

Planning and Development Council Meeting  
September 6, 2022

**Comments Received Regarding Item 7.3**  
Official Plan Amendment

April Investments Limited, 527079 Ontario Ltd, Trans County Development Corporation Limited, and Oakville Developments (2010) Inc.  
560-584, 550, 530 Kerr Street and 131, 171 Speers Road  
File No. OPA1616.56

**From:** Jean-Paul Stephan [REDACTED]  
**Sent:** Monday, February 7, 2022 1:58 PM  
**To:** Town Clerk  
**Subject:** Town Hall 560-584, 550, 530 Kerr Street

**Importance:** High

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Hello,

In regards to the proposition of erecting unnecessary profit-making buildings at the subject addresses, I believe the interconnecting roads from:

- Kerr St. North & South of Speers
- Speers Road East & West of Kerr
- All other adjacent QEW highway exits,
- Etc.

Are not suitable to accommodate this explosion in car/bus/population traffic.

We are suffering extremely deficient traffic-light management with the already existing "Rain Condos" located on 65 Speers Rd; deteriorating road with unbearable asphalt conditions are major sources of traffic noise and simply not acceptable.

Come to add this new development seeking profit-only ROI, it is going to ram the neighborhood. Creating a minor street here and there is not going to relieve the traffic flow.

A major overhaul of the deteriorating Oakville's municipality infrastructure in that location is long overdue: as we witnessed the ineffective ENBRIDGE gas line replacement in the past few days.

A compensation for the residents deterioration in livelihood must be thought, perhaps a tax break during construction of this development.

Please provide reassurance that the taxpayers monies paid in the past, are being well received and spent in the right places with competent Engineering firms to ameliorate the life of residents.

If possible, please find other lands for such massive development and consider incentives for current land owners revamping of existing outdated strip-mall/plaza with belongs to a different era and re-purpose it.

It's not always about how much taxable monies can the town of Oakville recuperate from a residential mid-to-high-rise development, it's about remembering and conserving the history of an area.

Thank you.

JP

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[REDACTED] Kerr St.  
Oakville, ON, L6K 3C2  
**Jean-Paul Stephan**  
P.Eng., M.Eng., PMP

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**From:** Andrew Muscat  
**Sent:** February 14, 2022 7:14 PM  
**To:** Paul Barrette  
**Subject:** Opposition to OPA1616.56

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Hi Paul,

In preparation for the Feb 15th Planning & Development Council Meeting, I would like to provide my written statement to oppose the approval of OPA 1616.56 for the redevelopment of 560-584, 550, 530 Kerr Street and 131, 171 Speers Road.

While I do support a redevelopment of the area, I do not believe the current iteration of the application is appropriate. The main point of contention to this application is the following:

- the proposal suggests buildings that exceed 21 storeys and these do not conform to the existing high rise residential neighborhood

I support the town's decision to continue to discuss the redevelopment at a more appropriate scale.

Thank you for your time,

Andrew Muscat

Registered owner within [REDACTED] Speers Rd

**From:** Stephen Kostuk  
**Sent:** February 15, 2022 8:04 PM  
**To:** Paul Barrette  
**Subject:** Re: 530,550,588 Kerr and 131,171 Speers Road

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Good Evening Paul,

I tried to call into the town call tonight however it did take me to a voicemail box, I left a message but didn't hear back.

I want to ensure my below questions are addressed and also bring up a new question. On the January call the developer/owner mentioned they would not break any long term leases, development would only happen once the leases are completed. Are you able to put this question forward of when they are currently signed until? Also the below list from earlier:

- Traffic study - factoring the additional building under review at 54 Shepherd Rd
- Height - The area is Kerr Village, I feel the lower buildings would be great for the area however some of the buildings are too tall and will take away from the area. They should have to stick to height restrictions
- Dust and dirt - overall will be a massive project and the dirt will impact the surrounding buildings resulting in additional cleaning expenses to those buildings
- Damage to surrounding roads- the construction equipment needed to run this project will damage the roads
- Wind study - with the proposed buildings it would be good to understand how the wind flow will change and impact the surrounding buildings. a major change in wind flow due to these new buildings could result in increased costs for surrounding buildings due to having to reinforce as this proposal was not anticipated when the area was built.

Thank you for your time.

Stephen

On Tue, Jan 4, 2022 at 3:15 PM Stephen Kostuk [REDACTED] wrote:

Great, thank you.

On Tue, Jan 4, 2022 at 3:14 PM Paul Barrette <[paul.barrette@oakville.ca](mailto:paul.barrette@oakville.ca)> wrote:

Thanks Stephen,

You sent them to the right person. I will make sure your comments form part of the public record, and more importantly they will form part of the scope of staff's review of this

application. So, the next staff report will raise these as part of the 'issues to be considered', and the final staff 'recommendation report' will provide an analysis / evaluation of all the issues based on current policy / regs. etc..

Paul

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**From:** Stephen Kostuk [REDACTED]

**Sent:** December 30, 2021 1:53 PM

**To:** Paul Barrette <[paul.barrette@oakville.ca](mailto:paul.barrette@oakville.ca)>

**Cc:** Town Clerk <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>

**Subject:** Re: 530,550,588 Kerr and 131,171 Speers Road

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Good Afternoon Paul,

I took a look over the site information and would like to raise a few items. I am not sure where to send the comments to, please find them below.

- Traffic study - factoring the additional building under review at [54 Shepherd Rd](#)
- Height - The area is Kerr Village, I feel the lower buildings would be great for the area however some of the buildings are too tall and will take away from the area. They should have to stick to height restrictions
- Dust and dirt - overall will be a massive project and the dirt will impact the surrounding buildings resulting in additional cleaning expenses to those buildings
- Damage to surrounding roads- the construction equipment needed to run this project will damage the roads
- Wind study - with the proposed buildings it would be good to understand how the wind flow will change and impact the surrounding buildings. a major change in wind flow due to these new buildings could result in increased costs for surrounding buildings due to having to reinforce as this proposal was not anticipated when the area was built.

Thank you for your consideration and time.

Stephen

April 25, 2022

Paul Barrette, RPP, MCIP  
Senior Planner  
Planning Services Department  
Town of Oakville  
1225 Trafalgar Road  
Oakville, ON  
L6J 0H3

Dear Mr. Barrette:

**RE: PROPOSED OFFICIAL PLAN AMENDMENT - KERR VILLAGE GROWTH AREA  
171 SPEERS ROAD, OAKVILLE  
TOWN FILE NO. OPA 1616.56  
OUR FILE NO. 2137A**

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Thank you for the opportunity to provide comments on the draft proposed Official Plan Amendment and the draft comprehensive development plan submitted with the amendment application for the area located at the northwest corner of Kerr Street and Speers Road that includes the property at 171 Speers Road in the Town of Oakville. We also appreciated the opportunity to meet with Town staff on March 23, 2022, following the public meeting on February 15, 2022, to better understand the evolution of the draft development plan and policy framework.

As you know, we have been recently retained by Dr. Shahidi who is the owner of the property located at 171 Speers Road in the Town of Oakville (the "Subject Lands") which is part of the proposed amendment although Dr. Shahidi is not one of the applicants. The Subject Lands represent 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 any comprehensive development plan for the area based on its size, location and context.

Our initial comments were provided in a letter attached to comments on behalf of Dr. Shahidi's legal counsel, Turkstra Mazza, on February 13, 2022. The following comments are provided based on our additional assessment of the Subject Lands and the process to date.

### **Context for 171 Speers Road as part of the Northwest Quadrant**

In preparing comments on the proposed Official Plan Amendment and the draft comprehensive development plan, the context of the Subject Lands in relation to the other properties is important as the Subject Lands have distinctive characteristics. Some key context considerations include the following:

- i) The Subject Lands are **not** constrained by cross easements or other lease agreements which would preclude the phasing and/or timing of redevelopment.
- ii) The Subject Lands can be redeveloped and serviced independent of the other properties.
- iii) As the largest, consolidated parcel, the Subject Lands can accommodate a broad range of uses and a range of heights and densities.
- iv) The adjacency to the CN Rail corridor with appropriate setbacks can provide for taller buildings that incorporate structured parking with open space and amenity areas above.
- v) The existing site access is already aligned with St. Augustine Drive and can provide for adequate access for the Subject Lands redevelopment.
- vi) The deferral of the CN Rail underpass project on Kerr Street will not affect the phasing or redevelopment of the Subject Lands and the Subject lands are not subject to an interim plan nor would development be delayed by the underpass deferral.
- vii) The current Official Plan policies provide for an Urban Centre designation on the Subject Lands which allows for heights between 8 to 12 storeys and up to 16 storeys with bonuses. The current height and density permissions should not be reduced with any amendment.

### **Comments on Comprehensive Plan and Proposed Official Plan Amendment**

1. *Increase height and density on the Subject Lands to reflect the immediate opportunities and context and maintain, at a minimum, the current Official Plan policy permissions.*

The Livable Oakville Plan sets out objectives and policies for intensification in Section 4 and specifically speaks to the need to maintain the minimum growth targets which are to be achieved through the current policy framework. These growth targets are now increasing with the approval of Regional Official Plan Amendment No. 48 and will be further defined through Regional Official Plan Amendment No. 49.

A “down zoning” on the Subject Lands from the potential for up to 16 storeys to 8 storeys is not acceptable and contrary to the Livable Oakville Plan and Provincial policy and does nothing to contribute to the much needed additional growth to 2051. The optimization of the Subject Lands should allow for mixed use built form up to 16 storeys with a transition in height from 16 storeys up to 26 storeys along the CN Rail Corridor. The taller towers along the CN Rail corridor in the quadrant has always been envisioned for the area.

We understand that previous options for the redevelopment of the quadrant included the distribution of more height and density on the Subject Lands given its context. It is unclear why this option to optimize the redevelopment of the Subject Lands is not included with the comprehensive plan or amendment.

2. *Remove the prescriptive policies on height and density*

The proposed amendment seeks to introduce a series of policies related to the 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.

Again, it is not clear why an added prescriptive FSI is being added to each block rather than allowing an overall FSI. 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. We recommend that the prescriptive block FSI caps and metrics for floor plates be removed from the amendment. The floor plates can and should be addressed through design guidelines and implementing zoning which can address increases to floor plates that may be needed to accommodate rental units.

### *3. Removal of Section 37/Bonusing policies*

Given the shift to remove Section 37 and replace it with the Community Benefits Charge under the Planning Act, the bonusing policies should be removed and the height limits should reflect optimized development heights. For the Subject Lands, that should include permission for up to 16 storeys across the site with heights up to 26 storeys along the CN rail corridor.

### *4. Road Network*

As noted, the current access to the Subject Lands aligns with St. Augustine Drive to the south. The opportunity to provide for a private road extension should be included in policies to facilitate the redevelopment of the Subject Lands as one contiguous parcel. The design and details related to the new road should also be flexible to allow for design features that may include a woonerf style roadway to create a strong pedestrian connection into the site.

### *5. Urban park and POPS*

We recognize the importance of park and amenity space for the area as part of any redevelopment but would comment that the location of the park should be more centralized and more visible with frontage along Speers Road. The park orientation used in Bronte Village, which provides for more of a linear urban park extending from the road, would be a more appropriate urban space onto which development could front providing opportunities for extended at grade uses and an enhanced public realm.

We would also continue to recommend strata parking be considered under the park space. POPs consideration above parking garages along the rail corridor is also recommended as a way to integrate more greenspace into the area. The recent examples from Burlington GO should be considered as it reflects a similar development context.

### *6. Servicing and Cost Sharing*

While we can appreciate the need for cost sharing where warranted, the Subject Lands can be redeveloped separately from the other properties and while connections and transition as well as design should be coordinated, a cost sharing agreement for the block may not be required for the Subject Lands and the policies should reflect this.

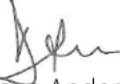
Again, we appreciate the opportunity to provide additional comments at this time. We understand an interim plan is also being developed with additional background studies and look forward to an opportunity to further review the additional information when available.



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.

Dana Anderson, MA, RPP, FCIP  
Partner

Cc: Dr. Shahidi

**From:** [Andrew Muscat](#)  
**To:** [Town Clerks](#)  
**Subject:** OPA1616.56 Public Feedback  
**Date:** Tuesday, June 7, 2022 5:41:40 PM

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SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I was taking a look at the development application website for the proposed redevelopment of 530, 550, 588 Kerr Street and 131, 171 Speers Road. As part of this, I reviewed the Urban design Guidelines and just wanted to leave a comment in respect to heights along Speers Rd.

Though I am just a member of the public, I would highly recommend that buildings that front along Speers Rd not exceed 20 stories. My concern with these tall buildings are related to shadow impacts upon the proposed urban square, existing high density residential and existing uses to the S.

Thank you and please include my comments as part of the public record.

All the best,

Andrew Muscat - Owner and Occupant of Unit within [REDACTED] Speers Rd, Oakville, ON L6K 0H9