

Planning and Development Council Meeting  
December 5, 2022

**Comments Received Regarding Item 7.1**

Recommendation Report, Official Plan Amendment, April  
Investments Limited, 527079 Ontario Limited, Trans County  
Development Corporation Limited, and Oakville Developments  
(2010) Inc., 560-584, 550, 530 Kerr Street and 131, 171 Speers  
Road, File No. OPA. 1

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**From:** Sonia Salgado

**Sent:** December 4, 2022 4:25 PM

**To:** Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>

**Cc:**

**Subject:** Re: Notice of Complete Application - 50 Speers Raod

To whom it may concern:

I am writing to appeal the proposed official plan and zoning by-law amendments pertaining to 50 Speers Rd. I am not for the proposed application.

Regards,  
Alexandre Barbosa and Maria Rodrigues

# WEST RIVER RESIDENTS' ASSOCIATION (WRRRA) – OPA 1616.56

## NOTES FOR THE DEC 5 COUNCIL MEETING(PRESENTED BY NICOLE LEBLANC)

First, I would like to say thank you to Mayor Burton, Council and the Town of Oakville staff as we have seen some changes that are very welcome. For our time together today, I wanted to make sure that the WRRRA community made sure to voice our thoughts on the project so that today and as more decisions are made with respect to the development at Kerr and Speers we are considered a valuable partner in making sure that the development can fit into the existing community in the most holistic way. We also would like to note that overall, we are in support of development on this prime Oakville site, but wish to express some concerns we still have.

### DENSITY/HEIGHT

We are happy to see that the changes have shown the largest towers be placed next to the train tracks thus reducing the impact of these largest buildings on the streetscape and shadowing of existing neighborhoods.

Our concerns are still around the height and density. Although the phasing will help to minimize traffic in the area, once the whole project is built, the overall density and height is still far beyond the Town's Official Plan. As the Official Plan has a maximum height with bonusing of 16 stories, we are still not able to understand the justification of the buildings that exceed what is already in the area (22 stories max). Our concern is about the potential of this new precedent being set for future development, not just for West River but for all of Oakville. We also understand the challenges from the Province to promote additional density in these areas, but would still like to see some movement in the heights of the tallest buildings to something more in line with the area.

In regards to traffic, it still has been said that the project will be sensitive to negative traffic impacts in the area. We know that there are at least six lights and a pedestrian crosswalk on Kerr St. from Shephard to Rebecca, compared to only 3 stop signs on Queen Mary. We already see many cars who use this instead of Kerr St during busy periods. One idea we have as this project progresses is to make the new Shepard Extension have a no straight throughfare in order to force the traffic from the site to stay on Kerr St. We understand that this is not part of the changes for the zoning today.

### COMPLETE COMMUNITY

We have seen in the changes and the Staff Report that staff increased the amount of commercial space to at least have one site available for a Discount Grocery Store. We understand that the town cannot force the brand to stay or determine who ends up with a lease for the space, but we feel that the town has done everything in their power to keep a reasonably priced grocery store as part of this development. We would like to express to the developers that it is of great importance to work together to make sure that this essential service is available within walking distance for our most vulnerable residents. We still feel that the overall commercial space isn't enough for the destination of a pedestrian area that has been communicated by the developers. As this project moves forward, we hope to see a further increase of commercial space perhaps in all ground levels of the proposed

buildings. This would make for a destination within the Kerr Village area for residents to go for essential services and entertainment. The zoning will also still allow for a post office which we feel is another essential service to keep in the area.

We are still concerned with the 1 acre park not being a full acre as the 5<sup>th</sup> site owner isn't completely on board of this project. We feel that this application should not move ahead, or should be modified without this parcel until the owner is part of the project.

During our discussions with the town, it also came to light that there is a possibility to create a connection between this growth node with the GO station and Midtown. As the WRRRA, we are very much in favor of this and would like to see any opportunities to work this into the plan so that our residents have a safe and accessible way between these two points.

We want the best for the businesses, residents, tenants and the community at large as this project proceeds and would like to offer our continued communication to work with the developer, owners, and town staff on this project as it proceeds.

# WEST KERR VILLAGE RESIDENTS' ASSOCIATION (WKVRA) QUESTIONS AND COMMENTS FOR DEVELOPMENT OF 131, 171 Speers Road and 530,550, 588 Kerr Street

At it's core, the **vision** of Oakville is to be the most livable town in Canada. Its **mission** is to create and preserve Canada's most livable community by enhancing the natural, cultural and economic environments.

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Oakville is a town, founded on the aesthetic, lifestyle, and community of the downtown core. Preserving the integrity of what has defined this original GTA cottage town, is what continues to be the calling card for small businesses, local residents, families, the arts and newcomers. Kerr Village and Downtown Oakville, need to be treated like historical European towns. We should be looking at developments and visuals that are more similar to European villages, than to skyscrapers in city scapes. Kerr Village and Downtown Oakville are the Santa Clause Parade, the movie set of a small town, the jazz festival, and bustling patios, we're parks and green spaces and light houses. Families, retirees, and those looking for a quieter pace come here because we provide just that.

We are not the Mississauga city center, we are not Brampton, we are not Toronto – we are the reason people choose to commute to these places every day, so they come back to a home, a quiet place with all of the comforts of the big city, but the visuals of a town, the traffic of a small town and the heart of a community that wants to continue to be one of the best places to live in Canada.

THIS IS OAKVILLE

THIS IS **NOT** OAKVILLE

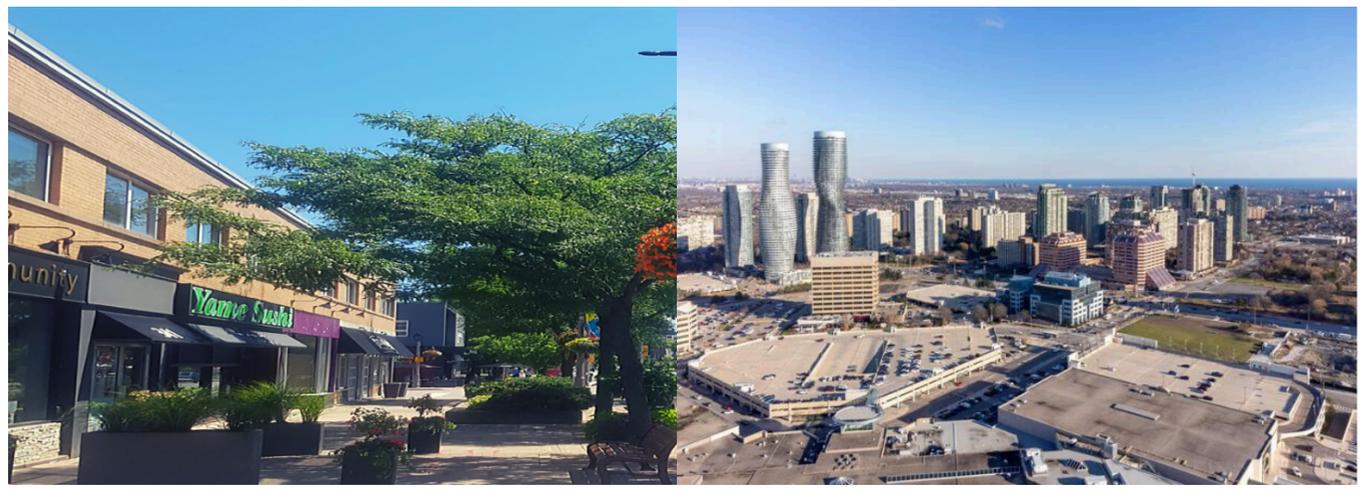


Figure 1 – Design of Oakville vs other towns

## **West Kerr Village Residents Association would like to highlight:**

- Parks and greenspaces need to be developed and preserved. We feel an emphasis on improving the parks and outdoor space for local residents is imperative. There are holes in the plan to disperse people to local parks and green spaces. These need to be at the top of the list.
- We want new developments south of the QEW to fit within the landscape of the downtown core- visually, economically, and with current and future residents in mind. We need these developments to fall in line with Oakville's existing restrictions. The Rain Buildings are already pushing those limits and have deteriorated the aesthetic and small town feel of entering Kerr Village.
- We want new business to thrive, but not at the cost of impeding the access that local businesses and residents already enjoy and expect.
- We care about our environment, the impact of construction on our local community, the air quality for our families, noise and visual pollution.
- We want to enhance our green space and Oakville's canopy
- Development needs to be scaled based on capacity of infrastructure and the potential of what we can accommodate in this area- the underpass is not a definite, bypass's and restructuring have not been proven. TRAFFIC, resources and amenities need to be assessed, currently the solutions in place do not take enough of this into consideration for the local community.

### **1.0 OBJECTIVE:**

This document highlights concerns of the West Kerr Village Residents Association (WKVRA) who will be significantly impacted by the development at the above mentioned locations on Kerr and Speers intersection. The proposed development proposes for 11 new buildings ranging in height from eight storeys to a maximum of 26 storeys, with a total of approximately 1,847 residential units, together with 7,900 metres squared (85,000 feet squared) of retail GFA, inclusive of a grocery store.

The intent of this document is to have the town and the developers consider and incorporate the concerns, comments and questions of the local residents prior to any approval for rezoning and/or development.

## 2.0 SUMMARY OF KEY CONCERNS:

The development is designed as self-sufficient and not merged or incorporating the existing neighbourhoods. This is shown by reduced space for the grocery store, limited parking to access the site for non-residents.

### Height/ Density:

- What justifies increasing the height beyond current Liveable Oakville Plan and what benefits will the development be providing the local community to justify the additional height?
- Is there a way to decrease the density and disperse it to the midtown developments and / or relocate to future developments between Trafalgar Road and the Ford plant along the QEW?

### Park Space:

- The park should be comparable to Forrester Park, Oakville rather than an 'Urban Design'
- Any space on the 1 acre park used for site infrastructure (i.e. venting underground parking, etc.) should be added to increase overall size of the park to ensure it remains 1 acre + of useable greenspace.
- Town needs to ensure that the park has amenities for children to play and have it keeping with town standards.
- Park study needs to be updated to reflect that access and size land attributed to the Margaret Drive Parkette is incorrect. The land is part of an elementary school EEC Sainte Marie Oakville and access demonstrated in Urban Design Brief includes fenced off school property.

### Traffic:

- The proposed St-Augustine Drive Extension as currently proposed is not acceptable to the WKVRA as it has a significant negative impact on residents. Therefore, the WKVRA proposes that the extension could proceed on the development, but the existing traffic calming road structure of Speers and St-Augustine remain as it currently is. Traffic from development can turn right/left on Speers but not straight through south on St-Augustine. St-Augustine would be used as a cut through to Rebecca and Lakeshore avoiding traffic lights on Dorval and Kerr.
- The transportation study submitted by Urban Strategies and BA group is based on 3 sites in Brampton in areas that are more highly developed than the current Kerr/Speers location and have 3-4 lane roads. Kerr Street / Speers are 1-2 lanes. Is this truly representative of the current site?
- The BA group traffic survey based on the assumption that the underpass is in place by 2031. They also do run scenarios in the event of a delay and temporary measures. However, they did not examine the traffic if the underpass is not built.

BA group notes that there will be significant increase in traffic and poses a risk. Has there been a Risk Assessment for that occurrence?

- What is the modified development plan without the underpass?
- The developer's action has been to phase the development but no accommodation has been made if the underpass is not built.
- The traffic assumes that 171 Speers Road is part of the site. This is not currently the situation. What will the proposed development look like and traffic impact should 171 Speers not be part of this development and what is the impact on traffic as the St-Augustine Drive extension is on the 171 Speers property? Phase 2 would not be possible.

### **3.0 DENSITY / HEIGHT OF BUILDINGS:**

The WKVRA is fully aligned with the concerns of the West River Residents Association (WRRRA) . The current Urban Strategies is asking for a significant increase in the allowable density beyond that provided for in the Town's Official Plan (Urban Core) prior to its update end of 2021. Bonusing may be considered where there are public benefits such as affordable housing, community services. This was also noted by the WRRRA (West Riverside Residents Association) in their submission.

A development to the scale and height proposed will negatively impact the visual aesthetic of the Kerr Street Village, the existing residents and will increase and exacerbate traffic in the area on infrastructure that is currently near capacity.

- To obtain the increased height and density, the WKVRA would like to understand what are the specific benefits to the community that this development will provide to the existing community that warrants the additional height and density?
- What justifies increasing height beyond the 19 and 21 storey Rain buildings that are on Kerr Street?
- What is the percentage of affordable housing that will be provided for in the new development?
- Is there a way to decrease the density and disperse it to the midtown developments and / or relocate to future developments between Trafalgar Road and the Ford plant along the QEW?

## 4.0 PARKS

The new development and housing density should certainly contain a park and public spaces for all people in the community to enjoy. The WKVRA fully supports the inclusion of green space and focus on community.

### Key Concerns:

- **The park must be designed in line with the Town of Oakville owned parks that contain features for children (uninterrupted grass, climbing frames, etc.) rather than an 'urban park space'.**
- The proposed park Figure 3 below shows that  $\frac{1}{4}$  of the park space is used by infrastructure to service the underground parking garage as well as loss of green space along the eastern edge of the park which effectively reduces the accessible green space for the public. **It is proposed that the park size should be increased to compensate for any loss of park space due to site/parking/ other infrastructure.**
- How will the Town ensure that the park is developed to the full 1 acre with structures and space for children to play, run, and have fun?
- **Park study needs to be updated to reflect that access to the parkette and land size attributed to the Margaret Drive Parkette is incorrect. The land is part of an elementary school EEC Sainte Marie Oakville.**

## 4.1 PARK DESIGN

The site requires a park that is in keeping with Oakville greenspaces and plans to increase the green canopy. The proposed design by Urban Strategies is an urban space similar to Greenwich Village and Port credit. These examples are used to illustrate the standards planned for the development shown in Figure 2. These spaces are designed for green space in a city scape and not designed with the local community, children or families to use. The types of parks proposed by Urbans Strategies do not fit to the community in which they are building. **A park of similar standard to Forrester Park, Oakville should be constructed for the community in the new development.**



Greenwich Millennium Village, London, UK

Figure 2 – Greenwich Village Park as an example of planned park development

The one acre park proposed is on top of an underground car park. Figure 3 below shows the proposed design as shown in the Urban Design Brief as submitted by Urban Strategies. This shows that there is infrastructure on the 1 acre that would appear to service the underground parking. At this stage without details it appears to be for ventilation of the area. To the right of the park in Figure 3, there is no greenspace but rather a gravel area that is not serviceable as community park space.

It is recommended that if there is infrastructure to support underground parking that this additional greenspace is given to the community to compensate for the lack of use and reduction in quality of the greenspace provided.

- Will Urban Strategies provide high quality greenspace for the community with space for children and families?
- The loss of  $\frac{1}{4}$  to  $\frac{1}{3}$  of greenspace in the proposal should require an increase in greenspace from current 1 acre to 1.5 -2 acres of greenspace for the development.



Figure 3 – Urban Strategies proposed park design

#### 4.2 NEIGHBOURHOOD PARKS AND GREENSPACE

The park proposed is based on the local community greenspace assessment. The study done by Urban Strategies as shown in figure 4 below and on P.35 of the Urban Design brief should be updated to reflect the following correction:

*The majority of the park attributed to Margaret Drive Parkette is in fact part of the property belonging to the elementary school Ecole Elementaire Catholique Sainte Marie Oakville. The school property has been highlighted in a blue rectangle. The access to Margaret Drive Parkette is in fact by the purple line in Figure 4 as the school yard is fenced off and not accessible to the public during the weekdays.*

As much of the parks in the area belong to elementary schools (Sainte Marie and Oakwood) and are not accessible to the public during week days, there is an increased community need for a large, child and community friendly park in the development instead of an 'Urban/ City style' park.

Therefore, there is a very significant and important need to have a large and functional space for kids to play in the area.



figure 24. Network of open space in the neighborhood context

Figure 4 – Community parks shown by Urban Strategies Design Brief with correction to Margaret Drive Parkette. **Blue rectangle is elementary school property and purple line is access to Margaret Parkette.**

## 5.0 TRAFFIC IMPACT TO LOCAL COMMUNITY

With the density and quantity of the buildings proposed there will be significant negative impact on the existing neighbourhoods and residents. The current Kerr Street / Speers road is nearly at capacity and this development depends on three things:

- Metrolinks Kerr Street underpass
- a St-Augustine Drive Extension and
- Sheppard extensions.

The St-Augustine road extension as proposed would have significant negative impact on all residents of the West Kerr Village residing south of Speers Road, and between Kerr Street and Dorval. There is currently a speed issue in the neighbourhood on Maurice and Felan in particular and this proposal would exacerbate this issue and would direct significant traffic in front of an elementary school.

The below points summarise the concerns regarding the development and traffic impacts:

- The current intersection of Speers Road and Kerr Street is near capacity. Based on the layout, the increase in density will significantly compound an existing issue in the area. Already it is difficult to execute a left turn from Kerr Street (from Shoppers) onto Speers.
  - How do the Town and the developers plan to address this issue without the Metrolinks Underpass?
- The transportation study submitted by Urban Strategies and BA group is based on 3 sites in Brampton in areas that are more highly developed than the current Kerr/Speers Location. The 3 sites in Brampton have significantly more transportation connection and all have 3-4 lane roads. Kerr Street is one lane either direction and Speers Road is a two lane either direction.
  - Is the traffic study submitted representative of the actual Oakville site?
  - Has the town of Oakville independently evaluated and validated the traffic study based on the actual site and road layout?
- The BA group traffic survey based on the assumption that the underpass is in place by 2031. They also do run scenarios in the event of a delay and temporary measures. However, they did not examine the traffic if the underpass is not built. BA group notes that there will be significant increase in traffic and poses a risk.
  - Has the town or developers done a risk assessment on this scenario?
  - What does the Traffic look like without the underpass?
  - What does the development plan look like without 171 Speers Road?

- Increase in traffic and cars in this area – as there are significant increase in vehicles in the area, can the Town confirm that there is sufficient parking space at the Oakville Go station?
- The concern is that there is no demonstrated improvement in access from the development site to the Go station and relies on people to take public transport when in fact many drive to the GO?
- Is there a Stage Gated Approval Process for each phase of development with the Town that considers the timing of the Kerr Street Underpass? This could be done to ensure that traffic and development are harmonised over time.
- Will the developer pay for any intersection modifications? Will the density of the site be lowered to accommodate the reality of the cancellation of the Metrolinks underpass?

## 5.1 ST-AUGUSTINE DRIVE EXTENSION

The road configuration at Speers and St-Augustine was done with the intent of traffic calming measures for the local resident's years ago. Currently there is an issue with traffic at high speed through the neighbourhood particularly along Felan and Maurice.

**The proposed St-Augustine Drive Extension as currently proposed is not acceptable to the WKVRA.**

The St-Augustine Drive extension currently extends onto 171 Speers property that is not part of the redevelopment at this time.

- Has the developer modified its plans and traffic access to the site in the event that 171 Speers road never agree to be part of this development?
- The extension of St-Augustine as proposed would send increased traffic past an elementary school (Ecole Elementaire Catholique Sainte-Marie Oakville) and through the neighbourhood as people would look to avoid the lights on Kerr Street and Dorval. It would result in Maurice being used as a throughfare to Rebecca /Lakeshore to avoid the Kerr Street Traffic lights.
- What does the Urban Strategies / Town plan to do to maintain speed control in the local area?

### **WKVRA Proposal for St-Augustine Drive Extension:**

If the development is to proceed as per the submission made in May 2022, then the WKVRA propose that the St-Augustine drive extension can proceed on the developed lands but not change the current St-Augustine Drive access to Speers Road. This proposal will do the following:

1. The proposed traffic lights at St-Augustine and Speers Road would only allow traffic from the new development to turn left or right on Speers Road.
2. It would not allow traffic to go straight through the intersection (over Speers) south on St-Augustine drive.
3. The current St-Augustine Drive remains as is with access only from the west along Speers and to exit right onto Speers.
4. This will prevent increased traffic using St-Augustine, Maurice and Felan as a through fare to Rebecca and Lakeshore.
5. This limits traffic in front of the elementary school on Maurice.

## **6.0 METROLINKS KERR STREET UNDERPASS INDEFINITE POSTPONEMENT AND PHASING OF THE DEVELOPMENT**

In the Urban Design Brief dated May 2022 p.6 states:

*With the grade separation of Kerr Street deferred and the expropriations having already occurred, the ability to achieve the full development potential on the site is impeded. As is demonstrated in Figure 2, the eastern portion of the site cannot be feasibly developed and will result in initial phases of development being concentrated more centrally within the site.*

**Urban Strategies response to the indefinite postponement of the Kerr Street underpass has been to only phase the development and no other concessions or plans have been made if it is not implemented.** This will have a significant impact on the traffic as the development necessitates upgrades to Kerr Street and Speers intersection.

### **KEY CONCERNS:**

1. The phased plan does not include a grocery store until phase 3 of the development which is many years from now. The site would need to be demolished and amenities to the community will be missing for at least 5+ years it will take to complete Phase 1,2, and 3.
2. **The phased approach assumes that the underpass will be implemented. What are the modifications to the site if postponed indefinitely? Has a risk assessment been done?**
3. Interim traffic solutions of lights at a private road are insufficient to deal with the increase in traffic.
4. Only a partial park is created and as it would be in the middle of a construction site, it would be inaccessible / partially accessible to the public for years until development of Phase 1 & 2 are completed.

5. **Phase 2 depends on 171 Speers agreeing to the proposed development which is not currently the situation.**
6. How can Urban Strategies seek rezoning and approval for developing a site that is not owned by them? How can the Town approve a development where the traffic and access is through lands not part of the consortium seeking development?

### 6.1 Phase 1 Development Proposal - detailed concerns

The Phase 1 proposal includes a partial park only. The access to those buildings would be by private street onto Speers Road as shown below and perhaps a temporary road south of Shepard offering access to Kerr Street. Traffic lights on Speers for the Private Road are proposed by developer as the interim solution.

- a. Residents are concerned that this will contribute to further congestion at the Speers/Kerr intersection in close proximity to the Kerr / Speers intersection.
- b. The entire 4 lots (excluding 171 Speers) would be demolished and all amenities to the local residents would be eliminated including the grocery store, pharmacy, post office and other businesses. As the eastern section of land of the sites are included in Phase 3 &4 is there an interim plan to make those lands useable and enhance the neighbourhood rather than an open construction zone for many years?



Figure 5 – From Urban Design Brief May 2022

## 6.2 Phase 2 Development Proposal:

The proposal is still submitted including the block of land that is not part of the development consortium, specifically 171 Speers Road. The developers are therefore seeking approval for a development that is not part of their consortium and they have no control over. The owner of 171 Speers could well have a different purpose and plan as compared to what Urban Strategies is proposing and seeking rezoning for.

- a. What is Urban Strategies development plan without 171 Speers Road?
- b. How can the Town approve a development and agree to road structures that depend on land that is not part of the submitted proposal?

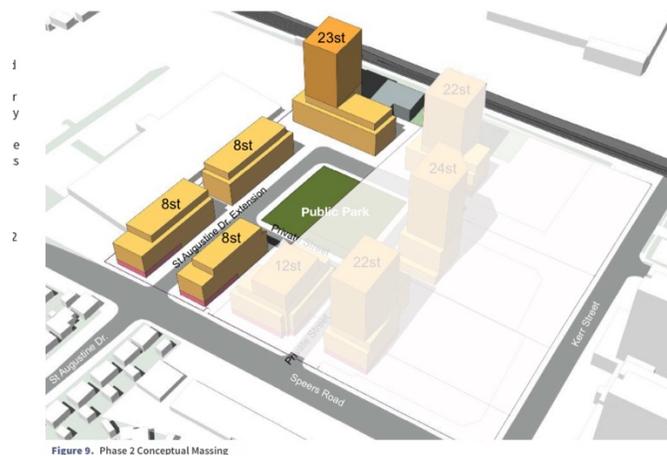


Figure 6 – Taken from Urban Design Brief May 2022

## 6.3 Phase 3 Development Proposal:

The Phase 3 of the development includes the grocery store. The space allotted is for a urban grocery store rather than the current retail space that is currently available to residents. Several concerns relate to access of the grocery store.

1. Will there be free parking for the grocery store?
2. How will the residents access the amenities on the site?
3. What is the impact of construction on Kerr Street? Can the developers guarantee that the streets will not be blocked/ impacted by construction equipment during this development?
4. What measures will the Urban Strategies and the Town adopt to prevent blocking of Kerr Street during construction which is a major thoroughfare?

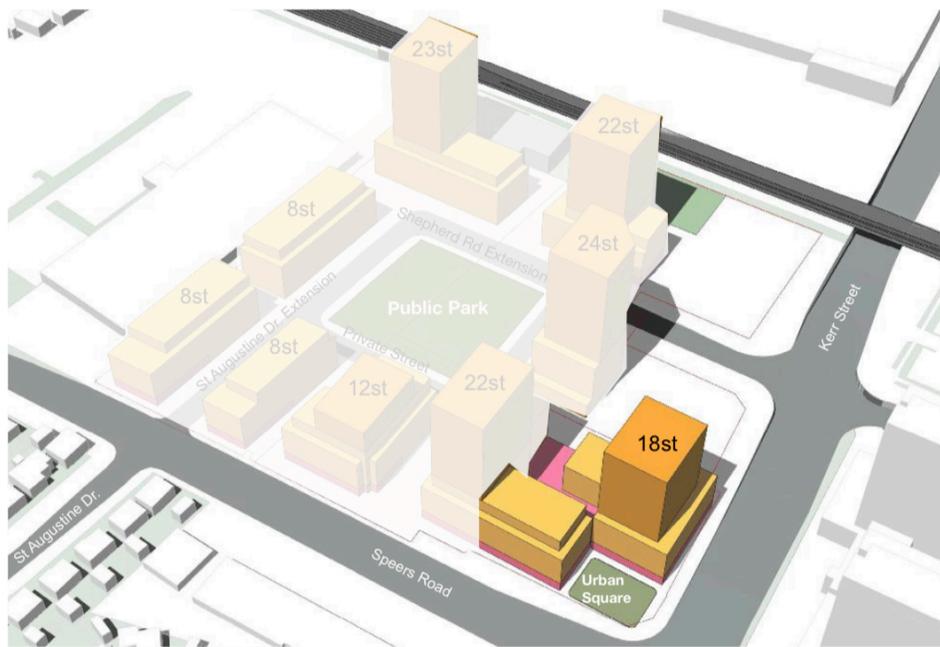


Figure 11. Phase 3 Conceptual Massing

Figure 7 – Taken from Urban Design Brief May 2022

Finally, approval is being sought for a development where one tract of land is not aligned to the development. The WKVRA strongly encourages Urban Strategies to share the development plan should 171 Speers Road not be part of this development and what the ensuing traffic flow looks like without the Metrolinks Kerr Street underpass.