not apply to all instances of a particular industry type; for example, some electronics manufacturing and repair facilities may meet the definition of a Class II or Class III facility.

**Table 1: Industrial Categorization Criteria**

Class	Outputs	Scale	Process	Operations/Intensity	Possible Examples
I	Noise: Sound not audible off property Dust and/or Odour: Infrequent and not intense Vibration: No ground borne vibration on plant property	No outside storage Small scale plant or scale is irrelevant in relation to all other criteria for this Class	Self-contained plant or building which produces/stores a packaged product. Low probability of fugitive emissions	Daytime operations only Infrequent movement of products and/or heavy trucks	Electronics manufacturing and repair Furniture repair and refinishing Beverages bottling Auto parts supply
II	Noise: Sound occasionally audible off property Dust and/or Odour: Frequent and occasionally intense Vibration: Possible groundborne vibration, but cannot be perceived off property	Outside storage permitted Medium level of production allowed	Open process Periodic outputs of minor annoyance Low probability of fugitive emissions	Shift operations permitted Frequent movement of products and/or heavy trucks with the majority of movements during daytime hours	Magazine printing Paint spray booths Metal command Electrical production manufacturing Manufacturing of dairy products
III	Noise: sound frequently audible off property Dust and/or Odour: Persistent and/or intense Vibration: Ground-borne vibration can frequently be perceived off property	Outside storage of raw and finished products Large production levels	Open process Frequent outputs of major annoyances High probability of fugitive emissions	Continuous movement of products and employees Daily shift operations permitted	Manufacturing of paint and varnish Organic chemicals manufacturing Solvent recovery plants Metal manufacturing

Guideline D-6 also prescribes Recommended Minimum Separation Distances and Potential Influence Areas based on three industrial classifications (i.e., Class I, Class II, and Class III). The Potential Influence Area is the area within which adverse effects from an industry may be experienced at a sensitive receptor. It also represents the area between an industry and sensitive receptors within which technical studies should be performed to demonstrate the uses are compatible prior to approval. These studies may include air dispersion modelling to determine the actual influence area, which is defined by Guideline D-6 as the overall range within which an adverse effect would be or is experienced. Should the actual influence area intersect with the proposed use, further detailed assessment may be required to assess compatibility and determine mitigative solutions, as required.

The Recommended Minimum Separation Distance from an industry represents the area within which adverse effects to a sensitive land use are likely to occur. Developing a sensitive land use within an industry's Recommended Minimum Separation Distance requires detailed technical studies (e.g., air dispersion modelling) to demonstrate that the land uses are compatible. The Recommended Minimum Separation Distance was established based on MECP studies and historical complaint data.

The Potential Influence Area and Recommended Minimum Separation Distance for each industry class as defined by the D-Series Guidelines are provided in Table 2. The described distances vary for Class I, II, and III industries due to the frequency and magnitude of potential adverse effects.

**Table 2: Industrial Classification Study Distances**

Industrial Categorization	Potential Influence Area (m)	Recommended Minimum Separation Distance (m)
Class I	70	20
Class II	300	70
Class III	1000	300

In the assessment of distances between the Proposed Development and surrounding industries, the distance was considered to be the shortest length measured between property boundaries.

### 3.6

## Ontario Regulations 419/05 and 1/17 – Local Air Quality

The MECP's environmental permissions framework includes Environmental Compliance Approvals (ECA) issued under Section 9 of the EPA and following the requirements of Ontario Regulation 419/05 (O.Reg. 419/05), and Environmental Activity and Sector Registry (EASR) approvals issued under Section 9 of the EPA and following the requirements of Ontario Regulation 1/17 (O.Reg. 1/17). The applicability of the two instruments (ECA and EASR) is based on the facility's industrial classification. Both instruments provide the same level of environmental protection; the EASR approach allows less-intensive industries to follow a streamlined review process.



Both approvals mechanisms require the same supporting technical studies and reporting and for the purpose of this report will collectively be referred to as “Environmental Permissions”. The Environmental Permissions process provides a framework under which industries are required to assess the potential impact of their air quality (including dust, and odour), noise, and vibration emissions.

The MECP requires any industry applying for Environmental Permissions to perform an assessment of air emissions as described in O.Reg. 419/05 and associated guidance documents. O.Reg. 419/05 outlines the requirements of the technical assessment and provides contaminant-specific air quality standards to be applied. All contaminants are required to be in compliance with these standards at all points off-site, while nuisance contaminants such as odours are regulated at sensitive receptors such as residences, schools, and places of worship. The implications of O.Reg. 419/05 from a land use compatibility perspective are:

- All industries which operate in compliance with an approval should meet the air quality standards for regulated contaminants at all points off-site, including locations which are allowed under current zoning, regardless of existing land use. Industries do not have to demonstrate compliance at elevated receptors where zoning does not allow for their construction. Note that these assessments would not consider ambient air quality (i.e., the ambient concentration of contaminants without the influence of the industry).
- Zoning changes to allow for elevated receptors in an area may impose new regulatory obligations for existing industries and can lead to compliance issues, as such locations would not have been assessed during the regulatory application process. Land use compatibility assessments should consider the potential impact on a facility’s existing Environmental Permission.
- Existing industries are not required to meet nuisance impact limits for fugitive dust and odour at lands which are not zoned for sensitive uses. Where zoning changes are proposed, a land use compatibility study (as described in the D-Series Guidelines section) should be performed to determine compatibility.

### 3.7 The MTO Guide

The MTO’s air quality and greenhouse gas guideline is intended to be used in the preparation of a Class Environmental Assessment for provincial highway projects. As this project is concerning the introduction of new residential uses, the MTO Guide does not technically apply to this project. However, the MTO Guide provides a comprehensive framework which can be followed and applied, where appropriate, when performing technical assessments of the air quality impacts resulting from roadway operations.



## 3.8

## NPC-300 Noise Guidelines

---

MECP Publication NPC-300 outlines applicable noise criteria for proposed noise sensitive land uses associated with noise impacts from surrounding industrial and commercial stationary noise sources. The noise criteria are defined using area classifications (not to be confused with the D-6 industrial classifications), which are based on the receptor's existing acoustical environment.

Where proposed noise sensitive land uses are located within the Potential Influence Area of surrounding industrial or commercial land uses, a noise assessment should be completed to ensure that noise impacts from stationary noise sources do not exceed the NPC-300 noise criteria.

# Methodology

The following items were reviewed as part of the Assessment:

- The official plan and zoning by-laws for the surrounding area;
- Online aerial imagery;
- MECP Environmental Permissions for existing industries within 1000 m of the Proposed Development;
- Environment and Climate Change Canada's (ECCC) National Pollutant Release Inventory (NPRI) data for existing industries within 1000 m of the Proposed Development; and
- MECP's D-Series of Guidelines, specifically Guideline D-1 Land Use Compatibility and Guideline D-6 Compatibility between Industrial Facilities.

A site visit was conducted by Dillon personnel on August 1st, 2023, to identify industrial or commercial operations within the Potential Influence Areas that intersect the Proposed Development.

The findings of the review outlined above as well as the site visit were used to classify the existing industrial and commercial lands using the MECP's D-Series framework, as well as to identify nearby vacant lands which are zoned to allow for commercial or industrial uses.

Per Guideline D-6, where sensitive land uses are proposed within the Potential Influence Area or Recommended Minimum Separation Distance of an existing or permitted industrial land use, further assessment was completed to quantify noise, vibration, and air quality impacts and to determine mitigative measures, if required.

## 5.0

## Industry Classification within the Surrounding Area

Industries were classified based on site visit observations, consultation with industry staff, review of existing MECP approvals documents, and through publicly available information.

Within the study area, only Class I existing industries were identified. Table 3 below summarizes the industrial and commercial facilities with Potential Influence Areas that intersect with the Proposed Development.

Table 3: Class I Industries

Facility Name and Address	Description of Industry and Operations	D-6 Guideline Industrial Classification	Distance to Proposed Development (m)	ECA/EASR No.
Commercial Complex 117 Cross Avenue	<ul style="list-style-type: none"> <li>Commercial facilities include a spa, salon, medical clinic, retail, and restaurant.</li> <li>Operations include infrequent shipment and unloading of products during the daytime and evening periods.</li> </ul>	I	0 <sup>[1][2]</sup>	NA
Commercial Complex 125 Cross Avenue	<ul style="list-style-type: none"> <li>Commercial facilities include retail and grocery stores.</li> <li>Operations include shipment and unloading of products during the daytime and evening periods.</li> </ul>	I	0 <sup>[1][2]</sup>	NA
Commercial Complex 177 Cross Avenue	<ul style="list-style-type: none"> <li>Commercial facilities include a medical clinic and self-operated car wash and vacuuming services.</li> <li>Operations include the use of outdoor car wash and vacuuming equipment during the daytime, evening, and nighttime periods.</li> </ul>	I	0 <sup>[1][2]</sup>	NA
Commercial Complex 187 Cross Avenue	<ul style="list-style-type: none"> <li>Commercial facilities include restaurants, a medical clinic, and retail store.</li> <li>Operations include infrequent shipment of products.</li> </ul>	I	50	NA

Facility Name and Address	Description of Industry and Operations	D-6 Guideline Industrial Classification	Distance to Proposed Development (m)	ECA/EASR No.
Allfix Automotive 570 Argus Road	<ul style="list-style-type: none"> <li>• Auto repair shop.</li> <li>• Operations include repair of automobiles. Repairs were observed to be completed indoors while bay doors were open. Discussion with the owner revealed that the facility does not operate a paint spray booth.</li> </ul>	I	50	NA

Notes: [1] Distance is less than the recommended minimum separation distance

[2] Industrial property is adjacent to Site

"NA": Environmental Permissions not available / were not identified

Figure 2 shows the industries identified during the Assessment.

### 5.1 Potential Adverse Effects

The Proposed Development is located within the Potential Influence Area of multiple existing Class I facilities. Based on the operations of the surrounding facilities and observations made during the site visit, potential noise impacts from the surrounding facilities are expected on the Proposed Development. A noise feasibility study has been completed by Dillon and has been submitted in support of the Proposed Development. The study assessed stationary noise impacts from the facilities identified in Table 3. Based on the predicted impacts, the study concluded that stationary noise impacts on the receptors of the Proposed Development are less than the sound level criteria provided by NPC-300.

Vibration, dust, and odour impacts are not expected from the surrounding existing facilities on the Proposed Development.

## 6.0 Future Industrial Uses

The lands surrounding the Proposed Development were reviewed to identify vacant lands that have permitted land uses that are incompatible with the Proposed Development. The following vacant lands were identified in proximity to the Proposed Development:

### 6.1 420 South Service Road East – Former General Electric Corp.’s Lamp Plant

The vacant land located at 420 South Service Road is approximately 700 m northeast of the Proposed Development.

Based on the separation distance between the vacant land and the Proposed Development, the Proposed Development would be located within the vacant land’s Potential Influence Area if the future industrial use is a Class III facility.

At the time of this assessment, the vacant land is zoned as Midtown Transitional Employment (MTE). The only permitted use for Midtown Transitional Employment that would be considered a Class III facility includes a food production facility. The additional regulations for food production under a Midtown Transitional Employment limit that a building’s food production use may only occupy 20% of the net floor area. Based on this limitation, the scale of future food production facilities would be considered small or medium level and the facility would be classified as a Class I or II facility. Considering this, it is Dillon’s opinion that under the existing zoning by law no Class III facility could be developed on the site. Accordingly, adverse effects from future industrial land uses on the Proposed Development are not expected.

### 6.2 540, 546, and 548 Trafalgar Road

The lands located at 540, 546, and 548 Trafalgar Road are located approximately 220 m from the Proposed Development and have an area of approximately 0.69 hectares. The lands were previously used as a commercial complex. It is Dillon’s understanding that the former uses were removed between August 2020 and July 2021.

At the time of this assessment, the lands are vacant and zoned as Midtown Transitional Employment (MTE). The distances between the vacant lands and the Proposed Development are less than the Potential Influence Area of a Class II industry.

Dillon has reviewed the permitted uses of a Midtown Transitional Employment zone and identified land uses that may be considered a Class II industry and have potential for adverse effects at the Proposed Development. While it is expected that most of the permitted uses of these lands could be developed without compatibility issues with the Proposed Development, the following permitted land uses may be incompatible with the Proposed Development with a 20 m separation distance:

- Food production; and
- Service commercial establishment.

These land uses could potentially be designed to be compatible with the Proposed Development if the adverse effects are assessed and mitigated prior to development. Dillon recommends that the implementation of any of the uses listed above on the vacant lands should be accompanied by a land use compatibility study demonstrating compatibility with the Proposed Development.

## 7.0

## Transportation Facilities

The following transportation facilities are located in proximity to the Proposed Development:

- Cross Avenue – 10 m southeast of Proposed Development;
- Trafalgar Road – 300 m northeast of Proposed Development;
- Highway 403 (Queen Elizabeth Way) – 180 m northwest of Proposed Development; and
- Metrolinx and CN Oakville Subdivisions – 180 m southeast of the Proposed Development.

Noise, vibration, and air quality impacts from the transportation facilities have been considered in the following sections.

## 7.1

### Noise

The Proposed Development is located in proximity to Cross Avenue, Trafalgar Road, and the Queen Elizabeth Way. Due to the volumes of traffic and the separation distances, road noise impacts are expected on the Proposed Development.

The Proposed Development is located within 300 m of the Metrolinx and CN Oakville Subdivisions right-of-ways. As per the Guidelines for New Development in Proximity to Railway Operations prepared for the Federation of Canadian Municipalities and the Railway Association of Canada, the Proposed Development is within the noise influence area of the railway corridors.

A noise feasibility study which assessed road and rail noise impacts has been completed by Dillon and has been submitted in support of the Proposed Development. The noise feasibility study found that with the implementation of acoustic barriers, upgraded façade glazing, and warning clauses, road and rail noise impacts can be mitigated to be in compliance with NPC-300's sound level criteria.

## 7.2

### Vibration

The recommended minimum vibration influence area for railway corridors is 75 m. Therefore, vibration impacts are not expected from the rail corridors on the Proposed Development.

## 7.3

### Air Quality

The Halton Region Air Quality Guideline prescribes conditions under which an assessment of transportation air quality impacts is required, as described earlier in the report. As the separation distance between the Proposed Development and the Queen Elizabeth way is approximately 180 m, an assessment of traffic-related air pollution is not required.

Despite not performing a technical assessment of transportation air quality, Dillon provides the following general recommendations which may reduce the impacts of transportation-related air pollutants at the Proposed Development.

### 7.3.1 Site Layout

It is recommended that where possible, outdoor amenity areas of the Proposed Development are located such that exposure to the Queen Elizabeth Way is minimized. The current plans of the Proposed Development satisfy this recommendation.

### 7.3.2 Physical Barriers

Physical barriers such as acoustic barriers or vegetation have been found to reduce concentrations of some pollutants. It is recommended that consideration be given to including barriers or vegetation into the design of outdoor amenity areas at the Proposed Development.

### 7.3.3 Building Design

It is recommended that the sensitive uses of the Proposed Development be designed with appropriate ventilation and filtration to reduce traffic-related air pollution. For example, enhanced filtration on building intakes can improve indoor air quality. Additionally, locating air intakes on locations of the building predicted to have better air quality (e.g., facing away from the QEW) may improve indoor air quality.



## 8.0

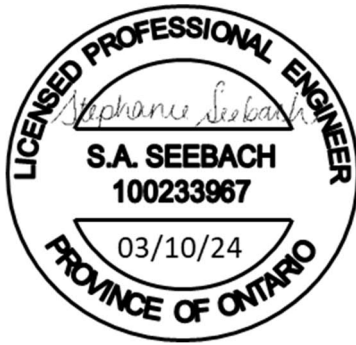
# Conclusions

Dillon Consulting Limited (Dillon) was retained by Cross Realty LP to complete a Land Use Compatibility Assessment (the Assessment) for a proposed residential development (Proposed Development) located at 157 and 165 Cross Avenue in Oakville, Ontario. The Assessment has been completed in support of a Transit Oriented Communities (TOC) Submission for the Proposed Development.

The Land Use Compatibility Assessment found that the Proposed Development is compatible with the existing industrial and commercial facilities and future industrial uses of vacant lands.

A noise feasibility study has been completed by Dillon and has been submitted in support of the Proposed Development. The noise feasibility study found that with the implementation of acoustic barriers, upgraded façade glazing, and warning clauses, road and rail noise impacts can be mitigated to be in compliance with NPC-300's sound level criteria.

Sincerely,



Stephanie Seebach, P.Eng.  
Associate

Callum Heggart, P.Eng.

# Figures



Scale 1: 3,000

# Figure 1

Project # 23-6593

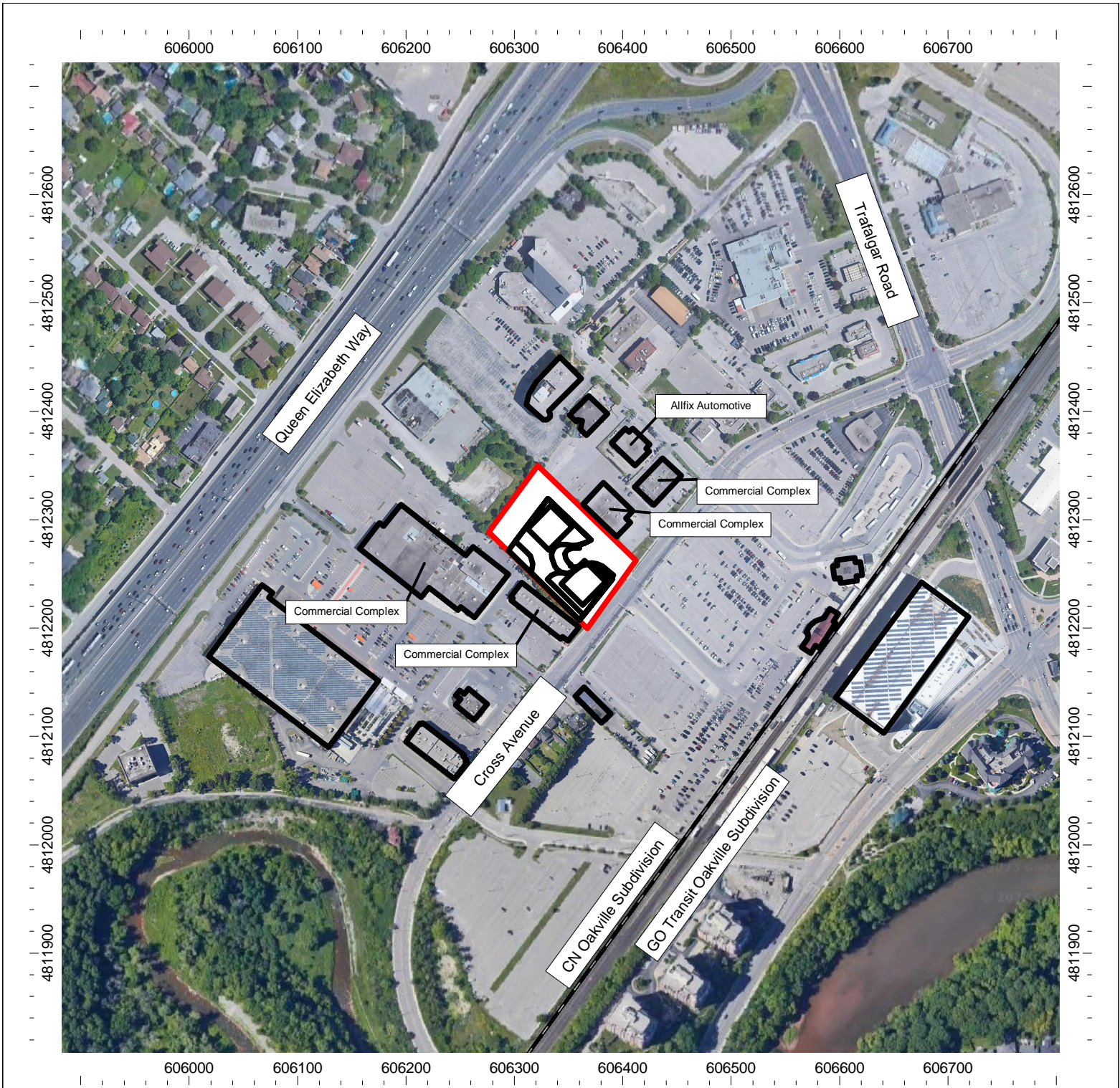
Oct 2024

## Subject Site

157 and 165 Cross Avenue, Oakville Ontario







Scale 1: 5,000

## Figure 2

Project # 23-6593

Oct 2024

## Surrounding Area

157 and 165 Cross Avenue, Oakville Ontario



# Appendix A

## *Site Plans*





















































































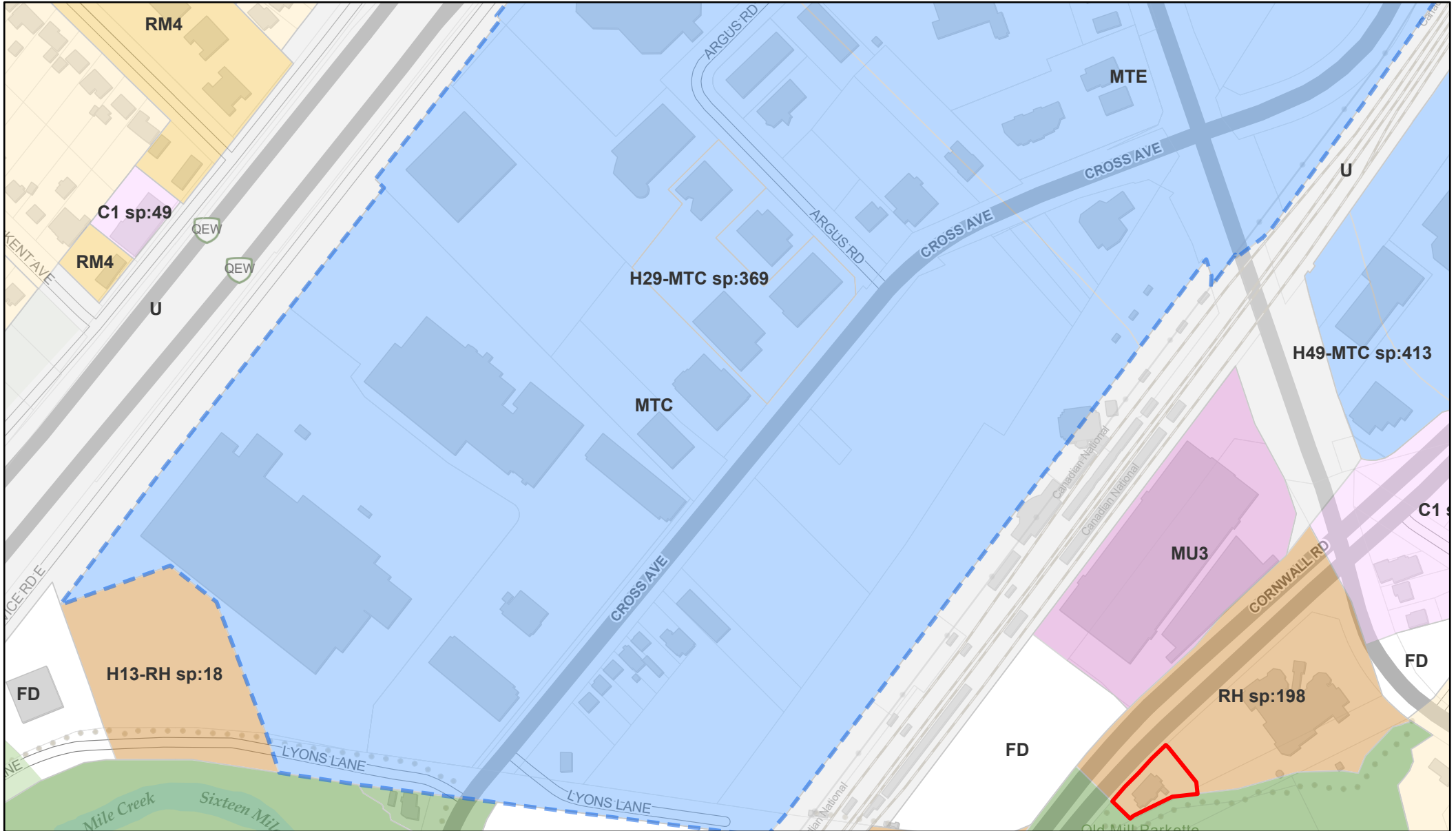




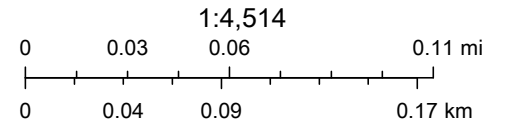
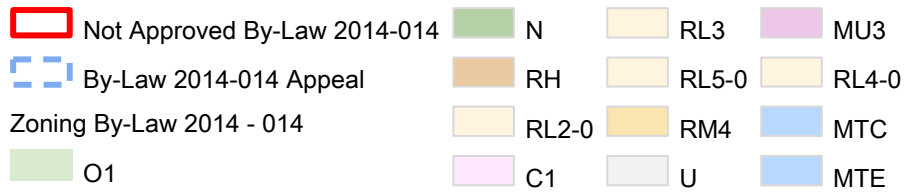
# Appendix B

## *Zoning*

# Zoning By-Law



8/17/2023, 11:49:53 AM



Esri Community Maps Contributors, City of Hamilton, Province of Ontario, Town of Oakville, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCAN, Parks Canada, Esri, NASA, NGA, USGS, FEMA

Town of Oakville

# Midtown Oakville Zones

Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

## 7.1 List of Applicable Zones

Midtown Transitional Commercial	MTC
Midtown Transitional Employment	MTE

## 7.2 Permitted Uses

Uses permitted in the Midtown Oakville Zones are denoted by the symbol “✓” in the column applicable to that *Zone* and corresponding with the row for a specific permitted use in Table 7.2, below.

Table 7.2: Permitted Uses in the Midtown Oakville Zones		
	MTC	MTE
Legal uses of land, buildings, and structures existing on the lot as of the effective date of this By-law	✓	✓
<b>Retail Uses</b>		
Outside display and sales area	✓	✓
Retail propane and transfer facility	✓ (1)(2)	
Retail store	✓	✓ (3)
<b>Service Commercial Uses</b>		
Adult entertainment establishment		✓
Commercial school	✓	
Dry cleaning/laundry	✓	
Financial institution	✓	✓ (3)
Food production	✓	✓ (3)
Pet care establishment	✓	
Place of entertainment	✓ (4)	
Restaurant	✓	✓ (3)
Service commercial establishment	✓	✓ (3)
Sports facility	✓	✓ (3)
Veterinary clinic	✓	
<b>Office Uses</b>		
Business office	✓	✓
Medical office		✓
<b>Community Uses</b>		
Day care	✓	✓ (3)
Emergency service facility	✓	✓

## OMB Appeals

### Part 7 in its entirety

36 - General Electric Canada

Once Midtown Strategy projects are complete, staff anticipate an Official Plan Amendment will be required to update various schedules in the Livable Oakville Plan. Corresponding policy amendments may also be required to reflect changes recommended in the Parking Strategy and Mobility Hub Study work being undertaken in tandem with the Class Environmental Assessment.

In the interim, staff are recommending two transition zones – Midtown Transitional Commercial (MTC) and Midtown Transitional Employment (MTE) – apply that freeze building envelopes to those legally existing February 25, 2014. New buildings and structures would require a planning application, allowing Council to review a proposal and establish conformity with the Livable Oakville Plan (in particular, the acquisition of future roads required in Midtown Oakville). A limited range of additional uses are permitted that conform to the uses permitted in the Livable Oakville Plan to allow for the continued use of existing buildings should vacancies emerge.

Staff anticipate Midtown Strategy work to be complete later in 2015. Implementing zoning for Midtown Oakville would be introduced through a separate process, including a dedicated statutory public meeting for the Official Plan and Zoning By-law Amendments.

# Midtown Oakville Zones

Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

<b>Table 7.2: Permitted Uses in the Midtown Oakville Zones</b>		
	<b>MTC</b>	<b>MTE</b>
<b>Open Space Uses</b>		
<i>Conservation use</i>	✓	✓
<i>Park, public</i>	✓	✓
<i>Stormwater management facility</i>	✓	✓
<b>Employment Uses</b>		
<i>Training facility</i>		✓
<b>Hospitality Uses</b>		
<i>Hotel</i>		✓
<i>Public hall</i>	✓ (1)	✓
<b>Community Uses</b>		
<i>Art gallery</i>	✓	
<i>Community centre</i>	✓	✓
<i>Day care</i>	✓	✓
<i>Emergency service facility</i>	✓	✓
<i>Library</i>	✓	
<i>School, private</i>	✓	
<b>Community Uses</b>		
<i>Conservation use</i>	✓	✓
<i>Park, public</i>	✓	✓
<i>Stormwater management facility</i>	✓	✓

### Additional Regulations for Permitted Uses Table 7.2

1. Not permitted on a *lot* abutting a residential *zone*.
2. Only permitted for the sale of propane to the general public for automotive and recreational purposes.
3. Permitted only within the same *building* or part thereof *used* by any other *use* not subject to this footnote.  
A maximum of 20% of the *net floor area* of the *building* shall be cumulatively occupied by all *uses* subject to this footnote.
4. Permitted only as an *accessory use*.

# Midtown Oakville Zones

Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

## 7.3 Regulations

The regulations for the Midtown Oakville *Zones* are set out in Table 7.3, below.

Table 7.3: Regulations in the Midtown Oakville Zones		
	MTC	MTE
Minimum <i>lot frontage</i>	Shall be as legally existing as of the effective date of this By-law.	
Minimum <i>lot area</i>		
Maximum <i>lot coverage</i>		
Minimum <i>front yard</i>		
Minimum <i>flankage yard</i>		
Minimum <i>interior side yard</i>		
Minimum <i>rear yard</i>		
Maximum <i>height</i>		



# Commercial Zones

Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

## 9.1 List of Applicable Zones

Neighbourhood Commercial	C1
Community Commercial	C2
Core Commercial	C3
Service Station	C4

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in zoning section of the Building Services department to confirm the applicable zoning.*

## 9.2 Permitted Uses (2016-023)

Uses permitted in the Commercial Zones are denoted by the symbol “✓” in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 9.2, below.

	<b>C1</b>	<b>C2</b>	<b>C3</b>	<b>C4</b>
<i>Art gallery</i>	✓	✓	✓	
<i>Business office</i>	✓	✓	✓	
<i>Commercial parking area</i>				
<i>Commercial school</i>	✓	✓	✓	
<i>Community centre</i>	✓	✓	✓	
<i>Conservation use</i>	✓	✓	✓	✓
<i>Day care</i>	✓ (1)	✓	✓	
<i>Drive-through facility</i>	✓ (1)	✓ (1)	✓ (1)	✓ (1)(2)
<i>Dry cleaning depot (2016-023)</i>	✓	✓	✓	
<i>Dry cleaning/laundry establishment (2016-023)</i>		✓	✓	
<i>Emergency service facility</i>	✓	✓	✓	
<i>Emergency shelter (PL240317)</i>	✓ (7)			
<i>Financial institution</i>	✓	✓	✓	
<i>Food bank</i>	✓	✓	✓	
<i>Food production</i>	✓	✓	✓	
<i>Funeral home</i>		✓		
<i>Library</i>	✓	✓	✓	
<i>Medical office</i>	✓	✓	✓	
<i>Motor vehicle repair facility</i>			✓ (6)	
<i>Motor vehicle service station</i>			✓	✓
<i>Motor vehicle washing facility</i>			✓	✓ (5)
<i>Museum</i>	✓	✓	✓	
<i>Outside display and sales area</i>	✓	✓	✓	✓
<i>Outside miniature golf</i>		✓	✓	
<i>Park, public</i>	✓	✓ ✓	✓	✓
<i>Pet care establishment</i>	✓	✓	✓	
<i>Place of entertainment</i>		✓	✓	
<i>Place of worship</i>	✓ (4)	✓ (4)	✓ (4)	



# Commercial Zones

<b>Table 9.2: Permitted Uses in the Commercial Zones (2017-025)</b>				
	<b>C1</b>	<b>C2</b>	<b>C3</b>	<b>C4</b>
<i>Rental establishment</i>		✓	✓	
<i>Restaurant</i>	✓	✓	✓	✓ (5)
<i>Retail propane and transfer facility</i>			✓ (3)	✓ (3)
<i>Retail store</i>	✓	✓	✓	✓ (5)
<i>School, private (2016-023)</i>	✓ (1)	✓	✓	
<i>Service commercial establishment</i>	✓	✓	✓	
<i>Sports facility</i>	✓	✓	✓	
<i>Stormwater management facility</i>	✓	✓	✓	✓
<i>Veterinary clinic</i>	✓	✓	✓	

### Additional Regulations for Permitted Uses Table 9.2

1. Permitted only on a *lot* abutting a major *arterial road*.
2. A maximum one *drive-through facility* shall be permitted on a *lot*.
3. Shall not be permitted on a *lot* abutting any *Residential Zone*.
4. The maximum *lot area* shall be 2.5 hectares. The maximum percentage of *net floor area* permitted to be occupied by a *place of worship* is 50% of the total *net floor area* on the *lot*.
5. Permitted only *accessory* to a *motor vehicle service station*.
6. Permitted only *accessory* to a *retail store*.
7. Prohibited on the *first storey* of a *building*. (PL140317)

## 9.3 Regulations

The regulations for *lots* in a *Commercial Use Zone* are set out in Table 9.3, below.

<b>Table 9.3: Regulations in the Commercial Zones</b>				
<i>(2015-018)</i>	<b>C1</b>	<b>C2</b>	<b>C3</b>	<b>C4</b>
Minimum <i>lot area</i>	0.2 ha	2.0 ha	4.0 ha	n/a
Minimum <i>lot frontage</i>	30.0 m	n/a	n/a	30.0 m
Minimum <i>lot depth</i>	n/a	n/a	n/a	30.0 m
Minimum <i>front yard</i>	<b>A</b> 0.0 m	3.0 m	3.0 m	3.0 m
Maximum <i>front yard</i>	<b>B</b> 17.5 m	17.5 m (1)	17.5 m (1)	n/a
Minimum <i>flankage yard</i>	<b>C</b> 0.0 m	3.0 m	3.0 m	3.0 m
Maximum <i>flankage yard</i>	<b>C</b> 17.5 m	17.5 m (1)	17.5 m (1)	n/a
Minimum <i>interior side yard</i>	<b>D</b> 0.0 m	0.0 m	0.0 m	3.0 m



Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

# Residential Zones

## 6.1 List of Applicable Zones

Residential Low	RL1, RL2, RL3, RL4, RL5, RL6 RL7, RL8, RL9, RL10, RL11
Residential Uptown Core	RUC
Residential Medium	RM1, RM2, RM3, RM4
Residential High	RH

## 6.2 Permitted Uses

Uses permitted in the Residential Zones are denoted by the symbol “✓” in the column applicable to that Zone and corresponding with the row for a specific permitted use in Tables 6.2.1 and 6.2.2, below.

Table 6.2.1: Permitted Uses in the Residential Low Zones and the Residential Uptown Core Zone (2017-025)						
		RL1, RL2, RL3, RL4, RL5, RL6	RL7, RL8, RL9	RL10	RL11	RUC
<i>Accessory dwelling unit</i> (2023-024)		✓	✓	✓	✓	✓
<i>Bed and breakfast establishment</i>	(1)	✓	✓	✓	✓	✓
<i>Conservation use</i>		✓	✓	✓	✓	✓
<i>Day care</i>	(1)	✓	✓	✓	✓	✓
<i>Detached dwelling</i>		✓	✓	✓		✓
<i>Duplex dwelling</i>				✓		
<i>Emergency service facility</i>		✓	✓	✓	✓	✓
<i>Emergency shelter</i>						
<i>Home occupation</i>		✓	✓	✓	✓	✓
<i>Linked dwelling</i>					✓	
<i>Lodging house</i>	(1)(2)	✓			✓	✓
<i>Park, public</i>		✓	✓	✓	✓	✓
<i>Place of worship</i>						
<i>Private home day care</i>	(1)	✓	✓	✓	✓	✓
<i>Private school</i>						
<i>Semi-detached dwelling</i>			✓			✓
<i>Short-term accommodation</i> (2023-024)	(1)	✓	✓	✓	✓	✓
<i>Stormwater management facility</i>		✓	✓	✓	✓	✓
<i>Townhouse dwelling</i>						✓

### Additional Regulations for Permitted Uses Table 6.2.1

1. A maximum of one of the *uses* subject to this footnote shall be permitted on a *lot*. (2023-024)
2. The maximum number of *lodging units* shall be 3.
3. Permitted only on a *corner lot*.



# Residential Zones

<b>Table 6.2.2: Permitted Uses in the Residential Medium and Residential High Zones (2017-025)</b>					
	<b>RM1</b>	<b>RM2</b>	<b>RM3</b>	<b>RM4</b>	<b>RH</b>
<i>Accessory Dwelling Unit (2023-024)</i>	✓				
<i>Apartment dwelling</i>				✓	✓
<i>Back-to-back townhouse dwelling</i>		✓			
<i>Conservation use</i>	✓	✓	✓	✓	✓
<i>Day care (1)</i>	✓	✓	✓	✓	✓
<i>Emergency service facility</i>	✓	✓	✓	✓	✓
<i>Home occupation</i>	✓	✓	✓	✓	✓
<i>Long term care facility</i>			✓	✓	✓
<i>Park, public</i>	✓	✓	✓	✓	✓
<i>Private home daycare (1)</i>	✓	✓	✓	✓	✓
<i>Retail store, accessory</i>					✓
<i>Retirement home</i>			✓	✓	✓
<i>Short-term accommodation (1)</i>	✓	✓	✓	✓	✓
<i>Stacked townhouse dwelling</i>			✓		
<i>Stormwater management facility</i>	✓	✓	✓	✓	✓
<i>Townhouse dwelling</i>	✓				

### Additional Regulations for Permitted Uses Table 6.2.2

1. A maximum of one of the *accessory uses* subject to this footnote shall be permitted in a *dwelling* or an *accessory dwelling unit* associated with the main *dwelling*. (2023-024)



Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

# Mixed Use Zones

## 8.1 List of Applicable Zones

Central Business District	CBD
Main Street 1	MU1
Main Street 2	MU2
Urban Centre	MU3
Urban Core	MU4

## 8.2 Permitted Uses

Uses permitted in the Mixed Use Zones are denoted by the symbol “✓” in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 8.2, below.

	CBD	MU1	MU2	MU3	MU4
<i>Accessory dwelling unit (2023-024)</i>	✓	✓	✓		
<i>Apartment dwelling</i>	✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
<i>Art gallery</i> (7)	✓	✓	✓	✓	✓
<i>Bed and breakfast establishment</i> (5)	✓				
<i>Business office</i> (6)(7)	✓	✓	✓	✓	✓
<i>Commercial parking area</i>	✓	✓	✓	✓	✓
<i>Commercial school</i> (7)	✓	✓	✓	✓	✓
<i>Community centre</i>	✓	✓	✓	✓	✓
<i>Conservation use</i>	✓	✓	✓	✓	✓
<i>Day care</i>	✓ (5)	✓	✓	✓	✓
<i>Detached dwelling</i> (2)	✓	✓	✓		
<i>Dormitory</i> (4)	✓	✓	✓	✓	✓
<i>Dry cleaning depot (PL140317)</i> (7)	✓	✓	✓	✓	✓
<i>Dry cleaning/laundry establishment (PL140317)</i> (7)	✓	✓	✓	✓	✓
<i>Emergency service facility</i>	✓	✓	✓	✓	✓
<i>Emergency shelter (PL140317)</i>	✓ (8)	✓ (8)	✓ (8)	✓ (8)	✓ (8)
<i>Financial institution</i> (7)	✓	✓	✓	✓	✓
<i>Food bank</i> (7)	✓	✓	✓	✓	✓
<i>Food production</i> (7)	✓	✓	✓	✓	✓
<i>Funeral home</i>	✓				
<i>Home Occupation</i> (5)	✓	✓	✓	✓	✓
<i>Hotel</i> (7)	✓			✓	✓
<i>Library</i>	✓	✓	✓	✓	✓
<i>Live-work dwelling (2017-025)</i> (2)	✓	✓	✓		
<i>Long term care facility</i>	✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
<i>Medical office</i> (6)(7)	✓	✓	✓	✓	✓
<i>Motor vehicle rental facility</i>				✓	✓



# Mixed Use Zones

<b>Table 8.2: Permitted Uses in the Mixed Use Zones</b> (2017-025)					
	<b>CBD</b>	<b>MU1</b>	<b>MU2</b>	<b>MU3</b>	<b>MU4</b>
<i>Museum</i>	✓	✓	✓	✓	✓
<i>Outside display and sales area</i> (7)	✓	✓	✓	✓	✓
<i>Park, public</i>	✓	✓	✓	✓	✓
<i>Pet care establishment</i> (7)	✓	✓	✓	✓	✓
<i>Place of entertainment</i> (7)	✓	✓	✓	✓	✓
<i>Place of worship</i>	✓	✓	✓	✓	✓
<i>Post-secondary school</i>	✓	✓	✓	✓	✓
<i>Private home day care</i> (5)	✓	✓	✓	✓	✓
<i>Public hall</i> (7)	✓			✓	✓
<i>Rental establishment</i> (7)	✓	✓	✓	✓	✓
<i>Restaurant</i> (7)	✓	✓	✓	✓	✓
<i>Retail store</i> (7)	✓	✓	✓	✓	✓
<i>Retirement home</i>	✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
<i>School, private</i>	✓	✓	✓	✓	✓
<i>School, public</i>	✓	✓	✓	✓	✓
<i>Semi-detached dwelling</i> (2)	✓	✓	✓		
<i>Service commercial establishment</i> (7)	✓	✓	✓	✓	✓
<i>Short-term accommodation</i> (2023-024) (5)	✓	✓	✓	✓	✓
<i>Sports facility</i> (7)	✓	✓	✓	✓	✓
<i>Stormwater management facility</i>	✓	✓	✓	✓	✓
<i>Taxi dispatch</i> (7)	✓	✓	✓	✓	✓
<i>Townhouse dwelling</i> (2)	✓	✓	✓		
<i>Veterinary clinic</i> (7)	✓	✓	✓	✓	✓

### Additional Regulations for Permitted Uses Table 8.2

1.
  - a) Stand-alone residential *buildings* are not permitted on *lots* having a *front lot line* or *flankage lot line* abutting Lakeshore Road. (2021-068)
  - b) Residential *dwelling units* located on the *first storey* shall have the *main front entrance* oriented towards a *public road*. (2021-068)
2. Permitted only where the use legally existed on the lot on the effective date of this By-law.
3.
  - a) Prohibited in the first 9.0 metres of depth of the *building*, measured in from the *main wall* oriented toward the *front lot line*, on the *first storey*. (2021-068)
  - b) Notwithstanding this, an *ancillary residential use* on the *first storey* is permitted to occupy a maximum of 15% of the length of the *main wall* oriented toward a *front lot line*. (2021-068)
4. Only permitted *accessory* to and on the same *lot* as a post-secondary school or private school.



Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

# Open Space Zones

## 12.1 List of Applicable Zones

Park	O1
Private Open Space	O2
Cemetery	CEM

## 12.2 Permitted Uses

Uses permitted in the Open Space Zones are denoted by the symbol “✓” in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 12.2, below.

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in zoning section of the Building Services department to confirm the applicable zoning.*

	O1	O2	CEM
<i>Business office</i>		✓ (1)	
<i>Cemetery</i>			✓
<i>Commercial school</i>		✓ (1)	
<i>Community centre</i>	✓	✓	
<i>Conservation use</i>	✓	✓	✓
<i>Emergency service facility</i>	✓	✓	
<i>Golf course</i>		✓	
<i>Library</i>		✓ (1)	
<i>Marina</i>	✓		
<i>Museum</i>		✓ (1)	
<i>Outside miniature golf course</i>		✓	
<i>Park, private</i>		✓	
<i>Park, public</i>	✓	✓	
<i>Public hall</i>		✓ (1)	
<i>Restaurant</i>		✓ (1)	
<i>Retail store</i>		✓ (1)	
<i>Stormwater management facility</i>	✓	✓	✓
<i>Service commercial establishment</i>		✓ (1)	
<i>Sports facility</i>		✓	

### Additional Regulations for Permitted Uses Table 12.2

1. Permitted only *accessory* to another permitted use.

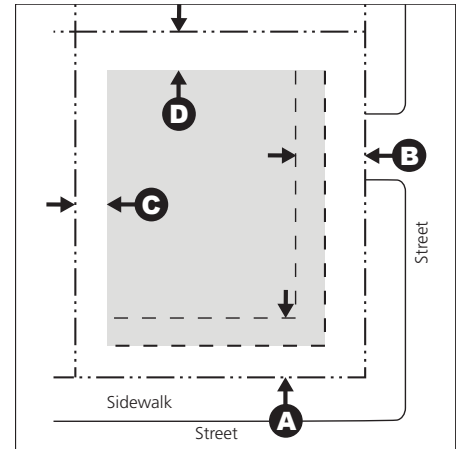


# Open Space Zones

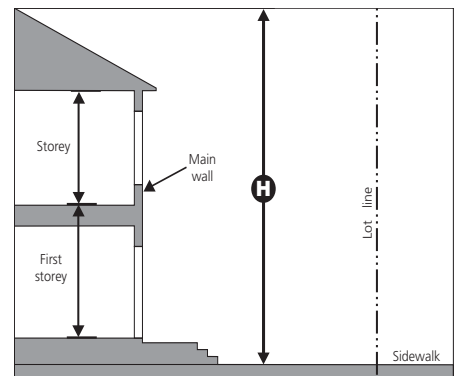
## 12.3 Regulations

The regulations for *lots* in an Open Space *Zone* are set out in Table 12.3, below.

Table 12.3: Regulations in the Open Space Zones				
	O1	O2	CEM	
Minimum <i>lot area</i>	n/a	n/a	n/a	
Minimum <i>lot frontage</i>	n/a	n/a	n/a	
Minimum <i>front yard</i> (2015-018)	<b>A</b>	0.0 m	12.0 m	5.0 m
Minimum <i>flankage yard</i> (2015-018)	<b>B</b>	0.0 m	12.0 m	5.0 m
Minimum <i>interior side yard</i> (2015-018)	<b>C</b>	4.5 m	12.0 m	5.0 m
Minimum <i>rear yard</i> (2015-018)	<b>D</b>	4.5 m	12.0 m	7.5 m
Maximum <i>height</i>	<b>H</b>	14.0 m	14.0 m	14.0 m
Maximum <i>lot coverage</i>	25%	25%	30%	



The black circles are letters corresponding to the applicable yard in the regulations table. The shaded area represents the potential building envelope remaining once minimum yards are removed.



Height is measured to the tallest point of the building.



Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

# Other Zones

## 14.1 List of Applicable Zones

Utility	U
Future Development (2023-024)	FD
Stormwater Management Facility	SMF

*Be sure to refer to all Parts of this By-law to ensure that you have reviewed all regulations that may apply to your lot. Contact staff in the zoning section of the Building Services department to confirm the applicable zoning.*

## 14.2 Permitted Uses

Uses permitted in the Other Zones are denoted by the symbol “✓” in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 14.2, below.

<b>Table 14.2: Permitted Uses in the Other Zones</b> <i>(2017-025) (2023-024)</i>			
	<b>U</b>	<b>FD</b>	<b>SMF</b>
<i>Conservation use</i>	✓	✓	✓
<i>Emergency service facility</i>		✓	
Legal uses of land existing on the lot as of the effective date of this By-law		✓ (1)	
<i>Major transit station (2017-025)</i>	✓ (2)		
<i>Park, private</i>			✓
<i>Park, public</i>		✓	✓
<i>Stormwater management facility</i>	✓	✓	✓

### Additional Regulations for Permitted Uses Table 14.2

1.
  - a) Only buildings and structures legally existing on the effective date of this By-law and one accessory building or structure constructed after the effective date of this By-law are permitted.
  - b) If the use is a dwelling, the uses listed under accessory residential uses in Table 6.2.1 of this By-law are additionally permitted, subject to the additional regulations of that Table, and Section 6.5 of this By-law shall apply to permit accessory buildings and structures.
2.
  - a) Only permitted within and adjacent to a railway corridor at locations designated by an operator of a passenger rail service.
  - b) Accessory uses to a major transit station
    - i) shall be limited to restaurants, retail stores, dry cleaning/laundry and service commercial establishments;
    - ii) may be stand-alone or within shared premises;
    - iii) shall have a maximum total net floor area of 500.0 square metres; and,
    - iv) shall be exempt from the parking and yard regulations of this By-law (2017-025)

*The Utility (U) Zone applies to most significant infrastructure facilities in Oakville. Infrastructure is permitted broadly across Oakville in Section 4.10 of this By-law and not in the Permitted Use Tables.*

# Other Zones

## 14.3 Regulations

The regulations for the Other *Zones* are set out in Table 14.3, below.

	<b>U</b>	<b>FD</b>	<b>SMF</b>
Minimum <i>lot area</i>	n/a	n/a	n/a
Minimum <i>lot frontage</i>	n/a	n/a	n/a
Minimum <i>front yard</i>	7.5 m	9.0 m	n/a
Minimum <i>flankage yard</i>	6.0 m	2.4 m	n/a
Minimum <i>interior side yard</i>	6.0 m	2.4 m	n/a
Minimum <i>rear yard</i>	7.5 m	7.5 m	n/a
Maximum <i>height</i>	n/a	10.0 m	n/a
Maximum <i>lot coverage</i>	n/a	(1)	n/a

### Additional Regulations for Zone Regulations Table 14.3

1.
  - a) The maximum *lot coverage* and *floor area* shall be the *lot coverage* and *floor area* that legally existed on the effective date of this By-law, and may be increased by a maximum of 10% at the location of the *building* only.
  - b) For *accessory buildings* or *structures*, the regulations of Section 6.5 shall apply.