

July 19, 2022

Mr. Gabe Charles
Director of Planning Services
Town of Oakville
1225 Trafalgar Road.
Oakville, Ontario
L6H 0H3

Sent via email to gabe.charles@oakville.ca

RE: TOWN OF OAKVILLE | DRAFT PARKS PLAN
BILD COMMENTS

The Building Industry and Land Development Association (BILD) is in receipt of the Town of Oakville's draft Parks Plan that was presented on to industry members at the July 15th Development Industry consultation.

Following the release of this draft work, BILD's legal counsel from Kagan Shastri LLP and Analyst from Altus Group have prepared a series of comments and questions that we kindly ask are responded to. Specifically, attached to this letter is a memorandum by Altus Group in which we look forward to a response on.

On behalf of our Halton Chapter members, BILD appreciates the opportunity to provide the following comments as it relates to this work. Should there be any questions, please do not hesitate to contact the undersigned.

Kind regards,



Victoria Mortelliti
Manager, Policy & Advocacy

CC: BILD Review Team
Kevin Singh, Halton Chapter Co-Chair
Shane Cooney, Halton Chapter Co-Chair
Paula Tenuta, SVP, BILD
Members of the BILD Halton Chapter

The Building Industry and Land Development Association is an advocacy and educational group representing the building, land development and professional renovation industry in the Greater Toronto Area. BILD is the largest home builders' association in Canada, and is affiliated with the Ontario Home Builders' Association and the Canadian Home Builders' Association. It's 1,500 member companies consists not only of direct industry participants but also of supporting companies such as financial and professional service organizations, trade contractors, as well as manufacturers and suppliers of home-related products.

July 18, 2022

Memorandum to: Victoria Mortelliti
BILD

From: Daryl Keleher, Senior Director
Iffra Ismail, Consultant
Altus Group Economic Consulting

Subject: Oakville Parkland
Our File: P-6634

Altus Group Economic Consulting was retained by BILD to review materials related to the Town of Oakville's parkland dedication and cash-in-lieu rates. This memorandum presents our questions and comments from Draft Park Plan 2031 report released in advance of the September 6th Planning and Development Council meeting, where it is recommended that Council approves the recommendations in the Parks Plan 2031 and parkland dedication by-law.

QUESTIONS AND COMMENTS

- 1) According to the Town's Parks Plan, the Town has a total inventory of 576 hectares of Active Parkland, equivalent to 2.70 hectares per 1000 persons¹, which is higher than the Active Parkland Target of 2.2 hectares per 1000 persons as set out in the Town's 2012 Parks, Recreation and Library Facilities Master Plan.

It does not appear that the existing excess capacity of parkland relative to the Town's standard has been accounted for in the Parks Plan, as it could allow the Town to accommodate significant amount of new development without falling below the 2.2ha/1000 standard.

Today's parkland inventory in the Town would be sufficient to meet the parkland target of 2.2ha/1000 and accommodate a total of 261,918 persons.

¹ Shown in the Parks Plan as 2.56 ha per 1000 persons, perhaps based on some pre-2021 population estimate or an estimate of 2021 population

Figure 1 Existing Active Parkland Inventory and Excess Capacity Available to Service Future Development, Town of Oakville

Active Parkland	A	576.22 ha
2021 Population	B	213,759 persons
Current Active Parkland Provision	C = A / B * 1000	2.70 ha per 1000 people
Target Active Parkland Standard	D	2.20 ha per 1000 people
Active Parkland Needs at Target - 2021 Population	E = B / 1000 * D	470.27 ha per 1000 people
Excess Parkland	F = A - E	105.95 ha
Parkland Capacity - Net New Population	G = D x F	48,159 persons
Parkland Capacity - Total Population	H = B + G	261,918

Source: Altus Group Economic Consulting based on Town of Oakville Draft Parks Plan - 2031

The Provincial Policy Statement states that land use patterns within settlement areas shall be based on densities and a mix of land uses which

are appropriate for, and efficiently use, the infrastructure and public service facilities where are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.

1.6.3 Before consideration is given to developing new infrastructure and public service facilities:

a) the use of existing infrastructure and public service facilities should be optimized ...

The PPS defines Public Service Facilities as follows, which includes land necessary for the provision of programs and services, such as recreation:

*Public Service Facilities: means **land**, buildings and structures **for the provision of programs and services provided or subsidized by a government** or other body, **such as** social assistance, **recreation**, police and fire protection, health and educational programs, long-term care services, and cultural services. Public service facilities do not include infrastructure. [emphases added]*

Page 4 of Appendix I (the 5-year review of the 2012 Parks Plan) states that the “total parkland need based on build-out population of 266,800” is 587 hectares, while page 5 of the 2022 Parks Plan shows an existing inventory of 576.22 hectares. The Town should ensure that the existing parkland inventory is optimized before adding to the parkland inventory, and that any new parklands are justifiable.

- 2) Over and above the “Active Parkland” inventory, it is shown in the Parks Plan that the Town has Passive Parkland inventory of 1,116 hectares. Recommendation 2 in Section 4.3 of the Parks Plan

notes that the Town should consider refining the definition of Active Parkland to include 'non-intensive' recreational activities such as trails:

"Refining the definition of Active Parkland to include a more fulsome list of recreational opportunities, including non-intensive recreational activities such as trails and the enjoyment of nature."

Given this recommendation, has the Town considered how much of the 1,116 hectares of Passive Parkland in the Town's inventory may include trails and other amenities that would allow these parklands to be repositioned as Active Parkland? To the extent that these lands may better fit within the definition of Active Parkland, and possibly mitigate the need for costly parkland acquisitions it would be a benefit to new development to avoid unnecessary costs passed onto new development.

- 3) Further to the information provided in the Parks Plan, can the Town provide details regarding the assumed land values in Strategic Growth Areas (\$20.1 million/ha), and elsewhere in the Town (\$1.5 million to \$5.0 million per hectare)?
- 4) We have several questions regarding the 25% / 50% / 25% split between Strategic Growth Areas, Identified Park Priorities and Opportunities Elsewhere determined
 - a. What was the basis for this allocation, and is this based on the City of Toronto's approach outlined in page 52 of the Parks Plan?
 - b. Would the Town utilize this split in allocating Parkland CIL revenues into separate reserve funds, or is the 25/50/25 split done for the purposes of estimating the CIL per unit rate necessary? Dividing CIL revenues into separate reserve funds could create issues if funds are 'stranded' in one reserve or another, depending on the relative difficulty of buying certain types of land within devoted reserve funds.
- 5) The Town's Draft Park Plan 2031 makes no mention of current Parkland CIL reserves. How has the Town accounted for existing reserves (\$35.6 million as of YE2019), and whether these funds can be used to address any existing shortfalls in parkland provision.
- 6) Providing credits for POPs is an important practice and should be continued. Recommendation 44 in the Parks Plan to accept the following types of lands as parkland, even if at a reduced rate is positive. Can the Town provide an indication of the 'reduced rate' against which these lands would be credited against parkland obligations?
 - a. Lands within designated NHS
 - b. Lands on slopes 5-15% grade not within NHS
 - c. Lands that include designated cultural heritage resources or landscapes;
 - d. Strata ownership lands
 - e. POPs within Strategic Growth Centres
- 7) Appendix VI sets out six scenarios for calculating Parkland. We agree with the findings on page 2 of the Appendix VI, which states that the current approach of 1 hectare per 500 units would act as a disincentive to high-density residential development, with CIL obligations ranging from 155% to 250% of a development site's value:

This analysis illustrates that the existing Planning Act standard for payment in lieu – calculated by using a rate of one hectare per 500 dwelling units – is likely a disincentive to investments in high density development throughout Oakville. ...

The calculation methodology does not scale well with increasing development density and is not appropriate as an approach in a high density residential development context. In built form Scenarios 1, 2 and 3 – the model results demonstrate that a development might be obligated to contribute a payment in lieu equivalent to between 155% and 250% of the site's land value. (pages 2-3)

We agree with the continued analysis regarding the need for a cap on Parkland CIL and the analysis of the implications of the outcomes under Methods 3, Method 5 and Method 6 regarding the impacts on high-density development prospects:

In our view, a cap on land value or a version of the graduated method tested in this analysis could be effective as a fair and reasonable approach for calculating payment of lieu of parkland.

- 8) Regarding Method 6 – Graduated, we would suggest that based on the modelling presented in Appendix IV, page 6, that the graduated approach appears to do little to incentivize higher density projects. Table 2 shows the CIL as % of land area for the five apartment-based scenarios:
- a. 30-storeys: 184% of site area, or \$22,300 per unit
 - b. 18-storeys (two towers): 150% of site area, or \$30,700 per unit
 - c. 11-storeys: 149% of site area, or \$23,700 per unit;
 - d. 8-storeys: 88% of site area, or \$22,600 per unit
 - e. 6-storeys: 88% of site area, or \$31,900 per unit.

Understanding that these five scenarios have different characteristics that may make direct comparison of the above scenarios complicated, the stated objective of Method 6 was to reduce the CIL requirement for the higher-density projects. However, in the example put together by NBLC, the % of site area required appears to actually increase in the developments with the greatest height and density, with little differentiation in terms of resulting per unit charges. We would suggest that the graduated approach instead be based on a declining percentage cap as project densities increase.

July 15, 2022

By E-Mail Only

Mr. Gabe Charles
Director of Planning Services
Town of Oakville
Oakville Town Hall
1225 Trafalgar Road
Oakville, Ontario L6H 0H3

Dear Mr. Charles:

**Re: Draft Town of Oakville Parks Plan – 2031
Comments – North Oakville Community Builders Inc.**

We are counsel to North Oakville Community Builders Inc., trustee to the North Oakville East Developers Group (the “**Group**”), which is comprised of a number of landowners within North Oakville East Secondary Plan area (“**North Oakville East**”).

The Group has reviewed the Draft of the Town of Oakville Parks Plan – 2031 (the “**Parks Plan**”). The Group wishes to clarify an aspect of the draft Parks Plan.

The North Oakville East Master Parkland Agreement dated August 13, 2007 (the “**NOE Master Parkland Agreement**”) is a comprehensive agreement between the Group and the Town of Oakville (the “**Town**”) that governs all matters pertaining to the dedication of parkland in North Oakville East. As noted in recommendation #15 of the draft Parks Plan:

It is important to note that the North Oakville Planning Area is subject to its own parkland dedication agreement, and no recommendations in this Parks Plan is designed to impact that agreement.

Although this language appears to contain a clear recognition of the NOE Master Parkland Agreement, similar language does not appear within other sections of the draft of the Parks Plan.

For example, recommendation #19 recommends that the Town consider its options for achieving long-term park needs within its defined “Strategic Growth Areas”. We note that certain Strategic Growth Areas are located within the boundary of North Oakville East and, therefore, this recommendation does not apply to Strategic Growth Areas within North Oakville East. Similarly, recommendation #46 recommends that the Town’s Parkland By-

law applies to all applications submitted and deemed complete by the Town, and that parkland conveyance or cash-in-lieu be required as a condition to all such applications. In both circumstances, lands within North Oakville East may not be subject to the recommendation because the NOE Master Parkland Agreement contains its own discreet requirements.

The Group is concerned that only recognizing the NOE Master Parkland Agreement in recommendation #15 suggests that it does not apply to other recommendations in the Parks Plan. Therefore, for clarity, the Group asks that a clear recognition of the NOE Master Parkland Agreement be provided in an introductory or concluding paragraph of the final version of the Parks Plan.

Please note that this letter is only submitted on behalf of the overall Group. Individual landowners within the Group may have other comments on the draft Parks Plan.

Yours truly,
DAVIES HOWE LLP



Daniel H. Steinberg

Copy: Chris Mark (chris.mark@oakville.ca)
Matt Day (matt.day@oakville.ca)
Ron Palmer (rpalmer@planpart.ca)

July 15, 2022

Gabe Charles, MCIP, RPP
Director of Planning Services
Town of Oakville
1225 Trafalgar Road
Oakville, ON
L6H 0H3

Dear Mr. Charles:

**RE: TOWN OF OAKVILLE - DRAFT PARKS PLAN -2031 INITIAL COMMENTS
MIDTOWN - GENERAL ELECTRIC LANDS (420-468 SOUTH SERVICE ROAD, OAKVILLE)
OUR FILE: 20406A**

As you may know, MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") is currently retained by General Electric Canada ("GE") regarding their lands municipally identified as 420 to 468 South Service Road East in the Town of Oakville (the "GE lands"). The GE lands are 11.09 ha in area and currently vacant. The GE lands represent one of the largest, singly owned properties within Midtown Oakville and as such represent will provide one of the most significant opportunities for redevelopment to achieve the requirements of Provincial, Regional and Town policies for intensification and growth in the Town's most important Strategic Growth Area.

GE and its consulting team have had several meetings with Town of Oakville staff as part of its preparation of an implementable master plan for the GE lands and have been engaged in the Midtown Growth Area policy review and update. One of the key areas of that review has been focused on the new park policies to be implemented in the Midtown plan. We understand that the Midtown policies are to be further informed by the Town's Parks Plan and Strategy.

Draft Parks Plan 2031

We recently received notice of the release of the Town's Draft Parks Plan 2031 which we further understand was presented at a special meeting of Council on June 14, 2022. The recent correspondence from your team notes that the final Parks Plan document and Parkland Dedication By-law will be presented to Council on August 8, 2022.

While we appreciate the opportunity to review and comment on the Draft Parks Plan, the following comments are based on our team's initial and limited review due to the time constraints to meet the Town's commenting deadline. We trust there will be additional opportunities to provide additional

comments given the importance of this plan and its impact on those who will be responsible to deliver parks especially in the Town's Strategic Growth Areas including Midtown.

Given the limited time to review the Draft Parks Plan, the following comments reflect GE's initial comments and questions on some of the recommendations from the Parks Plan.

Overall Parks Plan Objectives

It is noted that the main principle that is guiding parkland dedication is that of fairness, equity, consistency and transparency and that the Plan needs to find the right balance between achieving a great parkland system for the Town, as well as the financial feasibility of new development. The draft Parks Plan also notes that there is an inherent difference between parks in existing neighborhoods and Strategic Growth Areas such as Midtown.

Comment

The requirements for parks in Strategic Growth Areas and Transit-Oriented Communities must take into consideration the evolving urban planned context which must meet multiple design and development objectives for growth, housing and employment. A significant change to how and where public park space is provided, designed and programmed in the Town is needed to ensure optimal development of these areas is possible and implementable.

It is recognized that the Town will need to significantly shift its size and design of parks to reflect the shift to higher density, transit oriented nodes. While the Town notes that the provision of Bill 109 regarding the capping of cash-in-lieu in transit oriented communities currently only applies to Toronto, the principles behind this capping is intended to achieve an equitable and reasonable approach to parkland dedication in higher density, transit station areas. While not specifically applicable to the Town, this principle should be considered given the many examples cited of similar areas in the report. It should be noted that the Province could designate Midtown Oakville as a transit oriented community in the future.

Establishing a Context Appropriate Parkland Hierarchy: The Urban Hierarchy for Strategic Growth Areas (Recommendations 5 and 6)

The proposed hierarchy of parks in Strategic Growth Areas has been identified as follows:

- Public Common (PC) 0.75 to 2 ha
- Urban Square (US) 0.25 to 1 ha
- Promenade (P)
- Other Urban Park < 0.25 ha
- Connecting Link (CL) 4 m width
- Pocket Parks 75 m² minimum with 7.5 m frontage on public sidewalk
- Sliver Parks Restaurant/café/retail frontage's linear space

Comment

The hierarchy of parks within the Strategic Growth Areas appears to be prescriptive with limited flexibility. It is not clear how these parks will be programmed or integrated within the context of specific areas given the extensive planning required for large blocks such as the GE lands in Midtown. Given the size of the GE lands and the phasing of development as an example, it is not clear how the public conveyance of parks will provide for parks in an efficient and cost-effective manner unless there is an assumption that the developers are also designing and delivering the spaces with development, in which case the lands would be best delivered through a more flexible approach to design and implementation. As noted in the report, many municipalities utilize Publicly Accessible Private Open Space ("POPS") to optimize the delivery and

development of parks and the public realm in urban contexts. Many of the parks identified in the hierarchy are in fact encouraged and in some cases only delivered through POPS in urban centres. Within high density, transit oriented communities, we believe the provision of park space can best be achieved through a mix and range of ownership models and approaches which can provide the same volume of space and mix of park functions that are appropriately designed and will achieve the same social value and benefit for residents. Limiting POPS in this hierarchy as “augmentation” should be reconsidered as POPS can and should be provided to achieve required park spaces in a highly dense urban context.

Designing & Maintaining the Parkland System (Recommendations 9 to 12)

The draft Parks Plan indicates that in designing parkland, there are key principles and general design considerations that include the following: Convenience and coherence; Context, Heritage and Placemaking; Accessibility; Safety; Comfort; and, Sustainability and Resilience. The consulting group recommends that the Town create Design Guidelines for staff to use during parkland design exercises. The recommendations also include exploring Public-Private Partnerships for park delivery.

Comment

As noted, we believe the most effective and efficient delivery and maintenance of urban park spaces are those that are mixed and integrated with development and that include POPS. It is strongly recommended that POPS be identified as a key approach to achieving urban parks and not as an augmentation when one or more landowners is providing for a large, comprehensive block plan.

Achieving the Parkland System (Recommendations 13 to 24)

The report notes that the 1 ha/500 unit alternative requirement should continue to be used for cash-in-lieu of parkland calculations with a potential cap per unit. The Parks Plan identifies through the analysis found in Appendix VI, that 5% of land area for higher density residential developments “is wholly inadequate for mixed-use communities that are expected to be desirable places to live”. The report notes several examples of American and Canadian metropolitan downtowns utilized as relevant case studies for what constitutes a robust, flexible urban parkland system of up to 12% of land area. Recommendation 20 identifies that in Strategic Growth Areas, when Secondary/Block Plans are prepared that the parkland standard should establish the net parkland/gross land area at a minimum of 7.5% with an objective of up to 12% where opportunities exist. And that this parkland, such as in Midtown, be comprised of a Public Common (2 ha), Urban Square (1 ha) and Promenade and that these parks be distributed throughout the area.

Comment

There is no information to confirm how and where the alternative requirement of 1 ha/500 units has been provided successfully as cash-in-lieu in Oakville. This requirement in high density areas has been noted as an impediment to intensification and redevelopment and specifically cited as a reason for the lack of redevelopment in many areas due to the inability to achieve a financially feasible development given the cost of land. It would be helpful for the Town to undertake consultation with the development industry and landowners on this issue to clearly understand the financial issues related to this requirement. A cap for cash-in-lieu is certainly an area that warrants further consideration.

It is unclear on what basis the conclusion regarding the inadequacy of the 5% was made and whether it took into account the significant amount of shared amenity spaces that serve residents in such areas. The examples of American and Canadian metropolitan downtowns utilized as relevant case studies for what constitutes a “robust, flexible urban parkland system” may be useful to illustrate the respective park areas, however, these examples include areas such as Manhattan (population 1.6 million), Portland (population

650,000), Ottawa (995,000 people) and Vancouver (population 675,000) that also contain large National Parks and not necessarily reflective of recent transitioned suburban areas.

As was previously provided in our comments on the updated parks policies for Midtown, the requirement for a minimum of 7.5% with an objective of up to 12% where opportunities exist of developable land to be conveyed for parkland may not be feasible or achievable and may undermine the ability to provide for the housing and employment targets in these areas. Again, a mix of public conveyance and POPS to achieve a reasonable percentage cap is more appropriate for Strategic Growth Areas. The prescriptive requirements for the location and design of parks in Secondary Plans also removes the flexibility for park design and uses and does not reflect the context which must be considered to achieve the right balance between achieving a great parkland system for the Town, as well as the financial feasibility and optimization of new development.

Generating Land or Cash-in-Lieu of Land (Recommendations 25 to 26)

The Draft Parks Plan references the creation of a unit cost for parkland.

Comment

While a unit cost for parkland for cash-in-lieu is a preferred method of providing certainty for development, it must be based on a reasonable and principled approach that recognizes fair and justified costs for cash-in-lieu and establishes a cap (similar to that provided in Bill 109) that will not prohibit the ability to optimize development to meet Provincial growth objectives.

Options for Parkland System Ownership (Recommendation 27 to 30)

The draft Parks Plan notes, through Appendix VIII, that there are four approaches to the ownership/securement of parks in the Town and include: 1) Fee Simple Parkland; 2) Strata Ownership; 3) Privately Owned Public Spaces (POPS); and 4) Use Agreements/Easements. It is noted that the Town prefers the Fee Simple model and that this is recommended as a first priority for all Public Common, Urban Square and Promenades.

Recommendation 29 recommends that the Town “augments” the parkland system with POPS and that a credit may be granted where four criteria are met: 1) connected to the urban parkland system and adjacent to a public sidewalk; 2) is only definable as an “Other Urban Park”; 3) a legal agreement where the POPS is built to Town standards and publicly accessible at all times (or to Town satisfaction); and 4) the land area is discounted, which is determined on a case-by-case basis and sole discretion/satisfaction of Town.

Comment

Again, it is unclear why the provision of POPS is only considered to “augment” the park system and only be provided through prescriptive criteria which given a specific context such as Midtown may not be relevant. The provision of POPS as an integral part of the overall park system has been used in several urban centres successfully to achieve a sustainable and efficient park system. It is also unclear why POPS would be discounted when they achieve the same level of public benefits.

Understanding Cash-in-Lieu (Recommendation 31 to 40)

The draft Parks Plan recommends that the Town should, at its sole discretion, determine in an open and transparent manner, when cash-in-lieu is an acceptable approach and when land contribution will be required. The decision to require land, or cash, or some combination thereof, for any specific development proposal should be part of the public process for an Official Plan Amendment, and/or a rezoning application.

The draft Parks Plan also recommends that land value calculations will be the same that are utilized for the Community Benefits' approach and that a specific set of land values for the purposes of calculating cash-in-lieu of parkland contributions be established and updated every 180 days.

Comment

Providing for the most certainty in relation to the provision of park space and the costs for cash-in-lieu through pre-determined costs based on land values is of benefit so long as the requirements are fair and do not constrain the ability to optimize development and deliver the growth objectives within Strategic Growth Areas such as Midtown.

We appreciate the opportunity to comment on the Draft Parks Plan based our initial, limited review and would recommend the Town consider a session with major landowners in the Strategic Growth Areas to address common concerns and issues. Thank you for the consideration of our comments at this time.

Sincerely,

MHBC



Dana Anderson, FCIP, RPP
Partner

Cc: *Matt Day, Manager, Development Financing & Investment*
Chris Mark, Director, Parks & Open Space
Karen Simons, General Electric Canada



July 15, 2022

Town of Oakville
1225 Trafalgar Road
Oakville, ON
L6H 0H3

Attention: Matt Day, Manager – Development Financing & Investments
Chris Mark, Director – Parks and Open Space

**Re: *Parks and Open Space Strategy and Draft Parks Plan – 2031
2172 Wycroft Road, Oakville***

We are the planning consultants for Northbridge Capital Inc. with respect to their property located immediately west of the north parking lot of the Bronte GO Station, municipally known as 2172 Wycroft Road (the "subject site"). The purpose of this letter is to provide comments on the Town of Oakville's Draft Parks Plan – 2031 (dated June 2022) presented at the June 14, 2022 Special Council Meeting.

Request

We request that the Town ensure that requirements for parkland dedication appropriately cap the amount of parkland that is required for mid-rise and high-rise development so that development projects are not unduly impacted by these requirements. Further, we request that the parkland dedication requirements provide for and support the comprehensive planning processes that the Town has already completed, such as OPA 41, that identify locations for parkland within a broader area and would therefore not require land to be conveyed on a site-by-site basis.

Subject Site and OPA 41

The subject site is located within the Bronte GO Major Transit Station Area (MTSA) which is the subject of the Town's recently adopted Official Plan Amendment (OPA) 41.

OPA 41 (By-law 2021-128) was adopted by the Town of Oakville Council on November 21, 2021. OPA 41 has yet to be approved by the Region of Halton and is therefore not yet in-effect. The Bronte GO MTSA, through the policies and designations in OPA 41, is planned to accommodate increased population and employment densities, and transform over the long-term from an area dominated by employment and industrial uses to a transit-supportive, mixed use, urban community which maintains an employment focus.

Draft Parks Plan - 2031

We have reviewed the Draft Parks Plan -2031 prepared by The Planning Partnership (the “Draft Parks Plan”) as it applies to the subject site and OPA 41. We have the following comments of the draft Parks Plan.

Page 4 of Appendix II of the Draft Parks Plan, states that the application of the alternative residential parkland dedication standard of the *Planning Act* of 1 hectare for every 300 units (or 1 hectare for every 500 dwelling units for cash-in-lieu) has a significant financial impact on higher density residential development projects – even in locations where that form of development is required (i.e., the subject site). Page 4 of Appendix II also goes on to recognize that the amount of land generated by the above standard could be greater than the development site itself and the cost of cash-in-lieu payable could be greater than the value of the development site itself and may render some high-density projects financially unviable. In this regard, the report acknowledges these issues may have a dramatic impact on the ability for the Town, Region, and Province to achieve fundamental planning principles such as growth targets, intensification targets and reluctance/inability to develop within strategic growth areas, thereby reducing the viability of transit investment.

We have reviewed the alternative approaches that were tested by NBLC, included in Appendix VI. While we appreciate the analysis, we question why the analysis did not include the base calculations (5% and 2% land area) or the alternative rate of 1 hectare per 300 units when land is conveyed.

In general, we are concerned that some of the methods being evaluated by the Town could be make development prohibitive. In this regard, we request that the Town ensure that requirements for parkland dedication appropriately cap the amount of parkland that is required for mid-rise and high-rise development. This is a particular concern for the subject site where high-density and high-rise development is proposed in an MTSA, adjacent to the transit station property. We know that Bill 109 introduced a cap for Transit Oriented Communities but that does not apply to the sites in MTSA that contribute to the density in proximity to transit stations, such as the subject site. As an example, we have estimated that the subject site could yield approximately 1,086 units on the 1.9 ha site when the policy direction contained in OPA 41 is applied. If the alternative rate with land conveyed is applied, approximately 3.6 ha or approximately two times the land area of the subject site would be required. Applying the proposed per unit contribution of \$22,260 would result in an additional cost of over \$24 million.

In this regard, NBLC state the following on pages 3 and 4 of Appendix VI:

“...a cap on land value or a version of the graduated method tested in this analysis could be effective as a fair and reasonable approach for calculating

payment of lieu of parkland. As tested in this review, the graduated approach scales downwards with increasing density, balancing the Town's need to collect an appropriate parkland levy, developer financial considerations and broader municipal planning objectives for encouraging intensification."

Despite this acknowledgement by NBLC, the recommendations made in the Draft Parks Plan did not explore a cap on land value or a graduated method. We are concerned that without appropriate caps on the parkland requirements or an appropriate cap on the cash-in-lieu for mid-rise and high-rise developments, the methods being evaluated by the Town could make development prohibitive, thereby preventing the Town from achieving the minimum density targets within the Bronte GO MTSA.

While some of the recommendations of the Draft Parks Plan do provide flexibility with respect to parkland, including the following recommendations that we support, we are concerned that these recommendations alone will not ensure that the subject site can be developed in accordance with the adopted OPA 41 and so that Bronte GO MTSA can achieve its minimum density targets mandated by the Growth Plan and the Region's Official Plan.

Recommendations that we support include:

- **Recommendation 28** which recommends, where appropriate, that Strata Ownership be considered within Strategic Growth Areas (i.e., parkland atop underground parking)
- **Recommendation 29** which recommends that the Town augment the urban parkland system within the Strategic Growth Areas with Privately Owned Public Spaces (POPS)

Further, we generally support Recommendation 45 which provides that the Town of Oakville identify certain lands as not acceptable for the purposes of parkland dedication, but request further clarification be provided with respect to the Bronte GO MTSA and adopted OPA 41. This is important because Policies 27.6.3 and 27.6.4 within adopted OPA 41 state that the approximate location of open space areas (i.e., parks) should be provided generally in accordance with Schedule S5 and that the plan should achieve approximately 14 ha of publicly accessible land for parks and open space, which includes the open space lands within the utility corridor for active transportation. As per Schedule S5 of adopted OPA 41, open space area is shown to be located to the south of the subject site, between the subject site and the rail corridor and not on the subject site. To provide greater clarity and to provide assurance that the proposed open space lands within the utility corridor that is proposed to be an active transportation corridor, be considered public parkland for the purposes to contributing to the overall target of 14 ha for the Bronte GO MTSA.

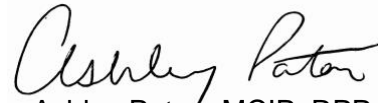
Thank you for the opportunity to provide comments on the draft Parks Plan – 2031 and we look forward to continue working with staff.

Yours very truly,

Bousfields Inc.



Emma West, MCIP, RPP



Ashley Paton, MCIP, RPP

July 15, 2022

Matt Day Manager
Development Financing & Investments
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Chris Mark
Parks and Open Space Director
Chris.Mark@oakville.ca

Gabriel A.R. Charles, MCIP, RPP
Director- Planning Services
Gabe.Charles@oakville.ca

RE: TOWN OF OAKVILLE - PARKS AND OPEN SPACE STRATEGY
COMMENTS

Graywood Bronte Village Limited Partnership, represented by Graywood Developments, is the owner of the lands municipally known as 2365-2377 Lakeshore Road West in the Town of Oakville. We are writing to provide comments on the Parks and Open Space Strategy Draft, issued for discussion June 2022. The revised strategy has been prepared in response to the Provincial changes to the Planning Act and to support the Town's new urban parks strategy and future planned growth.

We have reviewed the Parks and Open Strategy and offer the following comments.

- We strongly urge the Town of Oakville to consider capping rates in areas planned for Growth, as identified in the Livable Oakville Schedules L1 - Q2, to the *lesser* of 5% or 1 hectare per 500 units. While the 1 hectare per 500 units is the provincial *maximum*, this formula is not financially conducive to a higher density product. By providing this policy as the greater of, and not the lesser of, it acts as a disincentive to higher density housing supply, in areas targeted for growth. The Town and Province urgently need additional housing to counter extreme supply deficiencies, which are negatively impacting market affordability.
- We would request that any future Secondary Planning or Block Planning exercise for Strategic Growth Areas include language that promotes flexibility in the location of parkland areas while still achieving the Town's objectives; this will allow for flexibility as strategic opportunities arise.
- We support 'Recommendation 24' for mixed use development, which states "where the Town wishes to incentivize mixed-use development, that where the non-residential component represents less than 20% of the gross floor area, that the parkland dedication due from the non-residential component be reduced, or waived, to the satisfaction of the Town". However, we request that certainty be provided for when this would be waived, to assist in determining site feasibility prior to purchase and ultimately successful projects.
- We support 'Recommendation 29', whereby the Town considers Parkland Dedication credits through the provision of POPS, and other mentions of credit via the provision of stratified parkland, but request further clarity on exactly how the credit would be applied; financial input certainty is essential for the realization of any development project.
- We would request clarity on Recommendation 31 with respect to when the Town would require cash-in-lieu versus actual land dedication. As noted above, in many higher

density instances, there is limited or no opportunity to provide land conveyances. We agree the process should be open and transparent, however an early understanding of how this would be applied is essential in understanding the financial feasibility of a project prior to purchase.

Thank you for considering our comments regarding the development of the Town's Parkland Dedication by-law and for providing us with the opportunity to participate as partners in city-building.

Please also accept this correspondence as our formal request to receive notice of any decision regarding this matter. Any such notice can be directed to the undersigned.

Sincerely,

Shwaan Hutton

A handwritten signature in black ink, appearing to read 'S. Hutton', with a stylized flourish at the end.

Director of Development, Graywood Developments

*CC: Oz Kemal, MHBC Planning
Denise Baker, WeirFoulds LLP
Neil Pattison, SVP, Graywood Developments*



July 18, 2022

Gabe Charles, Director
Planning Services Department
Town of Oakville
1225 Trafalgar Road
Oakville ON L6H 0H3

Dear Gabe:

Subject: **Parks & Open Space Strategy
Parks Plan 2031 (June 2022)**

Thank you for the opportunity to comment on the [draft Parks Plan 2031](#). It is understood that the Town of Oakville is working through a Parks & Open Space Strategy with its consultants with the intent of having a new parkland dedication by-law in September 2022. A Development Charges (DC) by-law and Community Benefits Charge (CBC) strategy will be forthcoming.

The Board is submitting general comments as it pertains to school board facilities. The Board is open to further discussion on our comments and looks forward to further assisting the Town and the consultant as the Parks & Open Space Strategy progresses.

Town of Oakville Parks Plan 2031 (June 2022 draft)

The Board has reviewed the report and have the following comments:

- Section 1.2 explains the Greenland System and the Board notes the School Board classification. These lands are identified as lands *"owned by school boards, and provide a range of recreational activities and opportunities supported by the school"*.
 - There are two elementary schools and one of secondary school have been approved for funding from the Ontario Ministry of Education. Opening dates are preliminary and subject to change. Future school sites are planned to be located adjacent to municipal parks.
 - Oakville NE #3 ps (opening 2023/24) – north of Dundas Street and west of Ninth Line
 - Oakville NE #5 ps (opening 2024/25) – south of Burnhamthorpe Road and west of Sixth Line
 - Oakville NE #1 hs (opening 2025/26) – north of Burnhamthorpe Road and west of Sixth Line
 - The Board seeks clarification on how the future schools' parkland play a part of the Greenland System.

Street Address: J.W. Singleton Education Centre • 2050 Guelph Line, Burlington, Ontario L7P 5A8

Mailing Address: J.W. Singleton Education Centre • P.O. Box 5005, Stn. LCD 1, Burlington, Ontario L7R 3Z2

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- The Board would like to note that the primary purpose of School Board parkland is for the fulfillment of student education. The Board acknowledges current community use agreements for school fields for public access available after school hours and continues to support these agreements, and is supportive of these arrangements continuing on a case by case basis.
- The Board would like to have a better understanding of the intended role of School Board parkland in the Town's overall strategy.
- The Board acknowledges and agrees that School Board parkland contributes to increased aesthetic and environmental value in a community and to the overall high quality of life for the Town.
- In general, the Board is supportive of any future collaboration and co-ordination, where possible, with the Town and other agencies.
- Section 4.10 outlines the exemption of certain categories of land use from the requirement to provide parkland dedications. Institutional developers, including school boards, are exempt from the parkland dedication requirement. As such, the Board supports Recommendation 42 where the Town continues to maintain the list of exempted categories of land use and forms of development from the parkland dedication requirement, of which school boards are included.
- Request further involvement as the plan proceeds, and to be circulated.

Should you have any questions regarding our comments, please contact the undersigned.

Sincerely,

Laureen Choi

Laureen Choi

Senior Analyst – Planning

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Cell: 905-749-2184

Email: choil@hdsb.ca

Cc: C. Mark, Town of Oakville - Parks and Open Space
F. Thibeault, Halton District School Board
B. Vidovic, Halton Catholic District School Board