

Special Planning and Development Council Meeting
February 15, 2022

Comments Received Regarding Item 6.2

Public Meeting Report, Official Plan Amendment, April
Investments Ltd., 527079 Ontario Ltd., Trans County
Development Corporation Ltd., and Oakville Developments (2010)
Inc., 560-584, 550, 530 Kerr Street and 131, 171 Speers Road,
File No. OPA. 1616.56

From: Paul Barrette <paul.barrette@oakville.ca>
Sent: February 14, 2022 9:55 AM
To: [REDACTED]
Cc: Town Clerk <TownClerk@oakville.ca>
Subject: RE: Speers Street & Kerr Road Project (Statutory Public Meeting)

Good Morning Lawrence,

Thank you for your comments. As requested, I've copied the Town Clerk on this email.

Paul

Paul Barrette, MCIP, RPP
Senior Planner
Planning Services
Town of Oakville | 905-845-6601, ext.3041 | www.oakville.ca

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From: [REDACTED]
Sent: February 13, 2022 9:50 PM
To: Paul Barrette <paul.barrette@oakville.ca>
Cc: [REDACTED]
Subject: Fwd: Speers Street & Kerr Road Project (Statutory Public Meeting)

Hello Paul, Senior Planner,

Suppose this message was sent to Town Clark, it was rejected unfortunately.

Please forward to the Clark department.

Thank you.

----- Forwarded message -----

From: [REDACTED]
Date: Sun, Feb 13, 2022 at 9:42 PM
Subject: Speers Street & Kerr Road Project (Statutory Public Meeting)
To: <TownClark@oakville.ca>
Cc: [REDACTED]

Hello all,

I am submitting my opinions and concerns for this proposal development.

A Couple years ago, when I attended the open house meeting for 550 Kerr St. project (File # Z1616.55), The town of Oakville could allow up to 12 storey in height building. If the development is beneficial to the community, **Bonusing Provision** is to be added, building can be built up to 16 storey height in maximum.

Right now, the builders proposed to build to 28 storey height, there are too much, I object to it.

There is too **high density** for 11 buildings on 11,724 Square metres of land.

The 500 square metres **urban square** proposal is too small an area comparable to over 1847 residential units, not even to mention the whole Kerr Street core.

It also doesn't march, and is incompatible to the other buildings along both sides of Kerr Street.

I would suggest to hold or shelf this development until the railway/Kerr Street underpass construction is completed.

There are certainly a lot of traffic jams during this construction period.

The existing Rain and Sense condo buildings have over 300 units and a lot of vehicles pass through the corner of Kerr street and Shepherd Road daily.

Regards.

Lawrence Tsang

Lawrence

--

Lawrence

From: [REDACTED]
Sent: February 14, 2022 1:36 PM
To: Town Clerk <TownClerk@oakville.ca>
Subject: Kerr/Speers development

I am aware there is a meeting discussing the planned condos at kerr and speers happening tomorrow. I won't be able to attend but I have a question regarding the development project and was wondering where I can ask it. here is my question and some context:

The area around Kerr and Speers is a great place to live if you can't afford, or want to save money by avoiding car ownership. The go station is a 15 minute walk away and give us access to job in the toronto core. The food basics, and shoppers drug mart are also only a short walk away and stock all of our daily necessities. What are the plans to ensure that this area becomes even more walkable and less car dependant? Will we still have a budget grocery store, pharmacy and post office?

Thanks, Oliver Dowd

From: [REDACTED]
Sent: February 15, 2022 8:51 AM
To: Town Clerk <TownClerk@oakville.ca>
Subject: Submission to Planning and Development Council

I am Jessie Pearce, [REDACTED]

I have concerns about the development at 560-584, 550, 530 Kerr St. and 131, 171 Speers Road Oakville Ontario.

-what is being done about the drainage and sewers for what will be thousands of new drains and toilets? What will it take to upgrade drainage and sewers for such a big development and who pays for that?

What increases will all this development have for risk of flooding and added groundwater and drainage?

-why are the tall buildings on Kerr Street? Will this not block the sun and create more of a wind tunnel and be more oppressive in the design. I hear you want to add to the village effect. Wouldn't it be better then to have tall buildings in the back rather than on the street? The wind as it is now makes it hard to walk.

-it is already treacherous to cross the street on foot. What will all the added traffic do? I don't see parking for shops on the plan and don't see parking for use of the park for any event. The traffic congestion is high now in terms of peak hours. Will this create more rush hour traffic and congestion?

Having the railway over the road is good as the cars will not have to stop for trains but the added traffic on Speers will make it worse than it is now at the peak times?

-it was not clear if the project is condo, rentals or a combination. If there are rentals is there going to be subsidized housing and how will that be handled? Toronto had a lot of trouble with subsidized housing and had to restructure a lot of it as it created more destruction/gangs and the need for services like police etc.

-I attended the meeting by the developer and got the idea the land where the theatre was is not really included in the plan. How can land be included without the participation of the owner?

Thanks for letting me submit. I am going to try to attend the meeting. My computer skills are very poor but found the site but dont have skills so am trying to submit this way.

Jessie Pearce.

From: [REDACTED]
Sent: February 15, 2022 9:00 AM
To: Town Clerk <TownClerk@oakville.ca>
Subject: Redevelopment of Northwest corner of Kerr Street and Speers Rd.

Dear Town Clerk,

This is a formal appeal to the decision of the Town of Oakville and Ontario Land Tribunal regarding the "Livable Oakville Plan" for redevelopment at the NW corner of Kerr St. and Speers Rd.

The proposed plan amendment is for a permit for new buildings ranging from 8 stories to 28 stories.

- The suggested tallest building would tower over the intersection, overwhelming all other structures
- It would cast a shadow over the entire intersection. This not only blocks the pleasant view of the sunset from the street, but also creates an overwhelming, dark and unfriendly atmosphere.
- The corner is already overwhelmed by tall structures. Three tall buildings there will create an ugly inner-city feel that is not appropriate for the friendly and vibrant Kerr St. Community.
- The corner is heavily trafficked, noisy and difficult to navigate as a pedestrian, with long waits to cross at the stop lights. An addition of almost 2,000 residential units will almost certainly add another 2,000 or so cars to this corner. This will add more traffic, more noise and more pollution.
- the placement of the small park is not visible from the street as it's behind the tallest building. Therefore, it appears to be unwelcoming to locals who are not residing in the square itself.
- A better idea is to have the tall buildings at the back of the property, by the railway - and not over 13 stories tall.
- The most beautiful and friendly communities are free of tall buildings. Some towns restrict building heights to no more than 4 stories. Let's keep our town dignified. Look at how other tall buildings have tainted lovely neighbourhoods in Oakville, especially ones in the downtown core

Thank you,
Jennie Akse-Kelly,
Oakville Resident

From: [REDACTED]
Sent: February 15, 2022 11:38 AM
To: Town Clerk <TownClerk@oakville.ca>
Cc: [REDACTED]

Subject: Proposed Official Plan Amendment - 560-584, 550, 530 Kerr Street and 131, 171 Speers Road, Oakville - Statutory Public Meeting

Good morning

We represent 12046905 Ontario Inc. Please find attached our written submission for circulation to the Members of Council regarding the Statutory Public Meeting for 560-584, 550, 530 Kerr Street and 131, 171 Speers Road, Oakville.

Kindly acknowledge receipt.

Thank you.

Louise Sudac

Law Clerk to Nancy Smith

Turkstra Mazza Associates

15 Bold Street

Hamilton, Ontario, L8P 1T3

T (905) 529-3476 Ext. 2760

F (905) 529-3663

Nancy Smith Professional Corporation

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From: LeBlanc, Nicole (CAN-OHNS)
Sent: Monday, February 14, 2022 2:44 PM
To: townclerk@oakville.ca
Cc: ray.chisholm@oakville.ca; cathy.duddeck@oakville.ca; [REDACTED]
[REDACTED]

Subject: FW: [External] Fwd: Upper Kerr Meeting

Dear Town Clerk,

On behalf of the West River Resident's Association, I would like to speak at tomorrow's council meeting during the Public Meeting for the Upper Kerr Development at 550 Kerr St.

Nicole LeBlanc

VP WRRRA (West River Resident's Association)

[REDACTED]

[REDACTED]

[REDACTED]

Statutory Public Meeting Proposed Official Plan Amendment 560-584, 550, 530 Kerr Street and 131, 171 Speers Road April Investments Limited, 527079 Ontario Limited, Trans County Development Corp Ltd. and Oakville Developments (2010) Inc. OPA1616.56, Ward 2 Tuesday, February 15, 2022, at 6:30 p.m. Videoconference broadcast from the Council Chamber Town Hall, 1225 Trafalgar Road

We will also submit notes for Council which will be sent tomorrow close to noon.

Thanks,

Nicole

From: [REDACTED]

Sent: Monday, February 14, 2022 10:09 AM

To: [REDACTED]

[REDACTED]

Subject: [External] Fwd: Upper Kerr Meeting

Cook Information Security Warning: This message came from an external source. Please exercise caution when opening any attachments or clicking on links.

Sent from my iPhone

Begin forwarded message:

From: Jill Marcovecchio <jill.marcovecchio@oakville.ca>

Date: February 14, 2022 at 9:55:49 AM EST

To: [REDACTED]

Cc: Kathy Patrick <kathy.patrick@oakville.ca>, Vicki Tytaneck <vicki.tytaneck@oakville.ca>, Paul Barrette <paul.barrette@oakville.ca>, Ray Chisholm <ray.chisholm@oakville.ca>, Cathy Duddeck <cathy.duddeck@oakville.ca>

Subject: RE: Upper Kerr Meeting

Good morning Vanessa,

Are you referring to Item 6.2 – Public Meeting Report, Official Plan Amendment, April Investments Ltd., 527079 Ontario Ltd., Trans County Development Corporation Ltd., and Oakville Developments (2010) Inc., 560-584, 550, 530 Kerr Street and 131, 171 Speers Road, File No. OPA. 1616.56 listed on the agenda for the Special Planning and Development Council meeting of February 15, 2022?

The public meeting notice on this item has been posted to the town website for the videoconference broadcast from the Council Chamber of the statutory public meeting.

Live streaming video of Oakville Virtual Council meetings is available on <https://www.oakville.ca/live.html>.

Delegations are encouraged to register in advance by noon the day of the meeting with the Town Clerk at townclerk@oakville.ca.

Members of the public may also delegate during the live meeting on Oakville.ca to speak about an item on the agenda by calling 905-815-6095.

What meeting minutes from the last meeting are you referring to?

The minutes of the Planning and Development Council meetings are posted to the town website once they have been finalized.

Thank you.

Jill Marcovecchio

Begin forwarded message:

From: Ray Chisholm <ray.chisholm@oakville.ca>

Date: February 12, 2022 at 9:02:22 AM EST

To: [REDACTED] Cathy Duddeck
<cathy.duddeck@oakville.ca>

Cc: Vicki Tytaneck <vicki.tytaneck@oakville.ca>, Kathy Patrick <kathy.patrick@oakville.ca>

Subject: RE: Upper Kerr Meeting

Hi Vanessa,

Just checking my schedule. I have not received a zoom invitation at this time. I would suspect it will come through on Monday. I have copied staff to ensure you are on the invitation list.

Cheers

Ray

Ray Chisholm

Ward 2 Town Councillor

Office of the Mayor & Council

Town of Oakville | 905-582-8690 ext.6004 | | www.oakville.ca

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Vicki Tytaneck, CMO

Town Clerk

Clerk's Department

Town of Oakville | 905-845-6601, ext.2003 | f: 905-815-2025 | www.oakville.ca

Vision: To be the most livable town in Canada

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Jill Marcovecchio

Council&Committee Coordinator

Clerk's Department

Town of Oakville | 905-338-4180, ext.4180 | f: 905-815-2025 | www.oakville.ca

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-----Original Message-----

From: [REDACTED]

Sent: February 12, 2022 8:13 AM

To: Ray Chisholm <ray.chisholm@oakville.ca>; Cathy Duddeck <cathy.duddeck@oakville.ca>

Subject: Upper Kerr Meeting

Good morning,

Just wanted to reach out as we have not seen a meeting invite for Feb 15th. Also, we never received any meeting minutes from the last meeting, did you?

Thanks

Vanessa

<ATTACHMENT FROM NICOLE LEBLANC>

WEST RIVER RESIDENTS ASSOCIATION (WRRRA)

Notes for the statutory public MEETING – PROPOSED OFFICIAL PLAN AMENDMENT 560-584 (presented by Nicole Leblanc)

density/Height

1. Urban Strategies stated “our proposal meets and incorporates the Town’s objectives for the area”. Although it incorporates the basic structural elements, it does not fit within the Official Plan for density and height. Urban Strategies is asking for a significant increase in the allowable density beyond that provided for in the Town’s Official Plan (Urban Core).
 - a. building heights of between eight storeys to twelve storeys are permitted within the Urban Core designation (the subject lands). Section 23.8.2 provides that the Town may allow up to four storeys of additional height (total of 16 storeys) beyond the maximum permitted in exchange for the provision of public benefits.
 - o If full bonusing is achieved, the maximum height allowed by the OP (Official Plan) for the 7 tallest towers would be 16 stories, resulting in 112 floors. The proposal is for a total of 51 additional floors across these towers, a level 46% above that allowed in the OP. What is the developer's rationale for thinking that an almost 50% increase is appropriate?
(If no bonusing was achieved the proposal represents a 90% increase over the OP.)
2. Placement of the largest towers
 - a. Should not be part of the gateway

- b. Larger towers should be near the train tracks
 - c. Large towers create a chasm dividing neighborhoods
3. Traffic
- a. In the prior public meetings, Urban Strategies did not address our questions about the traffic utilizing Queen Mary to avoid the lights on Kerr St.
 - b. Does the traffic study take into account a % of cars that would utilize Queen Mary?
There seems to be little discussion of Queen Mary except where it states:
 - i. be sensitive to negative traffic impacts on Queen Mary Drive through access control, restricted parking standards and transit amenities.
 - ii. What does this mean?
 - c. The proposal and additional density is well beyond what can be accommodated in the area.

complete community

4. Grocery Store
- a. There is a need for a discount grocery store to remain at this location to serve the demographics of the area
 - b. We are acutely aware of many residents who take advantage of school food programs and local food banks
 - c. The proposal shows an “urban size” footprint, which would be too small to accommodate a discount grocery store
 - d. Urban Grocery stores tend to be smaller and more expensive (ie. Sobeys Urban Fresh vs. Food Basics)
5. Drug Store
- a. A Drug Store would still need to be defined in this area
6. Post Office
- a. Can the post office be dedicated within the planning at this stage?
7. Visitor Parking
- a. Since this is a mixed use development in an area that serves many car reliant customers it is imperative to have a full complement of visitor parking. The aim should be over and above the minimums set by the province for building permits.
8. Park
- a. The location of the park seems that it would get lost amongst the large buildings and unknown to the wider community. How can the park be more of a visible feature?
9. Go Train Access
- a. At the earlier briefing session the traffic consultant mentioned the use of electric scooters for commuters going to the GO station. Is it really expected that people dressed for work and carrying briefcases, computer bags or other work equipment would use a scooter to get to the station? Current Ontario law prohibits carrying cargo or having a basket on an e-scooter.
 - b. The sidewalks and hills on Speers are very difficult to navigate and walk for even the most able bodied. How would accommodations be made for those with mobility issues

Development promises

10. The park, the urban square, the gateway and the grocery store are all described as “potential”. What is the commitment to actually delivering these items?
11. Urban Strategies mentioned that many people were supportive of the 25+ stories in the development. They did not back this up with any data of who or how many in their notes. My belief was that this meeting was conducted before anyone had had a chance to review the OP policies to be more aware of how far over the OP the height actually was. I am here to state our disapproval of the height and density of the proposal and that it should fit within the basis of the Official Plan for the Urban Core designation.
12. In a prior information session, Urban Strategies also quoted to the WRRRA that the number of units for the proposal was 850, which is approx. 1000 less units than the plan entails. This was incredibly misleading and should be addressed, as to what they were referring to.
13. Going forward Public Information Sessions should take into account that participants should be able to see who else is on the call, all questions are visible to all participants, and must address all questions either during the call or in the notes distributed afterward.

LAND OWNERSHIP

1. How can this proposal be deemed complete when the developers include property they don't own in it? Including this land in the proposal is jeopardizing current businesses and employment located on that property.
2. What does the plan look like without the disputed lands?

EMAIL LETTER

To: Town of Oakville Council
c/o Town Clerk

From: Nancy Smith

Re: Proposed Official Plan Amendment
560-584, 550, 530 Kerr Street and 131, 171 Speers Road, Oakville
Statutory Public Meeting
Written Submissions on behalf of 12046905 Ontario Inc.

Date: February 15, 2022

We represent 12046905 Ontario Inc. ("**120**"), owner of lands municipally known as 171 Speers Road, Oakville ("**Subject Lands**"). Please accept this letter as:

- 120's submissions to Council under the *Planning Act* in relation to the Proposal Official Plan Amendment ("**Proposed OPA**") for 560-584, 550, 530 Kerr Street and 131, 171 Speers Road, Oakville ("**Development Plan Area**"); and
- 120's request to the Town Clerk to be notified of the decision of the Town of Oakville on this matter

COMPREHENSIVE DEVELOPMENT PLAN

Town of Oakville Official Plan policies require a comprehensive development plan for the Development Plan Area. The Subject Lands, the largest parcel in the Development Plan Area, front Speers Road and are adjacent to the CN Rail Corridor. Needless to say that their size and context require a comprehensive assessment within any Proposed OPA. 120 is not part of the landowners' group who submitted the Proposed OPA.

120 has retained MHBC, Planning, Urban Design & Landscape Architecture (Dana Anderson) to assist in its

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evaluation of the Proposed OPA. Ms. Anderson was only recently retained. Her February 15, 2022 letter is attached. It contains her preliminary advice to me and 120.

PRELIMINARY MATTERS FOR DISCUSSION

The following represents the matters requiring further discussion in order for 120 to fully assess the Proposed OPA:

- Including a prescriptive FSI
- Bonusing v density/height transfers
- NPC 300 Noise Guidelines
- Road network
- Density distribution
- Rail corridor and non-sensitive land uses
- Reduced parking ratio
- Strata parking
- Park flexibility – linear?
- POPs
- Phasing

NEXT STEPS

We will follow up with the Town's and Applicants' legal counsel to request meetings to discuss the Proposed OPA further. I expect that 120 will make further written submissions to Council following these discussions.

Yours truly,



Nancy Smith
ns/l
Encl

February 15, 2022

Nancy Smith
Turkstra Mazza
15 Bold Street
Hamilton, ON
L8P 1T3

Dear Ms. Smith:

**RE: PROPOSED OFFICIAL PLAN AMENDMENT
KERR VILLAGE GROWTH AREA
171 SPEERS ROAD, OAKVILLE
OUR FILE NO. 2137A**

We have recently been retained by 12046905 Ontario Inc. who are the owners of the property located at 171 Speers Road in the Town of Oakville (the "Subject Lands"). We understand a public meeting is scheduled by the Town of Oakville for February 15, 2022, to consider a proposed Official Plan Amendment submitted by a number of landowners for the properties at 560 to 584, 550, 530 Kerr Street and 131 and 171 Speers Road. We further understand that while 12046905 Ontario Inc. are not part of the landowner group who submitted the Official Plan Amendment application, the Subject Lands are included in the application.

The Subject Lands represented the largest land parcel within the area under consideration with frontage on Speers Road as well as adjacency along the CN rail corridor. As a large, contiguous parcel, the Subject Lands represent a significant opportunity for a large redevelopment and should be carefully assessed within a comprehensive development plan for the area based on their size and context.

Based on our initial review of the proposed application, as well as our understanding of the current policy and regulatory framework and the physical context of the area, we offer the following comments as per your request related to the proposed policy amendment at this time. As noted, we have only recently been retained and have not had an opportunity to review all of the background information. We believe a meeting with staff and the consultants for the applicant to discuss their submission and our comments would be beneficial.

Background

The Kerr Street Village Growth Area policies were the result of extensive technical work and public engagement. The Upper Kerr Village District policies are reflective of the input from the past studies and

recent update. The area which is currently a mix of existing commercial and service commercial uses is intended to be redeveloped as a transit-supportive, high density, mixed use area and be the focus of taller buildings and higher densities within the growth area. The taller buildings were to be located along the CN Rail corridor.

The Town's recently approved Official Plan Amendment No. 19 ("OPA 19") provided updated policies as a result of the Kerr Village Growth Area Review and resulted in all of the Upper Kerr Village District being designated "Urban Core", again reflective of the mixed use designation with the opportunities for the tallest buildings to be located in this part of the growth area.

The transition from the existing retail plaza format for commercial uses to mixed-use requires careful consideration in terms of where and how such uses can be located as part of the redevelopment. This is reflected in the current policies that push the determination of such uses west of Kerr Street along the railway to the rezoning stage of redevelopment.

The current policies allow for flexibility in relation to the location of a future urban park in order to accommodate a range of orientations (linear versus square). Recent changes to the Town's urban structure through Official Plan Amendment 15 support continued focus for intensification in Strategic Growth Areas including Kerr Village including the criteria established when assessing further amendments.

All of this should be taken into careful consideration when evaluating a further Official Plan Amendment and block plan.

Proposed Official Plan Amendment

1. The proposed amendment seeks to introduce a series of policies related to a comprehensive block plan for the area. The policies include increased heights (update to 28 storeys) while adding a maximum floor space index overall (3.4) and by block (2.3 to 4.5). A number of prescriptive minimum requirements for non-residential floor area are also provided as well as added built form and design requirements.

Comment: It is not clear why an added prescriptive FSI is being added to each block. The added level of prescriptive built form and design requirements also adds a significant challenge to site redevelopment should a specific element not be possible. Requiring an Official Plan Amendment to adjust a metric for floor plates as an example, given the flexibility needed to accommodate purpose built rental buildings or possible alternative designs adjacent to the railway corridor, would be onerous and contrary to the objectives of the growth area.

2. It appears the additional proposed heights are still associated with bonusing.

Comment: It is not clear how bonusing is being applied or being considered given the shift to remove Section 37 and replace it with the Community Benefits Charge. There is no discussion on this matter in the staff report only that there are pending changes under the Planning Act. Consideration of the density and height transfers may be appropriate to add into the amendment to provide for the conveyance of the road network as an example. This is an area that needs further consideration.

3. The proposed new policy also seeks to add a Class 4 Area pursuant to the Ministry of the Environment and Climate Change (which is actually the Ministry of Environment, Conservation and Parks) under the NPC 300 Noise Guidelines.

Comment: It is not clear how a policy in an Official Plan will provide for this as it must be approved by a Council resolution based on justification through detailed noise assessment. There does not appear to have been a noise assessment completed as part of the amendment. This policy and request should be clarified.

4. The future road network proposed is reflective of that provided in the current plan with the addition of a private road, mid-block connection.

Comment: Consideration of the conveyance of new roads in exchange for additional height may be an appropriate policy consideration given the amount of road network required by some land owners over others. The road alignment also creates narrow depths for the Subject Lands which may warrant taller tower forms of development rather than lower mid-rise as proposed.

5. The proposed amendment states that a non-sensitive land use may be located adjacent to the rail corridor.

Comment: Based on the CN rail regulations it is not clear what type of use would be permitted and how such a use would be integrated into a podium or residential mixed use building.

6. The proposed policies speak to a reduced parking ratio to be permitted.

Comment: It is not clear how such a policy would be operational when the parking ratio will be set in the zoning by-law. Clarification on how this would work should be provided.

7. The policies speak to a prescribed location and size for an urban park with strata parking. The only POPs defined is at the corner of Kerr and Speers Road.

Comment: Strata parking would be beneficial for the redevelopment of the area and can facilitate shared parking. The flexibility of the park to be linear should be considered as a more functional linear urban park may better align with the individual sites. POPs consideration above parking garages along the rail corridor may also be a way to integrate more greenspace into the area.


8. There appears to be a phasing plan for the block plan that would terminate the road extensions in a cul-de-sac location to the east of the Subject Lands.

Comment: Further review and analysis of the phasing plan is required to understand how further applications would be considered (i.e. Draft Plan of Subdivision).

Clearly there has been considerable work undertaken to prepare the comprehensive block plan and there remain a number of areas that require clarification and further discussion. Once we have had an opportunity to fully review all of the background materials, a meeting with staff and the consultants, as noted, to discuss the above-noted matters and others would be beneficial. Please let me know if you require any further information or have any questions.

Sincerely,

MHBC

A handwritten signature in black ink, appearing to read 'Dana Anderson', written over the printed name below.

Dana Anderson, MA, RPP, FCIP
Partner