Special Planning and Development Council Meeting May 23, 2023

Comments Received Regarding Item 4.1

Public Meeting Report – Town-initiated Official Plan Amendment – Midtown Oakville Urban Growth Centre (File No. 42.15.59) – May 23, 2023

Hello,

I am a resident of Inglehart Street, very close to Midtown in Ward 3.

I support intensification within current urban boundaries, rather than continue to expand into greenspace and farmland. Midtown is a prime site and should be developed.

I have two concerns.

- a) Zoning parameters need to be established that target a population density to a level which will allow Planners and Architects the degrees of freedom needed to create the exceptional community this site deserves. Over intensification, which the current FSI based parameters would allow, will inhibit this.
- For Active Transportation (ie on foot, bike) I see limited connectivity to the south and to the
 west. And, as an urban community, green space will be at a premium. As currently defined,
 Midtown is a bit of an island, the primary connections being with GO rail and the QEW.
 I would ask that the Town consider adding the following:
- 1) A safe bike path south, connecting Midtown to Lakeshore, to access downtown and greenspaces along the lake.
- 2) A safe bike path to the west, providing access to the Kerr Village area and beyond.
- 3) An extension of the current trail along 16 Mile Creek, from under the bridge at Speers connecting to the existing trail at North Service Road and Dorval.

Thank you,

Doug Plant

Inglehart Street South

May 20, 2023

CC

TCRA Directors

Councillors Haslett-Theall and Gittings

From: Bill McCreery

Sent: Sunday, May 21, 2023 3:44 PM

To: Town Clerks < TownClerk@oakville.ca; Neil Garbe < neil.garbe@oakville.ca; Gabe Charles < gabe.charles@oakville.ca; Gabe Charles < gabe.charles@oakville.ca; Gabe Charles

Cc: _Members of Council <<u>MembersofCouncil@oakville.ca</u>>; Janet Haslett-Theall <<u>janet.haslett-theall@oakville.ca</u>>; David Gittings <<u>david.gittings@oakville.ca</u>>; Mayor Rob Burton <<u>Mayor@oakville.ca</u>>; Jane Clohecy <<u>jane.clohecy@oakville.ca</u>>; 'elizabeth.chalmers'

Subject: A. Oakville - Beyond Midtown Oakville B. Draft Proposed Official Plan Amendment (OPA) No. XX, By-Law Number 2023 ### for Midtown Oakville.

Importance: High

Attention

- Town Clerk: Laura Pennal
- Neil Garbe, Commissioner of Community Development
- Gabe Charles, Director of Planning Services

Good afternoon Ms. Pennal, Mr Garbe & Mr Charles,

Following are comments and questions regarding:

- A. Oakville Beyond Midtown Oakville.
- B. <u>Draft Proposed Official Plan Amendment (OPA) No. XX, By-Law Number</u> 2023 ### for Midtown Oakville.
- A. Oakville Beyond Midtown Oakville Impact Assessment

Questions

- 1. Has Oakville studied the areas beyond the Midtown Oakville catchment area on or near Trafalgar Road, Cornwall Road, Speers Road and farther afield to determine what policies need to change to reflect the dramatically different place that Midtown Oakville will become?
- 2. If yes, please provide this information.
- 3. If no, Oakville needs to undertake this key deliverable before the draft OPA is finalized and approved.

B. <u>Draft Proposed Official Plan Amendment (OPA) No. XX, By-Law Number</u> 2023 ### for Midtown Oakville.

- "Urban Growth Centre in the 2006 Growth Plan for the Greater Golden Horseshoe, which is a document created by Ontario's provincial government."
- "Studies and activities to create a Midtown Oakville Strategy began about a decade ago and
 were intended to provide a vision of how we could transform the Midtown area into an urban
 mixed use community. At that time, Midtown was projected to provide a minimum of homes for
 13, 000 people and 7,000 jobs by 2031."
- 1. **Urban Planning:** A minimum 20,600 population forecast from 2006 is **not scalable** to 70,000/90,000+/- future population. The Town planners must demonstrate how they will achieve positive planning outcomes based on realistic higher population forecasts so that the Midtown community will foster the "...creation of a transit-supportive and complete community for people to live, work and play." Stats Canada's May 19, 2023 report identifies an increase of +137,000 paid workers jobs to the Toronto economic region including Oakville in 2022. The planning principles in the draft OPA need to be rigorously tested to determine if the planning principles will remain the same given the assumed higher population forecasts, before the draft OPA is finalized and approved for implementation.

Question: What needs to change in the draft OPA before proceeding with next steps in the OPA review and approvals process?

2. **Midtown Population Forecast:** The Town has identified a population of 20,600 (year 2006) as the baseline and stated "including overall minimum resident and job density targets"

Questions

- 1. What other population numbers has the Town utilized in the current draft OPA to test the assumptions and the validity of the draft OPA?
- 2. **Optimal Population:** What is the optimal (high/low) population number +/- for Midtown Oakville beyond which Midtown Oakville will not effectively function or be sustainable?
- **3. Minimum Population:** With takeouts, the 103 hectare area is reduced to **43 hectares** (source Janet Haslett-Theall & Dave Gittings) **with 480 people** minimum population per hectare

Minimum Population Forecast	Area	Usable Area
Hectares	103	43
Population	20,600	20,600
No. of People Per Hectare	200	479.069767

4. Residential Occupancy

"An overall mix of at least 7,875 residential units and a gross floor area ranging from 165,000 to 510,000 square metres of retail, service commercial and employment space should be accommodated to provide for a minimum of approximately 13,390 residents and 7,210 jobs."

Residents	13,390
Residential Units	7,875
No. of People/Unit	2

Question: Why is the Town only using a residential occupancy rate of 2 people for a population forecast of 13,390 residents (excluding jobs of 7,210) in 7,875 residential units? This does not align with the statement "... creation of a transit-supportive and complete community for people to live, work and play." which includes families.

5. Floor Space Index (FSI)

Building: Floor Space Index (FSI)	Examples			
Building Gross Square Feet	100,000	500,000	750,000	1,000,000
Site Footprint: Gross Square Feet	10,000	10,000	10,000	10,000
FSI	10	50	75	100

Assumption: larger building generates higher FSI. Larger building will be taller.

6. Density

Questions

- 1. **Ceiling:** Is there a cap on density in layperson terms?
- 2. **Density Ranges**: What are the density ranges (high/low +/-) for different building types?
- 3. **Density Transfers:** Define the scope, opportunities and limits of potential "density transfers."
- 7. **Changing Building Uses:** The recent Covid 19 pandemic highlights the need for building floorplate flexibility to be able to undertake Tenant Improvement Conversions from Office to Residential or from Residential to Office subject to future economic needs. This will help minimize vacant occupancies and financially stranding real estate assets classes. Currently, with many people working from home, the need for office space is diminished while the need for home office space is increased, thus impacting the size of condominium/apartment sizes to be built. Note: See proposed low occupancy rate of 2 people per residential unit. I suggest this needs to be revisited.

"The Oakville GO/VIA Station and the interchange of Trafalgar Road and the QEW/Highway 403 are major entry points to the Town. That accessibility, combined with a large amount of vacant and underutilized land, distinguish Midtown Oakville as a strategic location to accommodate both population and employment growth"

Questions

- 1. Is the majority of employment growth only located in Office Employment, Schedule L1: south of South Service Road East, north of Cross Avenue, west of Chartwell Road and east of an unidentified north/south future street?
- 2. Will the Town encourage Mixed Use Buildings that combine office and residential?
 - a. If yes, will this require the amendment of Schedule L1?
- 3. Have the Town planners developed an action plan to address this issue?

There may be additional employment associated with stores, schools, libraries et al but the majority of the employed population appears to be as I noted in above.

8. **Incentives for Development:** "The Town will work with its regional and provincial partners, to implement the plan for Midtown Oakville to provide the necessary infrastructure, programs, services, and 'incentives for development'."

Question: What are the '...incentives for development'?

9. A Master Plan, a Transportation Plan, a Parks Plan, etc.: "At this time the other plans are not in place".

Questions

- 1. When will the abovementioned studies and plans be in place? They should be in place before the OPA is approved, otherwise there will significant be gaps in the urban planning.
- 2. What other studies are required?

10.Approval

"5. If the Regional Municipality of Halton, being the Approval Authority, does not exempt this Official Plan Amendment from its approval, the Clerk is hereby authorized and directed to apply to the 'Approval Authority' for approval of this Official Plan Amendment."

Question: If Halton does not exempt this Official Plan who is the 'Approval Authority'?

I'm looking forward to your response before the OPA meeting May 23, 2023. Please report any errors and/or omissions.

Thank you.

Best regards,

Bill McCreery

From: fulvia walton

Sent: Sunday, May 21, 2023 7:02 PM

To: Town Clerks < TownClerk@oakville.ca >

Subject: May 26 Meeting - Midtown Oakville

May 26 Planning & Development Meeting

Midtown Oakville

Hello

I have been in favour of developing midtown Oakville from the beginning, however the proposed plans have changed dramatically from the original plans. I am NOT in favour of the current proposed plan.

Way too many high rise buildings that will bring unwanted congestion to an area that already has issues with traffic lights etc. I also feel the long views of our town will drastically change in an negative way.

The mayor likes that Oakville is called a 'town' and I agree with him, but despite population, Oakville's vision is to remain feeling and looking like a town. All the high rise buildings at this location does not fit that vision. This is more of what a city looks like. Let's stay a town please.

I will be incredibly disappointed if the proposed plan goes through.

Fulvia Walton

26 year resident of Oakville

From: fulvia walton

Sent: Sunday, May 21, 2023 7:07 PM

To: Town Clerks < TownClerk@oakville.ca >
Subject: File No. 42.15.59, Midtown Oakville

Midtown Oakville - Town-initiated Official Plan Amendment, File No. 42.15.59, Town-wide

Hello

I have been in favour of developing midtown Oakville from the beginning, however the proposed plans have changed dramatically from the original plans. I am NOT in favour of the current proposed plan.

Way too many high rise buildings that will bring unwanted congestion to an area that already has issues with traffic lights etc. I also feel the long views of our town will drastically change in an negative way.

The mayor likes that Oakville is called a 'town' and I agree with him, but despite population, Oakville's vision is to remain feeling and looking like a town. All the high rise buildings at this location does not fit that vision. This is more of what a city looks like. Let's stay a town please.

I will be incredibly disappointed if the proposed plan goes through.

Fulvia Walton

Cedar Grove Blvd.

26 year resident.

From: Alexander Litvin

Sent: Sunday, May 21, 2023 10:36 PM **To:** Town Clerks < <u>TownClerk@oakville.ca</u>>

Subject: My Midtown Feedback

Dear Sir/Madam,

As an resident of Oakville I believe that the Official Plan amendment must be realistic about the level of intensification 43 hectares of land can support. Proper height limit should be put in place. The plan should also be very specific to be sure we are achieving the right community services for new and exciting residents.

Best regards,

Alexander Litvin



Sir David Dr, Oakville, ON, Canada

From: Bill McCreery

Sent: Monday, May 22, 2023 11:12 PM

To: Town Clerks <TownClerk@oakville.ca>; Neil Garbe <neil.garbe@oakville.ca>; Gabe Charles

<gabe.charles@oakville.ca>

Cc: _Members of Council < MembersofCouncil@oakville.ca; Janet Haslett-Theall < janet.haslett-Theall

<u>theall@oakville.ca</u>>; David Gittings <<u>david.gittings@oakville.ca</u>>; Mayor Rob Burton <<u>Mayor@oakville.ca</u>>; Jane Clohecy <<u>jane.clohecy@oakville.ca</u>>; 'elizabeth.chalmers'

Subject: CAPACITY CAPABILITY: Draft Proposed Official Plan Amendment (OPA) No. XX, By-Law Number

2023 ### for Midtown Oakville.

Importance: High

Attention

- Town Clerk: Laura Pennal
- Neil Garbe, Commissioner of Community Development
- Gabe Charles, Director of Planning Services

Good evening Ms. Pennal, Mr Garbe & Mr Charles,

1.Midtown Oakville Population Forecast – Capacity Capability

Background

- In the Midtown Draft Official Plan Amendment dated May 3, 2023, staff identified a minimum population of **20,600** based on 2006 provincial documents.
- In a May 5, 2023 Letter from Councilors Janet Haslett-Theall (JH-T) and Dave Gittings (DG), the councilors forecasted a population range (density permissions) between **70,000** and **90,000** people to 2051+.
- In a May 9, 2023 email Attention Town Clerk I stated" 70,000 to 90,000 people is dramatically different from 20,600 people and all of Midtown's urban planning metrics need to change. It is not a scalable metric. The town needs to test the urban planning model now before proceeding. The OPA process must be paused until the urban planning model based on significantly higher population projections is proofed up. The CAO with her planning staff need to defend this current proposed OPA thesis to identify strengths, weaknesses and gaps." No response has been received from the CAO or Director of Planning to date.
- In an email communication from the Councilors JH-T & DG May 21, 2023 Ben Sprawson provided forecasted population from **125/200,000** which significantly exceed projections that staff have provided in the Midtown Draft OPA.

Α.	Column B.	Column C.	Column D.	Column E.	Column F.	Column G.	Column H.	
2	Midtown Draft OPA							Remarks
3	Year	2031	2031	2051	2051	Buildout	Buildout	
4	Population Forecast by Staff	20,600	20,600	41,000	41,000	20,600	20,600	Column E.F. source Councilors' letter - B. Sprawson
5	Population Forecast by Councilors(JH-T) (DG)	70,000	90,000	70,000	90,000			
6	Population Forecast by B. Sprawson					125,000	200,000	
7	Increased Population Magnitude C5/C4 & G6/G4	3.39805825	4.368932	1.7073171	2.195122	6.0679612	9.7087379	

Staff have a credibility issue that is negatively impacting the public's trust regarding forecasted population at capacity and more importantly, the Draft OPA itself. Given the level of uncertainty regarding the forecasted capacity population and the metrics/methodology that staff utilized, I am requesting the following:

2. Subject: Third Party Peer Review

The Town is requested to engage qualified third party peer review subject matter experts:

The Peer Review consultants shall report back to Council:

- Assess and report back on the efficacy of the population forecasting methodology utilized by staff.
 - Identify proven alternative approaches to test the population forecast for verification purposes.
- Provide a population forecast at key milestone years (i.e.: 5 year increments) to 2051 and beyond to verify staff projections.
- Given the uncertainty of the staffs' foundational population forecast, the peer review consultants shall:
 - o review, assess and make recommendations regarding the validity of the draft OPA.

- Assess and report if the Draft OPA may proceed in its current state.
- O Does the Draft OPA require revisions?
 - Marginal.
 - Medium.
 - Significant/Material revision before the planning process proceeds to the approval and implementation phase.
- The consultant to make recommendations on approaches to return the OPA to schedule to meet milestone deadlines.
- Findings are to be made public.

Please report any errors and/or omissions.

I'm looking forward to your response before the OPA meeting May 23, 2023.

Thank you.

Best regards,

Bill McCreery

From: Dorothy Dunlop <

Sent: Tuesday, May 23, 2023 6:56 AM

To: Town Clerks <TownClerk@oakville.ca>; Members of Council <MembersofCouncil@oakville.ca>;

Cc: Dorothy Dunlop

Subject: Fwd: My Midtown Feedback

Hi,

Would the following comment please be shared at the town meeting.

I feel the pretty videos about Midtown are very misleading. They show a few people beside mostly low rise buildings on sunlit streets with trees. The reality is that at 20,600 people it will be extremely crowded (and by allowing up to 120,000 people, the density could be double the density of Manhattan, the most densely populated in North America). With the tall towers the streets will be in shade and very few small trees. This over intensification is ludicrous and not necessary. The video of Midtown should reflect the depressing reality of an overcrowded concrete area surrounded by many high towers.

Dorothy Dunlop



May 17, 2023 Our Project: OL.OA

VIA EMAIL

Mayor and Council c/o Town Clerk Clerks Department Town of Oakville 1225 Trafalgar Road, Ontario, L6H 0H3

Dear Mayor Burton and Members of Council,

Re: Midtown Oakville Official Plan Amendment

Thank you for the opportunity to provide comments on the proposed Midtown Oakville Official Plan Amendment (OPA). SGL Planning & Design Inc. represents Oak-Lane Park Investments Inc., the owner of lands located at Trafalgar Road. We previously provided comments to the Town in June 2022 on an earlier version of the OPA.

We have reviewed the most recent Midtown Oakville OPA and we are generally supportive of the changes proposed. We continue to acknowledge the effort and commitment your staff have shown in advancing this important policy document, and we appreciate the modifications made in response to our June 2022 comments. However, we continue to have some comments on the latest draft OPA.

Policy 20.3.7 c) on built form states that where multiple towers are provided on a block, they should vary in height from one to another by a minimum of 20 metres. While we appreciate the reduction from the previous version of the OPA which required 25 metres, the variation of 20 metres continues to be arbitrary and onerous. For instance, if there are four towers on a site, does that mean there still needs to be a variation of 60 metres from the shortest to tallest tower? In our opinion, the policy should not set out a specific measure but rather set out the principle for a distinct skyline which will be implemented through the Area Design Plan and subsequent site plan approval. We have noted the change to this policy regarding development sites where two or more towers of the same height makes for an important design feature, and we appreciate the consideration.

Policy 20.3.7 f) has been changed from a maximum podium height of six storeys to a maximum podium height of 25 metres. We appreciate the increased height permission for podiums;



however, we are concerned about a specific metric number that doesn't equate to storeys. For instance, with a ground floor height of 4 metres and a 3 metre floor to ceiling height for the remaining floors, 8 storeys could be accommodated. However, if a ground floor height of 4.5 metres was found to be desirable from an urban design perspective, an OPA would be required for 8 storeys. That is an onerous approach. We would suggest that 25 metres be replaced by 8 storeys which gives flexibility in the floor to ceiling heights.

A "Future Local Road" is proposed to the west of Trafalgar Road, as shown on Schedule L3 (Midtown Oakville Transportation Network) with a minimum width of 22 metres. A width of 22 metres is excessive for a local road right-of-way when other *collector* roads in Oakville have a width of 22 metres. In our opinion, 20 metres would be sufficient.

Policy 20.6.3 a) provides new language requiring that a landowners' group be established for the purposes of administering a cost sharing agreement among landowners to ensure that the costs associated with development (parkland, parking, infrastructure, servicing, etc.) are distributed in a fair and equitable manner. Policy 20.6.3 b) states that individual developments in Midtown Oakville shall generally not be approved until the subject landowner has become a party to the landowners' cost sharing agreement. We support these policy changes and look forward to the first landowners' group meeting. We expect that this collaboration will provide the opportunity to ensure that infrastructure is planned to provide capacity to support future development on all sites in the area.

We look forward to continuing to work with staff and members of Council through the OPA approval process.

Yours very truly,

SGL PLANNING & DESIGN INC.

Paul Lowes, MES, MCIP, RPP

c.c. Geoff Abma
Gabe Charles

Oak-Lane Park Investments Inc.

/Volumes/SGL Server Data/Projects/OL.OA Oak Lane Park Investments_Oakville /Correspondence/Letters/Comment on Midtown OPA May 2023 docx



Project No. 22172

May 23, 2023

Sent Via Email to: TownClerk@Oakville.ca and Geoff Abma, Senior Planner Town of Oakville (geoff.abma@oakville.ca)

Town of Oakville Planning and Development Council 1225 Trafalgar Road Oakville, ON L6H 0H3

Re: Item 4.1: Midtown Oakville Growth Area Review
Town of Oakville Planning and Development Council Meeting, May 23, 2023
Draft Proposed Town-initiated Official Plan Amendment

We are planning consultants for Distrikt Developments ("Distrikt"), the owners of approximately 11.5 acres of land in Midtown Oakville ("Midtown") across multiple properties. We are writing on Distrikt's behalf with respect to the Midtown Oakville Growth Area Review, specifically the draft proposed Town-initiated Official Plan Amendment ("draft OPA") dated May 3, 2023.

Distrikt currently has three (3) active development applications in Midtown, located at: 1)

Cross Avenue and Argus Road; 2) South Service Road; and 3)

Argus Road¹. Each of the three applications contemplate the redevelopment of the respective lands with a multi-tower mixed-use development containing a range of land uses and open spaces, and were deemed complete prior to the release of the May 2023 draft OPA. In addition, Distrikt has also partnered with The Remington Group on the consolidation of Cross Avenue².

Our client has been an active participant in the Midtown Oakville Growth Area Review process. On Distrikt's behalf, our office filed formal comments on March 22, 2021, and June 7, 2022 with respect to the previous iterations of the draft OPA.

¹ Development Application 1 Ownership Entity Oakville Argus Cross LP (co-owners with The Sud Group) Development Application 2 Ownership Entity 166 South Service nc and Development Application 3 Ownership Entity 590 Argus LP
² 157 Cross Avenue is owned by Ankara Realty Limited (The Remington Group) and 165 Cross Avenue is owned by 165 Cross LP



Distrikt continues to be generally encouraged by the vision City Planning Staff have presented for Midtown. However, on behalf of Distrikt, we respectfully submit the following comments on the revised proposed policies in the draft OPA related to parkland / public realm, built form, land use, parking standards and future roads, density, public service facilities, cost sharing and block planning. Our comments are discussed in greater detail below.

Parkland/Public Realm

We acknowledge that Town Staff have amended Section 20.3.3 of the draft OPA, which relates to Midtown's public realm. Town Staff have further defined the components of the public realm, which includes promenades. We request that the Town use the word "generally" rather than "substantial" when describing promenades as linear spaces to achieve variability in the depth of the promenade rather than a fixed linear approach. In our opinion, this policy modification would not deter from the intent of the provision, but rather allow for flexibility in the design of the promenades.

Further, with respect to draft Policies 20.3.3(j) and (k), it is unclear why two policies have been proposed to address the depth of the planned promenades, with one allowing for a reduction "to enable building articulation and other variability". We request that the Town consider moving forward with the 10-metre minimum depth, set out in draft Policy 20.3.3(k), but subject to a maximum that does not exceed 10 percent of the land area for sites 5 ha or less, as per the framework set out by the Planning Act, as amended by Bill 23. As well, we request that the Town clarify what "other variability" means in this draft policy.

As discussed in our other comments below, we request that the draft OPA clarify when an Official Plan Amendment is required for Schedule modifications. We request that the Town modify draft Policy 20.3.3(i) to allow for a change to the size of public realm elements, shown on Schedule L4, to not require an Amendment to the Official Plan.

The draft OPA contains policies related to privately-owned publicly accessible open spaces (POPS), and our comments relate to draft Policies 20.3.3(I) and 20.3.6(e). We request that the Town consider providing credit towards the required parkland dedication for the provision of POPS in new developments, in light of the framework set out by the Planning Act, as amended by Bill 23, and future regulations that may be established by the Province. Considering the sizeable POPS currently being proposed by Distrikt through their applications, it would be appropriate for parkland dedication credit to be



considered. Moreover, draft Policy 20.3.6(e) currently directs mid-block connections, shown on Schedule L4, to be provided as POPS. Our recommendation is to permit these POPS, among others, to be credited towards the parkland dedication requirement if the POPS are to be required.

Similarly, we request that the Town clarify if there is an opportunity to introduce flexibility into draft Policy 20.3.6(i), as it relates to the location of utility and other similar infrastructure. As this component of a development can be dictated by external agencies, it is our request that the Town revise the proposed policy from "shall be located" to "are encouraged to be located".

Built Form

As a comment of clarification, we recommend the Town amend draft Policy 20.3.7(a) from "tall buildings should be designed to the highest architectural quality..." to "tall buildings should be designed with <u>high quality architecture</u>...". It is our opinion that this better achieves the intent of the policy and provides greater clarification.

With respect to draft Policy 20.3.7(b), which relates to built form impacts, the first part of the provision reads, "buildings shall be designed and sited to maximize solar energy, ensure adequate sunlight and skyviews, minimize wind conditions..." (our emphasis). We recommend the Town replace the term "shall" with "should" at the start of the draft policy. For further consideration, we recommend the Town replace the words "maximize" and "minimize", with "take advantage of solar energy" and "mitigate wind conditions", which would continue to achieve the intent of the policy, while not suggesting an extreme one way or another.

As it relates to the built form attributes of a podium and tall element of new developments, it is our recommendation that draft Policies 20.3.7(c), (d), (f), (g) and (h) be revised to reflect the standards applied in other municipalities with existing and emerging urban centres. While we acknowledge that the term "generally" is used in these policies, which promote a degree of flexibility, it is our recommendation that the Town modify the proposed policies as noted below:

• the minimum 20 metre height variance between multiple towers set out in draft Policy 20.3.7(c) **should be reduced to 9 metres**, which represents up to 3-storeys. The current policy would see a variation of up to 7-storeys.



- the minimum tower separation distance of 30 metres set out in draft Policy 20.3.7(d)
 should be reduced to 25 metres;
- the maximum podium building height of 25 metres, as set out in draft Policy 20.3.7(f)
 should consider the variation in right-of-way widths throughout Midtown;
- the minimum 5 metre tower stepback above a podium building, as set out in draft Policy 20.3.7(g), should be reduced to 3 metres, while maintaining the intent of the policy; and
- add an additional explanatory policy that will consider tower floorplates that exceed 750 square metres, if and when the impacts of such floorplates are addressed. Given the functional and mechanical requirements for some tall buildings, a floor plate larger than 750 square metres may be required and/or desirable. We continue to support the evaluation of a proposed tall building against its built form impacts as a metric for the appropriateness of larger floorplates.

Land Uses

The draft OPA continues to provide for policies related to land uses in new developments. Draft Policy 20.3.7, subsections (j) and (k) relate to the ground floor uses in new developments. Draft Policy 20.3.7(j) provides that "retail and service commercial uses shall be provided on the ground floor of mixed-use buildings that directly front onto an arterial or collector road..." and Policy 20.3.7(k) states that "where provided, ground floor retail and service commercial uses shall be continuous along a frontage, interrupted only by building lobbies, transit station entrances, or other public or institutional uses. A minimum of 70% of the frontage along the ground floor of the building shall be devoted to retail, service commercial or public uses, unless it can be demonstrated that there are functional or operational constraints that warrant relief, as determined through the planning approval process" (our emphasis). The above mentioned draft policies, in their current form, exclude non-residential community services, such as a daycare, and other potential active uses that may be appropriate for the ground floor of mixed-use developments along street frontages. It is our recommendation that the Town expand the list of land uses permitted on the ground floor of a new development to include non-residential uses and active uses such as civic, cultural, community services and recreational uses. These uses would be consistent with the intent the policy, which is to have active uses framing the public streets and contribute to Midtown developing as a complete community.

The above recommendation is also applicable to draft Policy 20.4.1(b) in that the Town should expand the list of land uses or use an umbrella term, such as "non-



residential uses", to capture a range of land uses appropriate for the ground floor of a new building.

As it relates to lands within the Urban Core or Urban Centre designations, draft Policy 20.4.1(a) provides that "redevelopment for retail and service commercial should maintain floor space to provide for a similar number of jobs to remain accommodated on-site". On behalf of Distrikt, we recommend that the Town amend the draft policy to allow for flexibility in the replacement of floor area and provision of jobs by using the words "are encouraged to" rather than "should", as an example.

Parking Standards

The draft OPA includes policies related to parking, and those to support the creation of "transit-supportive communities". Draft Policy 20.2.2(c) speaks to the reduction of parking standards <u>over time</u> to promote transit ridership and facilitate mixed-use development. Similarly, draft Policy 20.3.14(a) speaks to the implementation of minimum and maximum parking standards, specifically:

"Reduced minimum parking standards, and the use of maximum parking standards, shall be considered in the implementing zoning and through the planning approval process. It is the intent that the requirement and/or need to supply parking associated with development will <u>progressively diminish</u> as access to higher-order, frequent transit and active transportation facilities increases as Midtown Oakville becomes a complete community <u>over time</u>." (our emphasis)

We request that the Town provide for the implementation of alternative parking standards for Midtown as the area currently has access to higher-order transit (i.e. the GO Station). The proximity of these new developments to the higher-order transit station will not change over time.

Future Road Network

As it relates to the internal road network of Midtown, the draft OPA continues to set out planned right-of-way widths and alignments in Schedule L3. Within the text of the draft OPA, draft Policy 20.3.5(d) provides that changes to the requirements, location or alignment of roads, among other infrastructure, will not require an amendment to this plan. However, this same flexibility is *not* provided for the widths of future rights-of-way as set out in draft Policy 20.3.5(e). We request that the Town allow the width of a future right-of-way to also be



modified without an amendment to the Official Plan. The current planned widths have not been studied against future and proposed development within Midtown. It is our recommendation that the draft OPA permit flexibility of a lesser right-of-way width if there is technical support for modification.

Further, draft Policy 20.3.5(g) provides that "the town may require the early conveyance of rights-of-way, prior to development, to complete the street network." Given the complexity and considerations for large development sites (i.e. phasing), we request that the Town modify the term "require" to "consider" or "seek" and note that timing of any conveyance will be discussed during the application review process, as we are not aware of any authority to "require" the early conveyance of rights-of-way prior to development. We would like to further discuss with Town Staff the appropriate mechanisms for the conveyance of land.

Density

As it relates to development density, we acknowledge that the draft OPA continues to provide a range of permitted densities for the various land uses in Midtown (see draft Section 20.3.8 and Schedule L2). As stated in Distrikt's formal application submissions to the Town, it is our opinion that it is reasonable to establish the appropriate density based on specific built form design, context and urban structure considerations, rather than on the basis of density numbers. We recommend that the Town incorporate more flexible language as it relates to density and remove the cap as the evaluation of impacts should be the driver of built form, height and density. However, if the density cap were to remain, we recommend that the Town increase the number to permit flexibility in built form design of new developments. By placing a lower density cap, this may limit the development potential of sites and not optimize the efficient use of land to meet the population and employment targets for the Town.

Public Service Facilities and Infrastructure

We acknowledge that the draft OPA incorporates a new section and policies related to education facilities (see draft Section 20.3.10). With respect to draft Policies 20.3.10(a)(i) and (ii), we request that the Town make the regional school board(s) review of the application as part of the application circulation process, as seen in other municipalities in the GTA.

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In addition, draft Policy 20.3.11(d) states that "development <u>may be required</u> to contribute to the delivery of community service facility, through contributions to a community benefits charge, needs identified through the planning approval process or other Town master plan or strategy by providing..." (our emphasis). It is our understanding of provincial legislation related to Community Benefit Charges that an in-kind contribution must be agreed upon by both the landowner and the municipality. With this in mind, the draft policy, as currently proposed, appears to imply that the Town may require an in-kind contribution. As such, we request that the Town amend the language "may be required" to "may consider a contribution to the delivery of...", and add the term "in-kind" before "contributions to a community benefit charge", to ensure consistency with provincial legislation.

Similar to the above, draft Policy 20.6.6(c) provides that "[...] the town <u>may require</u> new development to provide additional amenities, land uses, or services, where deficiencies are identified, as part of a planning approval" (our emphasis). It is our recommendation that the Town amend the language of the draft policy from "may be required" to "may encourage".

Cost Sharing

In the latest version of the draft OPA, a new section has been introduced that relates to a landowners' agreement and cost-sharing (see draft Section 20.6.3). More specifically, draft Policy 20.6.3(a) provides that "development shall only be permitted when a landowners' group has been established for Midtown Oakville..." (our emphasis). On behalf of Distrikt, we request that the Town apply more permissive language for this policy to ensure that there is no delay to the development of Midtown. The establishment of a landowners group can be framed as a general approach to implement appropriate and reasonable measures that may include a landowners group and cost sharing agreement.

Block Planning

As mentioned in previous submissions by our office, the draft OPA includes policies that relate to block planning and area design plans. More specifically, draft Policy 20.6.4(a) includes a list of criteria for an area design plan. We request that the Town remove subsections (v) to (xii), as these aspects of a proposal, including density, housing types, parks, and stormwater management facilities, etc. are far too prescriptive and site-specific for an adjacent landowner to comment or opine on.



We would be happy to meet with you to discuss our comments. If you have any questions regarding this letter, please do not hesitate to contact the undersigned.

Kindly ensure that we are notified of any decision made by Planning and Development Council regarding this item, including the adoption of an OPA for Midtown.

Yours very truly,

Bousfields Inc.

Tyler Grinyer, MCIP, RPP

cc: Sasha Lauzon, Distrikt Developments

Marcus Boekelman, Distrikt Developments



May 23, 2023

Project No. 2373

Sent Via Email to: TownClerk@Oakville.ca

Mayor and Council c/o Town Clerk Clerks Department Town of Oakville 1225 Trafalgar Road, Oakville, ON L6H 0H3

Dear Mayor Burton and Members of Council,

Re: Item 4.1: Midtown Oakville Growth Area Review

Town of Oakville Special Planning and Development Council Meeting,

May 23, 2023

Draft Proposed Town-initiated Official Plan Amendment

As you are aware, we are planning consultants for the Owners of the properties municipally known as Cross Avenue in Midtown Oakville (the "subject site"). We are writing on the Owners behalf with respect to the Midtown Oakville Growth Area Review, specifically, the draft proposed Town-initiated Official Plan Amendment ("draft OPA") dated May 3, 2023.

The Owners are encouraged by the most recent draft OPA and the vision City Planning Staff have presented for Midtown Oakville. However, we respectfully submit the following comments on the revised proposed policies related to built form, land use, future road network, and density. Our comments are discussed in greater detail below.

Built Form

As it relates to the built form attributes of a podium and tall element of new developments, it is our recommendation that draft Policies 20.3.7 (d) and (g) be revised to reflect the standards applied in other municipalities' existing and emerging urban centres. It is our recommendation that Town Staff consider modifying the portion of the policies noted below in **bold**:



- Policy 20.3.7 (d) we recommend the policy read as "The distance between the facing walls of towers shall be a minimum of 25 metres." to be more in keeping with minimum separation distances used in other urban areas in Ontario;
- Policy 20.3.7 (g) we recommend the policy read as "For tall buildings along public streets or publicly accessible amenity space, a stepback between the podium base and tower portion should be provided that is generally no less than 3 metres to reinforce the character of the public realm."

Land Uses

The draft OPA continues to provide for policies related to land uses in new developments. Draft Policy 20.3.7, subsections (j) and (k) relate to the ground floor uses in new developments. Draft Policy 20.3.7(j) provides that "retail and service commercial uses shall be provided on the ground floor of mixed-use buildings that directly front onto an arterial or collector road..." and Policy 20.3.7(k) states that "where provided, ground floor retail and service commercial uses shall be continuous along a frontage, interrupted only by building lobbies, transit station entrances, or other public or institutional uses. A minimum of 70% of the frontage along the ground floor of the building shall be devoted to retail, service commercial or public uses, unless it can be demonstrated that there are functional or operational constraints that warrant relief, as determined through the planning approval process" (our emphasis).

It is our recommendation that Town Staff consider expanding the list of land uses permitted on the ground floor of new development to include non-residential uses and active uses such as civic, cultural, community services and recreational uses. These uses would be consistent with the intent of the policy, which is to have active uses framing the public streets and contribute to transforming Midtown Oakville into a complete community.

The above recommendation is also applicable to draft Policy 20.4.1(b) in that Town Staff consider expanding the list of land uses or use an umbrella term, such as "non-residential uses" to capture a range of land uses appropriate for the ground floor of a new building.

Future Road Network

As it relates to the internal road network of Midtown Oakville, the draft OPA continues to set out planned right-of-way widths and alignments in Schedule L3. Within the text of the draft



OPA, draft Policy 20.3.5(d) provides that changes to the requirements, location or alignment of roads, among other infrastructure, will not require an amendment to this plan, however, this same flexibility is *not* provided for the widths of future rights-of-way as set out in draft Policy 20.3.5(e).

We request that Town Staff consider allowing the width of future rights-of-way to also be modified without an amendment to the Official Plan. The current planned widths have not been studied against future and proposed development within Midtown. It is our recommendation that the draft OPA permit flexibility of rights-of-way width if there is technical support for modification. The widening of Cross Avenue to 35 metres has a significant impact on our clients' lands and in particular, the depth of their site.

Density

As it relates to development density, we acknowledge that the draft OPA continues to provide a range of permitted densities for the various land uses in Midtown Oakville including a minimum of 4.0 FSI and a maximum of 10.0 FSI on the subject site. It is our opinion that it is more reasonable to establish the appropriate density based on specific built form design, context and urban structure considerations, rather than on the basis of density numbers.

We recommend that Town Staff remove the density maximums from the OPA as appropriate built form and associated impacts should take precedence over a density number. In our opinion, limiting the optimization of the Site is in contrast to overarching Provincial policy directions.

Furthermore, draft Policy 20.3.8(b) further restricts lands which are less than 2,500 square metres by only allowing a density of 0.25 FSI above the minimum density shown on Schedule L2.

It is our opinion that this restriction prematurely reduces the subject site's redevelopment potential and fails to provide full optimization of the lands in a transit supportive manner. It is also not clear as to why 2,500 square metres was chosen as the threshold. We recommend removing this policy altogether.

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We thank you for this opportunity to provide feedback on the latest draft OPA policies for Midtown and would be happy to meet with you to discuss our comments.

If you have any questions regarding this letter, please do not hesitate to contact the undersigned.

Yours very truly,

Bousfields Inc.

Tyler Grinyer, MCIP, RPP

cc: Geoff Abma, Senior Planner

Gurd Sanghera Pav Sanghera Balbir Sanghera



106-482 South Service Road East Box 177 Oakville, ON L6J 2X6

www.tcra.ca info@tcra.ca





May 23, 2023

DRAFT MIDTOWN OFFICIAL PLAN AMENDMENT, RELEASED MAY 3, 2023.

The Trafalgar Chartwell Residents' Association (TCRA) wants Midtown to be developed and endorses the vision for a "complete community" in the Draft Official Plan Amendment, or OPA, for Midtown. We would like to acknowledge the significant time and resources the Town of Oakville has put into preparing this.

This letter accompanies the PowerPoint presentation which will be delivered tomorrow night at the Special Planning and Development Council meeting.

This OPA, once approved, will fix the upper limits for what can be built on the developable land in Midtown. As a result, these upper limits will fix the value of the land concerned making it difficult for any future Oakville Councils and Provincial Governments to roll back these limits. Providing public green space, without having to purchase it from either developers or Crown agencies of the Provincial Government, such as Metrolinx, is paramount to the success of this new community.

We believe that the Official Plan Amendment, as currently written, will result in much greater density in Midtown Oakville than required by provincial mandates, even in the first phase up to 2031. What happens in that first phase will set the tone and character for the new community that will continue to be developed through 2051 and beyond.

In response to the OPA, it states on page A-7 that Midtown "comprises an area of approximately 103 hectares bounded by the QEW/Highway 403 to the north, Chartwell Road to the east, Cornwall Road to the south and the Sixteen Mile Creek Valley to the west". Although later in the document, the same description contains a phrase "less the" rail corridor and other Metrolinx lands, hydro lands, etc., we know that the *actual* developable land could be as little as 43 hectares. The TCRA believes that the OPA should define Midtown in terms of the developable hectares since the population requirement is mandated as residents or jobs per hectare. 103 hectares is misleading as it impacts density. This same misleading figure is used in item 20.3.2 on page A-10. It's simply a matter of accuracy.

We object to the use of Floor Space Index (FSI) as a guide for the size of buildings. This is partly because our members – ordinary citizens of the neighbourhood – have difficulty understanding this method of measurement, therefore do not understand what their elected representatives are approving. In addition, and most importantly, it can result in nearly limitless possibilities when it comes to massing and height. We also object to approving FSI of between 4 and 10 for the majority of the developable land in Midtown, approximately 43 hectares.

We understand that the province has limited the Municipalities' power to control growth areas like Midtown. However, we believe that the OPA should contain guidelines that reflect how Oakville can accommodate the minimum required population that the Province has mandated, without resulting in extreme population density. In light of recent Provincial edicts, removing the Municipalities' ability to restrict building heights, FSI is the zoning tool of choice to control what can be built by developers.

The TCRA accepts the provincial targets and believes that they, while denser than anywhere else in Oakville, can be consistent with the development of a complete community, subject to defining what constitutes a complete community.

TCRA loves crunching numbers, so here are some that you may find startling:

FSI of between 4 and 10, which is what is being proposed for the majority of the developable area of Midtown which is approximately 43 hectares. This means that theoretically up to 430 hectares (4.3M sq m or 46M sq ft) of floor space could be constructed. A hectare is 10,000 sq m or 107,639 sq ft.

For example, if the average unit size was 800 sq ft, with 2.2 people per unit (Provincial figure), that equates to 126,500 people if every developer builds to the maximum FSI, without taking any FSI exemptions into account.

46,000,000 / 800 = 57,500 housing units

 $57,500 \times 2.2 = 126,500 \text{ residents}$

This is without taking into account the jobs to be created in midtown. The Town assumes a 65/35 split between people and jobs, thus there would be an additional 68,100 jobs in Midtown, taking the density of Midtown to 194,600. When allocated over 43 hectares, this a density of 4,525 people and jobs per hectare.

As per 20.3.7 (h) of the OPA, limiting the floor plate to 750 sq m, will allow for a tower of 53 stories to achieve FSI of 4 on a one hectare site. This could be divided into several smaller towers, say 14, 18 and 21 stories.

(4x 10,000) / 750 = 53.333

Using FSI instead of building height limits for the Midtown density target for people and jobs has the potential to allow significantly higher density than the Province's target of 41,200 by 2051. Human nature being what it is, the TCRA expects that many developers will choose to build to the maximum allowed on their properties. Assuming this, the potential exists for the future built-out density (people and jobs) of Midtown Oakville could approach that of Manhattan today. That would not be Livable Oakville! The TCRA strongly opposes this for Midtown Oakville.

The TCRA believes that Midtown Oakville has to offer more than the high-density areas we are already seeing in Mississauga, Vaughan, Markham, North York and the like. There is a rush by current Midtown landowners to build many, many tall towers containing as many as 70% + single bedroom, 600 sq ft, or smaller, units. We do not believe that that is how we make Oakville more attractive than these other GTA destinations.

With units of that size the target demographic would be 20 to 40 year old singles and couples with very few children. What do they require for recreation? Pubs? Night clubs? Bars? Gyms? Running, walking, biking tracks? And, most importantly, will buildings of this nature provide the much-needed housing that Midtown densification is intended to provide?

Developments like this are also missing the mark on parking and traffic volume. Residents will still need to access cars, whether it be their own, rideshare, taxis, or on-demand rental cars. Parking will be required for these cars as well as for the food and shopping delivery vehicles, plus those providing maintenance to these massive buildings. Even if development only meets the minimum provincial population targets, the roads in, and around Midtown, will be a nightmare of congestion due to the vehicles associated with high population density. The OPA says a transit-supportive community will be created by "reducing parking standards <u>over time</u>", yet some of the first development applications to be submitted are asking for 0.5 parking spots per unit. That is not a reduction "over time". Societal change takes time and building good, efficient transit takes time.

On page A-8 of the OPA in section 20.2.1, item c), and also on subsequent occasions in the document, it is stated that this complete community will be created by "ensuring a high standard of urban design and architectural quality". While some, maybe many, of our residents would be less opposed to increased height if this were the case, we are baffled by how something over which the Town has no control can be written into the OPA.

Affordable housing is referenced several times in the OPA. We feel that, due to its importance, and to understand the ways in which it can be integrated into the Midtown community, this phrase requires a definition in a document such as this, as that terminology is used differently in different jurisdictions (region, municipality, province) and there are multiple jurisdictions involved in Midtown.

We understand that the Town has now employed consultants to assist with the development of master plans for each facet of Midtown development. We believe that the public and final OPA would benefit from a special committee that reviews the OPA with urban planning experts, reviews population forecasts and the completion of the master plans that will provide key inputs into building the complete community, such as the parks, recreation and library plans.

Let's allow development of 4 FSI, in varying unit sizes that allow both young singles, as well as families with children, to move in and become part of our community. Let's put green space in the form of attractive parks, playgrounds and walking trails safely linking the various parcels of land currently being proposed for development. Let's create a legacy we can be proud of, for the future residents and future generations who will live here.

The future of Oakville is in your hands!

Sincerely,
Board of Directors
Trafalgar Chartwell Residents' Association



May 23, 2023

Re the Special Planning and Development Council, Midtown Official Plan Amendment

Dear Mayor and Council Members:

West River Residents Association understands the need for this development and we support this Official Plan Amendment in principle.

But collectively, we must do whatever is in our power to ensure that Midtown is <u>planned</u> as a vibrant, livable community.

The artists' renditions in the Official Plan Amendment presentation look wonderful. The descriptions sound appealing. But the aspirational tone laid out in this Official Plan Amendment is lacking any semblance of specifics on how we get to that and there is no framework on what Midtown might be expected to be. We feel there are too many questions unanswered as the OPA is structured now.

We are concerned about the lack of any criteria/estimates/targets on so many vital pieces of this puzzle – breakdown of residential mix, density, building heights; schools, parks and green spaces, recreational opportunities, retail facilities and much more.

We think this present draft is a significant missed opportunity to articulate what we want Midtown to be and how to bring forward a plan to make it successful.

We fully understand that much depends on proposals brought forward by developers. But without an overarching focused vision and some parameters, it is unlikely what we get will match the expectations or potential.

The public education/input process has been squeezed into a very short time period. Many in the community don't feel like they can support the project as it's presented in the OPA.

We recommend "fleshing out" the OPA, developing a more comprehensive community outreach plan to educate the public, get some of the questions answered and build support.

Ted Haugen (for President Nicole LeBlanc)

Tuesday, May 23, 2023

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

Attention: | Geoff Abma, Senior Planner

Davis Road (Subject Lands).

Re: Statutory Public Meeting (May 23, 2023): Midtown Oakville Official Plan Amendment Formal Comments to the Proposed Amendment to the Livable Oakville Plan

On behalf of 1539059 Ontario Inc. (Client), Corbett Land Strategies Inc. (CLS) is pleased to provide this formal letter to Council to provide our formal comments on the Draft Midtown Oakville Growth OPA, dated May 3, 2023, as it relates to the lands legally described as Part of Lot 12 Concession 3 South of Dundas Street, Town of Oakville, municipally

Background

known as

CLS has made previous formal submissions to the two previous 2021 and 2022 drafts of the Draft Midtown Oakville OPA. The comments included concerns regarding land use, density, intensification targets and the proposed road network configuration, which would result in an expropriation that would create land fragmentation which will greatly undermine the development potential of the subject lands. Following these submissions were two pre-consultation meetings conducted in 2022 with Town staff to present the proposed development on the subject lands and demonstrated the full development potential of the lands that will ultimately support the vision of the Midtown Oakville Growth Centre (MOGC).

First Formal Submission

On April 28, 2023, CLS succeeded its first formal submission to the Town of Oakville for the proposed applications for an Official Plan Amendment and a Zoning By-law Amendment to facilitate a 58-storey mixed-use residential development. This proposed development will assist the Town of Oakville achieve its intensification targets for the Midtown Oakville Growth Centre (MOGC). The proposed mixed-use building will comprise of a total of 388 residential apartment units, above ground retail, restaurant, and office spaces. The proposed mixed-use development will yield a density of 9.75 FSI which aligns with the maximum 10 FSI target by the Town of Oakville.

On March 2, 2023, a hybrid Public Information Meeting (PIM) was conducted and attended by a total of ten (10) members of the public and the respected councillors of Ward Three (3). CLS provided an extensive and detailed overview of the proposed mixed-use development and answered all the raised concerns which included the proposed road network.

On May 18, 2023, we received a Notice of Complete Application for the Official Plan Amendment and Zoning By-law Amendment (File No. OPA 1612.15 and Z.1612.15).

Formal Comments to Draft Proposed Midtown Oakville OPA, dated May 3, 2023

In reviewing the new draft for the Midtown Oakville OPA, we believe that it is proceeding to the right direction as it does not demonstrate a fragmentation of the subject lands. We are pleased that Town staff is open to conduct further study and find alternative ways on road configuration of South Service Road and Davis Road. Furthermore, we are pleased to know that the proposed densities on MOGC are being maintained and lastly, that the Urban Core land use is now entirely designated on the subject lands. Although, these changes to the draft OPA are positive to our lands, this does not confirm our issues has been resolved. We are aware that this is only a draft and future approved road configuration may impact our subject lands. That said, we would like to reserve our appeal rights to preserve the density and preferred road network which would not impact the subject property's size and configuration.

Traffic Analysis prepared by C.F. Crozier & Associates Inc.

As part of the submission to the Town, we submitted a traffic analysis to accurately characterize the impacts on traffic with and without the underpass off-ramp. According to the analysis, the intersection of Trafalgar Road and QEW EB off-ramp is projected to operate without material change in level of service in the p.m. peak hours, with or without the underpass off-ramp. Although it demonstrated that there is an expected delay for the scenario without the underpass off-ramp, the projected p.m. peak hour operations in the 2031 horizon under both scenarios is typical for the peak commute hours of a high volume major arterial and highway off-ramp intersection, operations are expected to be better during the rest of the day. Furthermore, the implementation of a second auxiliary right-turn lane, operations can be greatly improved in the future with the subject improvement without need for the MOCEA underpass off-ramp.

Recommendation

Based on the foregoing, we strongly encourage planning staff during their study on road and traffic configuration this summer and spring 2023 to consider utilizing the existing Davis Road alignment for the proposed extension to be more efficient and sustainable as this alternative option will utilize existing municipal infrastructures. We also request that the MTO explore adding a second right-turn storage lane to the QEW eastbound off-ramp connection to Trafalgar Road in the future (i.e., beyond 2030) if traffic volumes follow the pattern forecast by the MOCEA. Such an improvement would be significantly less complex and cost effective than the potential MOCEA underpass off-ramp improvement.

We hope that the above comments will be considered in the approval of the Draft Midtown Oakville Growth OPA. We will continue to participate in the discussions on this important endeavour and appreciate the effort gone into this work to date. Please do not hesitate to contact the undersigned should you have any questions or required anything further.

Sincerely,

John B. Corbett, M.C.I.P., R.P.P.

Corbett Land Strategies Inc.

John Corbett

President

WE LOVE OAKVILLE

Delegation to Oakville Town Council May 23, 2023 Midtown OPA

WLO is a consortium of Residents Associations in Oakville Individual RAs will be delegating with more specific issues from the perspective of their members.

To save time and avoid some duplication, our delegation is high level and covers key issues we are concerned with.

The current housing environment in Ontario is driven by high prices, low inventory and projections of high levels of new immigrants needing places to live

The Provincial Gov't has passed several bills designed to speed up construction and reduce time and cost for developers to produce units to meet a target of 1.5 million new homes over the next 10 years. These create significant financial and social risks to communities while reducing zoning restrictions on developers.

29 Ontario municipalities have signed Housing Pledges to the Province which essentially means we are competing for new housing starts.

As Midtown will be the largest project in Oakville's history, now is the time to work together to make sure we get it right That means at least consistent with past quality of our Town planning and high level of residents' satisfaction with our Oakville neighbourhoods. This OPA is a guiding document for town planners and to a large extent an aspirational document for us to meet our ambitious Housing Pledge. It does not set any rules for developers.

Oakville has pledged 33,000 new homes over the next 10 years. As such, we are competing with the other growth centres in GTHA for new residents.

We think Midtown can be a unique neighbourhood reflecting Oakville's spirit and lifestyle rather than just another high rise destination. We need this OPA to show how can we be different and better than the competition.

We believe that our new neighbourhood should be developed based on liveabilty, sense of community and quality of life rather than price per square foot

We want this Official Plan Amendment to firmly reflect that:

- There needs to be a balanced mix of singles, families, and seniors units to create a "livable community", not huge towers filled with small units for first time buyers
- Midtown amenities need to include adequate green spaces that are interesting, useful and accessible to all residents and visitors to Oakville.
- There will be a focus to provide local employment for residents of Oakville and Midtown
- There must be financial fairness for both current and future tax payers in Oakville

Concerns we share with residents

Oakville will incur significant expenditures to provide services for Midtown. With reduced development charge recoveries this creates significant financial risks to existing residents

Oakville has signed a significant housing pledge. Are we confident in our population estimates (which seem to be moving targets) which will be used to guide the development of services and infrastructure?

There will be considerable pressure on Cornwall and Trafalgar Roads, neither of which can be widened. Have mitigation factors been planned sufficiently?

There will be considerable pressures on police and fire services, transit, child care spaces and social services.

Parkland and green space is extremely limited within the development. Are existing facilities north and south of the QEW able to handle this increase in population? Will they be accessible?

School and school transportation capacity is already stretched to the limit. Can we find classrooms for our new children?

The renditions of Midtown at "town halls" are "eye candy" as they show townhouses, wide open green spaces and lots of blue sky – clearly not realistic? What will it really look like??

We have referred to reduced DC recoveries and financial risk incurred by the Town of Oakville. However, permitted projects have no deadline or deliverables on behalf of the developers. How is this fair? Are there contingency plans if targets are not realized?

We see only applications for high density residential towers with lower blocks allocated for commercial purposes. Do we anticipate significant employment and more jobs available in Midtown? What can the OPA do to encourage this?

Wrapping up...

- ✓ We want Midtown to be a vibrant new community to be enjoyed
 by new and current Oakville residents as well as visitors.
- ✓ We want to invite young people, families and senior citizens to live in this community.
- ✓ We need Midtown to be a financial success for both developers and citizens
- ✓ Since this plan will cover 30 or more years of development in the heart of Oakville, we need vision, planning and consensus now to ensure it succeeds as we all hope and trust it will.
- ✓ Now is the time to ensure all parties engaged in the Midtown project – the Town, developers and Queen's Park - communicate and work together for the future success of the project and liveability of Oakville
- ✓ We think this OPA, as presented, is a missed opportunity for us to clearly communicate our vision of what we want Midtown to be and lay down guidelines to help make our vision a reality.
- ✓ We understand that updating this OPA is a first step.

We know:

- the Town has limited enforcement powers over developers,
- that the provincial government legislation has recently enacted many policies that favour developers over local municipalities,
- that a great majority of Ontario Land Tribunal decisions support developers over local governments, and
- that a single Ministerial Zoning Order could instantly over-ride our plans

But we believe that we must actively work to promote our vision for Midtown, beyond aspirational "hopes" and pretty pictures that currently make up the Official Plan Amendment.

We need a more specific plan. We need to set our standards of what we expect this development to be.

If we don't clearly articulate our vision and objectives now, we fear that Midtown could end up being just another collection of tall towers in a concrete jungle.

Ted Haugen Rick Snidal WeLoveOakville



May 23, 2023

Mayor Burton and Members of Council c/o Town Clerk Town of Oakville, Clerk's Department 1225 Trafalgar Road, Oakville, ON L6H 0H3

e: TownClerk@oakville.ca

Dear Mayor Burton and Members of Council:

RE: PROPOSED DRAFT MIDTOWN OAKVILLE OFFICIAL PLAN AMENDMENT LYONS LANE OUR FILE 11162 I

MacNaughton Hermsen Britton Clarkson Planning Ltd. (MHBC) represent the landowners of Lyons Lane (the "Subject Lands"), Oakville, Ontario. The property is located south of the QEW highway and South Service Road East, north of Cross Avenue within the western-most area of Midtown Oakville by Sixteen Mile Creek. MHBC appreciates the opportunity to provide Town of Oakville Council with comments and recommendations regarding the proposed amendment to the Livable Oakville Plan.

The recommendation to repeal Livable Oakville, section 20, Midtown Oakville, and applicable Schedules L1 to L3 (Land Use, Building Heights, Transportation Network) and replace with new policy text and schedules, forms the basis of this submission. The following provides an overview of: subject land context; the applicable draft policies informing development of Lyons Lane; an analysis of Halton Region's guiding policies; an assessment of the proposed policies on the subject lands; and recommended policy revisions to the amendment.

Subject Lands: Context

The subject lands are contained within the policy area boundary of Midtown Oakville. This area is identified as the Town's Urban Growth Centre in the current Livable Oakville Plan and is designated as 'High Density Residential' within the Schedule L1, Midtown Oakville Land Use map.

The subject property is approximately 0.89 ha (2.2 acres) in area with frontage along the west side of Lyons Lane, north of Cross Avenue. The lot is currently vacant and only accessible via one public roadway, Lyons Lane. To the west is Sixteen Mile Creek, while to the east are the commercial retail uses that are generally 2 storeys in height. To the south, across Cross Avenue, is the Metrolinx multi-lot surface parking serving the Oakville GO station.

Midtown Oakville: Proposed Draft Official Plan Amendment 2023 Draft Policies Applicable to Subject Land

The Town of Oakville proposes to repeal all of Livable Oakville's section 20, Midtown Oakville policies, as well as Schedules L1 to L3, and replace the section with revised policies and schedule maps. The purpose of the

amendment, in part, is to conform to Provincial Plans and to Halton Region's recently approved ROPA 49 that maintains Midtown Oakville as the Town's Urban Growth Centre ("UGC"). This UGC will have a minimum target of 200 persons and jobs per hectare that is to be achieved by 2051. The proposed amendment also incorporates ROPA 48's delineated Oakville GO MTSA boundary that also represents the Midtown Oakville boundary lines.

In our June, 2022 submission to Council on the previously proposed Midtown Oakville policies and schedules, a list of policies affecting Lyons Lane was provided. In that submission, the following positive and negative impacts were provided that compared the in force policies, to the proposed Midtown Oakville policies and that remain relevant:

Positive Increased FSI

Common land use designation throughout area

Negative Lyons Lane closure

Unknown Regional water/sanitary servicing within UGC.

A review of applicable policies for Lyons Lane has again been undertaken of the current, proposed draft Midtown Oakville amendment and the following provides the relevant policy sections that inform development for Lyons Lane:

Draft Midtown Oakville: Policies Informing Future Development of			
Section No.	Section	General Policy Directive	
20.2.1	Goals & Objectives	 Campus of parks Tallest buildings north of railway Urban Growth Centre accommodating majority of Halton Region's growth 	
20.3.2	Population & Employment	 Minimum gross density of 200 ppj/ha by 2031 Minimum of 7,875 residential units 	
20.3.3	Public Realm	 Urban Square by Lyons Lane, north of Cross Avenue (Sched L4) Urban Square lands to be conveyed to Town POPS to be provided at grade 	
20.3.5	Transportation	 Lyons Lane to be abandoned Mid-block internal grid street pattern Town may require early conveyance of ROW, prior to development to complete street network 	
20.3.6	Block Design	 Formed by planned transportation network To be designed comprehensively Buildings to be situated along street edges POPS may be accessible by general public 24 hours/day year-round as they form part of mid-block connections that are to be publicly accessible active transportation networks or open space 	
20.3.6.g	Block Design	 Temporary or interim vehicular access from an existing road may be permitted as a condition of the planning approval process, or through an agreement with the Town, until such time that a new local road and access are constructed. 	
20.3.7	Built Form	 Tallest buildings in Oakville, with highest densities, north of railway 	

Draft Midtown Oakville: Policies Informing Future Development of				
Section	Section	General Policy Directive		
No.				
		 Multiple towers in close proximity to one another shall vary in height by a minimum of 20 metres Distance between facing walls of towers: 30 metres minimum Podium height: equal to building-to building distance across adjacent ROW up to 25 metre maximum Floorplate of each tower: 750 m² maximum 		
20.3.8	Development Density	 GFA calculated by maximum FSI as per Schedule L2 Lands conveyed to town for public purposes may be transferred to retained lot as increased density above maximum density (POPS do not qualify) 		
20.3.9	Housing	 Residential Development should include: Range of housing options in terms of building types, unit types and sizes and tenure to accommodate a variety of households, including children Amenities designed specifically for households with children Affordable housing Purpose-built rental housing 		
20.3.10	Educational Facilities	 Public school board may determine that real property, or a lease, is required for an educational facility as development proceeds Any mixed-use building shall be required to notify all public school boards of proposed development plans as part of a complete application Town may require, as part of complete application, written confirmation from school boards that developer has provided them the opportunity to determine a need for educational facility space within the proposed development Shall be planned and designed to meet school board requirements for an urban, higher-density community and should be incorporated within mixed-use development with outdoor space; floor area distributed vertically; prominent pedestrian entrances on main building façade; be designed for local community use outside of school hours; be located adjacent to parks and open spaces 		
20.3.14	Parking	 Reduced parking standards and use of maximum parking standards shall be considered in the implementing zoning and through approval process. 		
20.4.2	Land Use	 On lands designated Urban Core or Urban Centre that do not have frontage on an arterial or collector road, as identified on Schedule L3, stand-alone major office, major institutional or residential buildings may be permitted. 		
20.5.2	Exception	The lands designated High Density Residential and known as Lyons Lane are subject to the following additional policy: a) Underground structures, and above-ground architectural features, utilities and driveways, may encroach into the 15 metre setback, up to the nearest limit of the municipal right-		

Draft Mid	Draft Midtown Oakville: Policies Informing Future Development of Lyons Lane				
Section No.	Section	General Policy Directive			
		of-way, subject to compliance with Conservation Halton requirements and regulations.			
20.6.2	Phasing	 Development will occur gradually May include interim conditions, phased zoning regulations, master plan coordination, capital funding and incremental implementation until full build-out. Development shall be coordinated with the provision of infrastructure 			
20.6.3	Landowners' Agreement / Cost-Sharing	 Development shall only be permitted when a landowners' group has been established for Midtown Oakville for the purpose of administering a cost-sharing agreement among landowners to ensure development costs (including parkland, parking, infrastructure and servicing) are distributed in a fair/equitable manner among landowners. Individual developments shall generally not be approved until subject landowner is a part to the landowners' cost-sharing agreement 			
20.6.4	Area Design Plans	 As part of any development application, an Area Design may be required at Town's discretion in order to address coordination issues between landowners and phasing of development(s). 			

ANALYSIS

Halton Region Official Plan

On November 4, 2022, the Ministry of Municipal Affairs and Housing approved Halton Region Official Plan Amendment No. 49. This current, in effect Halton Region Official Plan ("ROP"), Map 1h: Regional Urban Structure, has delineated Midtown Oakville as a Strategic Growth Area, and specifically as the Town's Urban Growth Centre as well as delineated Midtown as the Oakville GO Protected Major Transit Station Area ("MTSA"). The minimum MTSA density will be 200 people and jobs/hectare. Halton Region provides its land use vision and responsibilities, that includes the timely provision of infrastructure, in Part II Basic Position: Halton's Planning Vision, policy 32:

..., Halton recognizes the importance of a sustainable and prosperous economy and the need for its businesses and employers to compete in a world economy. Towards this end, Halton will actively maintain, develop and expand its economic and assessment base through economic development strategies, timely provision of infrastructure, cost-effective delivery of services, strong fiscal management, proactive planning policies, and support for development opportunities that respond to the vision and policies of this Plan.

As Midtown Oakville is a Strategic Growth Area, Halton Region indicates through policy 79.3(7.3) that "It is the policy of the Region to":

Ensure that Strategic Growth Areas are development-ready by:

a) making available at the earliest opportunity water, waste water and transportation service capacities to support the development densities prescribed for Strategic Growth Areas.

This is further supported through the ROP section on Urban Area and the Regional Urban Structure, policy 77(5) that states that the Region will:

Require the Local Municipalities to prepare Area-Specific Plans or policies for major growth areas, including the development or redevelopment of communities. The area may contain solely employment lands without residential uses or solely a Strategic Growth Area. Such plans or policies shall be incorporated by amendment into the Local Official Plan and shall demonstrate how the goals and objectives of this Plan are being attained and shall include, among other things:

- m) water and wastewater servicing plans,
- n) provision of utilities,
- o) a fiscal impact analysis,
- p) a community infrastructure plan, based on Regional guidelines, describing where, how and when public services for health, education, recreation, sociocultural activities, safety and security and Affordable Housing will be provided to serve the community.

Halton Region also provides policy implementation guidance. Policy 192.(1.1) "Guidelines for Preparing Community Infrastructure Plan (section 77(5)p))" references the above policy that requires local municipalities to prepare a community infrastructure plan during the preparation of Area Specific Plans. The Community Infrastructure Strategy Guideline indicates that such a strategy is "undertaken during the initial phase of Area Specific Plan preparation. Each local municipality undertakes the preparation of an area specific plan in a similar, yet distinct, manner. The Area Specific Plan process in Halton Region generally follows a four-phased approach:

- 1) Notice and Study Commencement;
- 2) Issues Identification and Direction;
- 3) Preparation of Official Plan Amendment: and,
- 4) Final Official Plan Amendment (adoption)."

The Community Infrastructure Strategy is undertaken during the second phase above, notably "Issues Identification and Direction." The Guideline goes on to state:

Because there are multiple service providers, the base assumption in the preparation of a strategy for the area specific plan process is that these service providers have completed individual needs' assessments based on population and growth projection analyses.

The Guideline notes that community service providers include those who provide: Assisted/Special Needs Housing; Justice; Health; Education; Security and Safety (EMS/police/fire); Socio-Cultural Facilities and Services (libraries); and Parks/Recreation/Culture. The Town of Oakville should post this Community Infrastructure Strategy to the Midtown Oakville Official Plan Amendment website to inform landowners as to what the Town's strategy may be regarding the provision of these public programs and services.

It is assumed that this Area Specific Community Infrastructure Strategy would inform the Region's Infrastructure Plan, as the Region also requires that the Region prepare a Joint Infrastructure Staging Plan through policy 76 as follows:

It is the policy of the Region to:

(12) Prepare, in conjunction with the Local Municipalities, the School Boards and Provincial agencies responsible for other human services, a Joint Infrastructure Staging Plan, based on the distribution of population and employment in Table 1 and their forecasts under Section 77(1), and any community infrastructure plans under Section 77(5)p), as well as Local and Regional development phasing strategies, to ensure that infrastructure, public service facilities, and human services to support development is planned and financing is secured in advance of need. The Staging Plan shall be updated periodically and assist in setting development charges and preparing master plans for the provision of Regional services, in accordance with the Provincial Class Environmental Assessment process.

- (14) <u>Coordinate with the Local Municipalities</u> the preparation of Regional and Local <u>capital</u> <u>budgets</u> and forecasts to implement the municipal portion of the Joint Infrastructure <u>Staging Plan.</u>
- (15) Require the development industry to absorb its share of the cost of the provision of infrastructure, public service facilities, and human services as permitted by applicable legislation and that any financial impact of new development or redevelopment on existing taxpayers be based on a financing plan communicated to the taxpayers and subsequently approved by Council. Such a financing plan may provide measures such as staging or contingent provisions to demonstrate that the provision of infrastructure and public service facilities under the Joint Infrastructure Staging Plan by Provincial and Federal Governments and other service providers are co-ordinated with those by the Region and Local Municipalities so that the health and well-being of the community is advanced in a fiscally responsible manner.

The Region also provides further infrastructure-related policies in ROP section, Urban (Water Supply and Wastewater Treatment) Services, policy 89:

It is the policy of the Region to:

- (7) Incorporate in the Joint Infrastructure Staging Plan phasing schemes for the provision of urban services in the Region.
- (8) Limit development in the Urban Area to the ability and financial capability of the Region to provide urban services in accordance with its approved financing plan under Section 77(15) of this Plan.

Approximately ten years ago, in October, 2011, Halton Region released a "Sustainable Halton Water & Wastewater Master Plan" that analyzed the provision of water and wastewater infrastructure throughout the Region to 2031. At that time, Midtown Oakville was identified as an Urban Growth Centre for the Town of Oakville and was the focus area for intensification. The Master Plan's Volume 1, Appendix I-7 identified that the population growth projections for Oakville's UGC indicated that the population would grow from 11,799 in 2021 to 14,987 in 2026 and to 15,570 by 2031. The Town of Oakville Planning Services Department, Public Meeting Report, "Town-Initiated Official Plan Amendment – Midtown Oakville Urban Growth Centre (File No. 42.15.59) – June 7, 2022" indicated on page 5 that the existing Midtown Oakville policies were based on the accommodation of 12,000 residents to the 2031. This would be 3,500 persons less than Halton Region utilized in calculating its capital plan servicing for the intensification and development growth of Midtown Oakville. At that time, the Master Plan based its calculations on a population count of 15,570 by 2031.

Since that time, it does not appear that the Region has undertaken its new Joint Infrastructure Staging Plan. Several Addendums were filed since 2011 to the Master Plan, the most recent being filed in 2019 for the Trafalgar Road/Britannia Road Wastewater Pump Station. While the 2011 Master Plan planned the provision of Regional water and wastewater services for a population of 15,570 by 2031 in Midtown Oakville, the current Draft Midtown Oakville Plan Amendment, is increasing this population target by approximately 5,000 persons in the 20 years between 2031 and 2051.

In regards to transportation, the ROP: Map 1: Regional Structure, Map 3: Functional Plan of Major Transportation Facilities, and Map 4: Right-of-Way Requirements of Arterial Roads identify Lyons Lane as a "Major Road" in each Map legend, similar to Kerr Street, Chartwell Road, Morrison Road and Maple Grove Road (all south of the QEW). The ROP section on Regional Urban Structure, policy 78 of the MMAH approved ROP, states:

Within the Urban Area, the Regional Urban Structure, as shown on Map 1H, implements Halton's planning vision and growth management strategy to ensure <u>efficient use of</u> land and <u>infrastructure</u> while supporting transit, and the long-term protection of lands for employment uses.

And in policy 183, the Region states:

Subsequent to the approval of this Plan by the Province, the Planning Act requires that all Official Plans and Zoning By-laws of the Local Municipalities be amended to conform to this Plan.

Given that Lyons Lane is identified as a major road on ROP Maps 1, 3 and 4, indicates that the current road provides the traffic volume capacity to support the proposed growth in this area of Midtown Oakville.

Draft Midtown Oakville Policies

In general, the following provides an assessment of the policies that inform development of Lyons Lane:

20.2.1 Goals & Objectives

Support the objective of providing the tallest buildings north of the railway and the UGC accommodating the majority of Halton Region's growth

20.3.2 <u>Population & Employment</u>

Support the minimum density target of 200 ppj/ha although it is noted that Midtown Oakville has been the location for intensification for over a decade based on the Region's Sustainable Halton Water and Wastewater Master Plan of 2011.

20.3.3 Public Realm

Not fully in support of at grade Privately Owned Public Spaces (POPS) due to safety concerns for on-site residents.

20.3.5 <u>Transportation</u>

Do not fully support the abandonment of Lyons Lane, but support policy 20.3.6.g. that allows for interim use of public road.

Do not support the early conveyance of ROW prior to development as such a conveyance may impact the operational function of at grade pedestrian and vehicular movement.

20.3.6 Block Design

Concern with 24 hour/day, year-round access to POPS as it may impact the security of residential dwelling unit residents, specifically where children may reside or where 'educational facilities' may be situated. Under "Crime Prevention Through Environmental Design (CPTED)" principles, it is assumed that minimal vegetation and extensive nighttime lighting will be implemented in the POPS to ensure safety of pedestrians 24/7. As the mid-block connections are 'conceptual' only, the policies should reflect the concept rather than interpreting these as literal plans (e.g. Schedule L-4).

20.3.7 Support for highest densities and tallest buildings given the location within the MTSA and UGC. The blanket standards for height variations, distance between walls and podium heights and floorplates, should be within Tall Building Guidelines or Zoning Bylaw regulations rather than in a policy document. Reference Planning Act, s.34(1)4 Construction of buildings or structures and s.34(3) Area, density and height.

We are also concerned with the prescriptive built-form policies with respect to towers near each other. Mandating a prescribed differentiation of heights of 20 metres in an Official Plan document represents a regulation rather than a policy and should be removed. Town staff should be reviewing Site Plan applications to ensure an appropriate skyline is achieved.

20.3.8 Development Density

While somewhat supportive of the opportunity to increase density above the maximum shown on Schedule LX, the previously proposed policy indicated increased building height.

20.3.9 Housing

Support the provision of a range of housing options in terms of unit types and sizes.

20.3.10 Educational Facilities

Do not support the policy requiring individual development applicants to ascertain the needs of educational institutions at the time of development. The provision of such facilities should be contained within the Midtown Oakville's Community Infrastructure Strategy or within Halton Region's Joint Infrastructure Staging Plan.

20.3.14 Parking

Support reduced parking standards given the proximity of the Oakville GO station and Oakville transit.

20.4.2 Land Use

Support stand-alone residential buildings that do not front on arterial or collector roads.

20.5.2 Exception

Support the transcription of this exception policy for Lyons Lane from the current, in effect Official Plan, into the draft Midtown Oakville amendment.

20.6.2 Phasing

There is a concern that the vision for Midtown is to incent economic development, yet unknown development restrictions 'may' occur such as: interim conditions, phased zoning regulations, master plan coordination, capital funding, as this should have been assessed in the preparation of the Midtown Oakville review process and through a Community Infrastructure Strategy.

20.6.3 Landowners' Agreement / Cost-Sharing

This policy assumes a private agreement amongst landowners for the administration of financial matters regarding the provision of public infrastructure that excludes municipal government.

20.6.4 Area Design Plan

Do not support the policy that requires that "any" development application requiring coordination amongst landowners. Minor Variances represent a development application that should not require an Area Design Plan or coordination.

Policy Recommendations

The following amendments to the proposed policies are provided in context of "distinguish<ing> Midtown Oakville as a strategic location to accommodate both population and employment growth."

- 20.3.6 Block Design To facilitate appropriate block design and coordinated development within Midtown Oakville, the following policies shall apply:
 - Mid-block connections shown conceptually on Schedule L4, shall may be provided as publicly accessible active transportation connections, open space and/or mews which can may be accessed by the general public. 24 hours a day, year-round. It is the intent that privately-owned publicly accessible spaces (POPS) provided by development will may create the mid-block network identified on Schedule L4.
- 20.3.7 Built Form
- Multiple towers within a block, development site, or within close proximity to each other on abutting sites should vary in height from one another generally by a minimum of 20 metres in order to create variation in building height and a distinctive skyline for Midtown Oakville. Exceptions may be permitted for development sites where two or more towers of the same height is an important design feature. Building height variation will be reviewed on a site-by-site basis and implemented through the planning approval process.

Delete 20.3.7.f to 20.3.7.h. as architects should be allowed to interpret built form policies to create buildings of high architectural quality and interest.

20.6.2 Phasing

Development will occur gradually over the medium and short to long-term. This may include approving development applications with interim conditions, phased zoning regulations (including holding provisions), master plan coordination, capital funding and incremental implementation until full build-out.

- a) Development shall be coordinated with the provision of infrastructure based on the Joint Infrastructure Staging Plan including:
- Further to subsection (a) above, the timing of development will be subject to the availability of Joint Infrastructure Staging Plan required infrastructure, including but not limited to future transportation network improvements and water and wastewater services.

20.6.3 Landowners' Agreement/Cost-Sharing

- Development shall only be permitted when a Landowners will form a Board made up of all landowners located within a Block, several Blocks or within all of Midtown Oakville, who will administer the provision of public assets, such as parks, parking, infrastructure and servicing, and the disbursements to fund these based on the Landowners' Cost-Sharing Agreement. group has been established for Midtown Oakville for the purposes of administering a cost sharing agreement among landowners to ensure that the costs associated with development, including but not limited to the provision of parkland, parking, infrastructure and servicing, are distributed in a fair and equitable manner among landowners.
- Individual developments in Midtown Oakville shall generally not be approved until the subject landowner has become a party to the landowners' cost sharing agreement.

20.6.4 Area Design Plans Delete section if above policies of cost-sharing are implemented and in context of the proposed Block Design policies and various design guidelines.

CONCLUSION

While we continue to be disappointed in regards to the Town abandoning Lyons Lane as a public road, and as identified on Schedule L3, we are somewhat appeased that, in the interim period prior to future roads being constructed to connect Lyons Lane to South Service Road East, the site will be accessible via Lyons Lane. Further, there is concern regarding the level of vagueness regarding the unknown timing and provision of infrastructure and public/educational facilities, yet downloading the financial administrative responsibilities to the private sector for cost-sharing. In light of this, the private sector should control the use of its own funds and the timing to invest in the required services wherein a municipal government is not capable of financial administration over the medium to long term.

Given Midtown Oakville's position as the Urban Growth Centre for over a decade, we are pleased that our lands may be part of the continued intensification role assigned to these lands near the Oakville GO MTSA.

Yours truly,

MHBC

Oz Kemal, BES, MCIP, RPP Partner

CC.



May 23, 2023

Mayor Burton and Members of Council c/o Town Clerk Town of Oakville, Clerk's Department 1225 Trafalgar Road, Oakville, ON L6H 0H3

Dear Mayor Burton and Members of Council:

e: TownClerk@oakville.ca

RE: PROPOSED DRAFT MIDTOWN OAKVILLE OFFICIAL PLAN AMENDMENT DAVIS ROAD OUR FILE 17270A

Kard Properties Limited, owners of land at Davis Road (the "subject lands"), have retained MacNaughton Hermsen Britton Clarkson Planning Ltd. ("MHBC") to represent their land interests in Oakville, Ontario. The subject lands is located south of the QEW highway and east of Trafalgar Road central to the Midtown Oakville area.

This letter is submitted in respect of the proposed draft Midtown Oakville Official Plan Amendment that seeks to repeal and replace section 20, and applicable Schedules L1 to L3 with a new section 20 and revised Schedules L1 to L3 and the new Schedule L4 (Land Use, Density, Transportation Network, and Public Realm). These revised policies and schedules form the basis of our input. The following provides an overview of: subject land context; an overview of applicable and proposed policies for Davis Road; the impacts and outcomes of the proposed policies on the subject lands; and general policy recommendations regarding the amendment.

SUBJECT LANDS: CONTEXT

The subject lands are contained within the policy area boundary of Midtown Oakville. This area is identified as the Town's Urban Growth Centre, and is currently designated 'Office Employment' within the Trafalgar District on Schedule L1, Midtown Oakville Land Use of the Livable Oakville Plan. Vehicular access from Trafalgar Road to the east is via South Service Road East to Davis Road.

The subject property is approximately 0.51 ha (1.26 acres/5,100 m2) in area and is located on the east side of Trafalgar Road, south of the QEW with frontage along Davis Road. There is an existing two storey structure on site that contains a commercial service use (auto collision repair) with a building footprint occupying ±50% of the lot. To the east and west are existing one storey structures, to the north is a small woodlot and a hotel, and to the south is a six storey office building surrounded by three paved surface parking lots with the GO rail corridor further to the south.

MIDTOWN OAKVILLE: PROPOSED OFFICIAL PLAN AMENDMENT DRAFT POLICIES APPLICABLE TO SUBJECT LAND

The purpose of the amendment, in part, is to reflect Halton Region Official Plan's delineation of the Oakville GO Major Transit Station Area ("MTSA") boundary and to establish reduced transportation grid network throughout the area. While Midtown Oakville has been the Town's Urban Growth Centre ("UGC") for over a decade, the revised vision for this combined UGS/MTSA is to create a transit-supportive and complete community with the Town's highest density occurring here through a mix of residential, commercial institutional and community uses. Midtown Oakville has a planned minimum gross density of 200 residents and jobs combined per hectare with a projected population growth of 20,600 residents by 2051.

In reviewing this latest iteration of Midtown Oakville Official Plan policies, several key proposed amendments include:

• **Block Design** (s.20.3.6):

Development blocks formed by the planned transportation network are to be designed comprehensively. Where properties cannot be consolidated, development on a portion of the block will not preclude the development of the remainder of the block.

• **Built Form** (s.20.3.7):

It is intended that the tallest buildings will be located north of the railway and will be of high quality architecture and detail to help create an active pedestrian environment and distinct skyline. The distance between facing walls of towers are to be a minimum 30 metres, with tower floorplates to be no more than 750 m^2 .

• **Development Density** (s.20.3.8):

Schedule L-2 indicates that the subject lands will have a density range from 4.0 to 10.0. Smaller sites are encouraged to consolidate with adjacent lands to enable a comprehensively designed development that comprises most of the associated block. The Gross Floor Area ("GFA") portion of a lot that is to be dedicated to the Town of for a public road, may be transferred to the retained lot or block as increased density beyond the maximum density prescribed. In addition, development density allows for exclusions from the overall density calculations

Notwithstanding the minimum density of Schedule L2, policy 20.3.8.g indicates that building additions, alterations and/or replacements to existing development may be permitted where it is demonstrated that it does not preclude the long-term redevelopment of the plan. Lands for public parks, community uses operated by a public authority, and above ground parking structures operated by a public authority are excluded by the minimum density calculations.

Parking (s.20.3.14):

Reduced and maximum parking standards shall be considered in implementing zoning by-laws. Parking structures above grade that abut a road, other than a local road, shall incorporate commercial office, or residential uses between the exterior walls and area designated for parking.

• Land Use Policies (s.20.4.8)

The policy states that new drive-through facilities and motor vehicle related uses, including motor vehicle sales and motor vehicle service stations, will not be permitted.

• **Phasing/Transition** (s.20.6.2.d):

Redevelopment of Midtown is subject to the availability of required infrastructure. The uses and buildings that legally existed prior to the adoption of this Plan shall be permitted to continue, however, they are ultimately intended to be redeveloped in conformity with this Plan.

• Landowners' Agreement/Cost-Sharing (s.20.6.3)

Development will only be permitted when a landowners' group is formed to administer a cost-sharing agreement between landowners. Individual development will generally not be permitted until the landowner enters into the cost-sharing agreement.

• Area Design Plan (s.20.6.4)

An Area Design Plan may be required at the discretion of the Town for 'any' development application. The Area Design Plan must:

- Be prepared in accordance with a Terms of Reference approved by the Town;
- o Provide a comprehensive development scheme for the entirety of the block;
- Identify density and distribution of built form, building heights, mixture of uses, and housing types including affordability;
- Identify a detailed street pattern including active transportation, transit facilities, streetscape and public realm enhancements and on-street parking;
- Address coordination with land uses, road patterns, and conceptual redevelopment of lands outside, but adjacent to, the lands which are the subject of the area design plan.

• Schedule L3: Midtown Oakville Transportation Network

Davis Road is proposed to be maintained with a road right-of-way width of 26 metres and contain a future active transportation facility.

A new "intersection configuration subject to further study" is proposed to the west of the Subject Lands were Davis Road connects to South Service Road East. This will be an intersection where a proposed "future ramp" from the east side of Trafalgar will connect the South Service Road East on the west side of Trafalgar to the South Service Road East on the east side of Trafalgar. Should this occur, the South Service Road East connection from Trafalgar Road currently south of Davis Road will be abandoned and replaced by the Cross Avenue extension across Trafalgar Road.

IMPACTS & OUTCOMES FOR DAVIS ROAD

The proposed amendment to the Midtown Oakville Official Plan policies will have both positive and negative impacts and outcomes:

- Positive Outcomes
 - Increased development density
 - o Increased population and employment densities
 - Maintaining the current Davis Road east-west alignment with 26 m road ROW width

The proposed policies that allow for greater densities will support investment and population/job growth in the area.

Negative Impacts

- Creation of a non-conforming use
- Block Design
- Landowners' Agreement/Cost-Sharing
- Area Design Plan

o 35 metre cross-section arterial road along Davis Road

Overall, the proposed policy modifications and realignment of road appear to be a positive outcome with respect to the property at Davis Road. We have concerns with the proposed "intersection configuration subject to further study" where Davis Road currently connects with South Service Road East as it is unclear what the scale of an 'intersection configuration' may be in terms of land needs.

There is also a note of potential policy contradiction between policies 20.4.8, 20.3.8.g. and 20.6.2.d.. Given that Davis Road is used as a motor vehicle establishment:

- policy 20.4.8 states that new drive-through facilities and motor vehicle related uses are not permitted;
- policy 20.3.8.g permits building additions, alterations and/or replacements to existing development; and
- policy 20.6.2.d states that uses (and buildings) that legally existed prior to the adoption of the amended policies will be permitted to continue.

We interpret the perceived contradiction as existing motor vehicle related uses are permitted, and are permitted additions, alterations, and/or replacements to existing developments, but new ones will not be permitted.

We also note that the potential requirement for entering into a Landowners' Agreement for the purposes of the administration of cost-sharing amongst landowners. This is also combined with further landowner collaboration of Block Design plans and potential Area Design Plans. As a small lot owner, the expectation of smaller lot landowners consolidating lots with landowners with significant land-holdings and different development goals, will be challenging as the 'vision' for Block Plan Master Plan design decisions is retained with the Town rather than the Landowners.

POLICY RECOMMENDATIONS

Having reviewed the proposed new policies for section 20 of Livable Oakville that will guide development of Midtown Oakville to 2051, under the current Halton Region Official Plan (ROPA 49), and recognizing that the Town of Oakville will inherit ROPA 49 policies in 2024, the following recommendations are provided for consideration:

- 1. Allow landowners of small lots to develop their lands in advance of a signed Landowners Agreement for Cost-sharing administration. There should be sufficient Regional water/wastewater servicing in place for small density development on small lots, especially non-residential.
- 2. While the consolidation of smaller lots may be a goal for the purposes of Block Design, this is a private market decision that is not guided by municipal land use policies, but by land costs and landowner development plans. It implies that development of small local businesses on lots is not supported. This is counter to policy 20.2.4 that purports to retain and grow existing businesses.
- 3. Remove the term 'any' from the policy 20.6.4 regarding Area Design Plans as the development of an addition to an existing building should not be stopped due to such a policy term.
- 4. Clarify policy 20.4.8 does permit existing motor vehicle establishments. We note that instead of an outright prohibition of new existing motor vehicle establishments, consideration be given to allowing them on a case-by-case basis without the need for an amendment to the Official Plan. Keep in mind that these facilities do serve the daily needs of residents and workers. Future services in motor vehicle establishments may include the servicing of electric bicycles, scooters and vehicles that may be the norm by 2051.

CONCLUSION

We appreciate the opportunity to provide Council with our policy review and recommendations for Midtown Oakville Official Plan Amendment. Overall, the proposed policies implement the attainment of land intensification within the Town's Urban Growth Centre which represents the intended growth outcomes for Midtown Oakville over the past decade.

Yours truly,

MHBC

Oz Kemal, BES, MCIP, RPP Partner

cc. Kard Properties Limited

re: Draft Proposed Midtown Oakville OPA, May 3, 2023

Mr. Mayor and members of Oakville Council, thank you for your time and service in helping make Oakville an incredible community and place to call home.

My name is Ken Miner, and I am proud to have raised my family in Oakville, on Maple Ave since 1992. I am writing to add my voice to the draft proposed amendments to the Midtown Oakville Official Plan.

Below are specific proposals to change the draft amendments that would have significant and positive outcomes for the residents of Oakville today, and tomorrow.

You have already seen the robust analysis carried out by Ben Sprawson that reveals the current proposed amendments to the Midtown Oakville OPA would permit potential densities in the Mid-Town Core that are orders of magnitude higher than contemplated and presented to the community in the run up to this Midtown OPA dated May 3, 2023.

While I am very supportive of growth across Oakville and particularly in the Mid-Town Core Area, I believe the May 3 Draft can and should be improved and propose five specific changes that would yield positive benefits to the existing and future residents of Oakville.

- Mandate the development of a "Master Plan" that sets out a wholistic framework to ensure the Mid-town core is developed in the Livable Oakville way we have envisioned, rather than a set of rules that sets up a scenario where each plot is developed based on how another Mid-Town Plot was developed potentially enabling an outcome far different that we envision.
- 2. Limit the density of blocks being developed to a FSI (Floor Space Index) of 4 (the current proposal is a FSI of 10+ which sounds like unlimited to me). The analysis conducted by Ben Sprawson demonstrates a viable 20,000 density, satisfying Oakville's commitment to the province. Although I have trouble envisioning how a density greater than Liberty Village in Toronto can be accommodated in a way that is compatible with our Livable Oakville vision, densities that are orders of magnitude higher Liberty Village feels completely inconsistent with a Livable Oakville vision.
- 3. Re-introduce constraints that have meaningful impact of the ultimate outcomes within the Mid-Town Core Maximum building heights, limits on the total number of buildings that can exceed a certain height, increase the difference between building heights, lower the maximum height of podiums, increase the required space between buildings. These would all serve to ensure the community developed has the much-needed light and space needed to meet our Livable Oakville vision.
- 4. Ensuring that green space requirements are a shall requirement and not a should requirement. Green space that is not designed in at the beginning, will be unavailable forever.
- 5. Given the significant gap between the 20,000 density that has been the source of debate for the past number of years, and the May 3 Draft that would permit the potential of orders of magnitude higher density, together with the billions of dollars that will be spend constructing the Mid-Town Core with a resulting revenue stream to Oakville, assign a budget to hire expert urban planning resources to find solutions that will deliver on our Livable Oakville vision.

Thank you for your time and attention.

Sincerely,

Ken Miner
Maple Ave
Oakville, Ontario
L6J 2H8



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May 23, 2023

VIA EMAIL

His Worship R. Burton and Members of Oakville Council c/o Town Clerk Clerk's Department Town of Oakville 1225 Trafalgar Road Oakville, ON L6H 0H3

Dear Mayor Burton and Members of Oakville Council

Re: Midtown Oakville and Proposed Official Plan Amendment Your File No. 42.15.59, Town Wide

We represent Mr. Michael Hohnjec, the owner of Lyons Lane Oakville. This property is located within Midtown Oakville and will be greatly affected by the proposed Official Plan Amendment (the "**OPA**"). We therefore write to the Town of Oakville on Mr. Hohnjec's behalf to object to the proposed OPA.

We have reviewed the draft Midtown Oakville Official Plan Amendment that was dated May 3, 2023 and circulated prior to the Public Information Session that was held on Tuesday, May 9, 2023 at Town Hall. My client and this writer attended that Public Information Session.

We previously circulated our client's concerns in a letter to Council dated June 6, 2022 that was submitted to Council for the June 7, 2022 Planning and Development Council meeting. We note that the concerns that we raised at that time have not been addressed in this draft of the Official Plan Amendment, and are reproducing those concerns below, for your ready reference.

We note that the OPA and the notices in respect of same specifically note that Lyons Lane is excluded from the OPA. Instead of including it within the Midtown Oakville Land Use area on Schedule L1, the proposed OPA will place Lyons Lane within the "Natural Area" designation for the Town. Mr. Hohnjec wishes to register his strong objection to the re-designation of his property and asks that Lyons Lane be included in the proposed Official Plan Amendment, and that its current use as a residential property be reflected in the Official Plan Amendment.

This property is one of only a few rental properties in the Midtown area of Oakville, particularly one of the only ones that offer low-cost rentals. The current use of the land

Royal Building 277 Lakeshore Road East, Suite 211 Oakville ON L6J 1H9



Toronto Meeting Rooms Brookfield Place, 161 Bay Street, Suite 2700 Toronto ON M5J 2S1 should be recognized in the Official Plan Amendment, as it is our client's intention to see that the current use of the property continues into the foreseeable future.

Our client is also concerned with any plans to "re-locate" Lyons Lane within the Midtown Plan, as the current use of the property takes its access and egress from Lyons Lane. Any plans to move the location of the right-of-way should not be allowed to impact on our client's right of access to a public street.

Thank you for your consideration of the above points. We will be in attendance at the May 23, 2023 meeting to register our client's objection to the OPA as it is currently drafted.

Yours very truly

Russell D. Cheeseman RDC/saf

R.D. Cleeseney

cc: Michael Hohnjec

Chartwell Maple Grove Residents Association

Delegation to Council concerning Midtown development. Council Meeting May 23rd, 2023

Mayor Burton, Councillors, Town staff, Ladies and Gentlemen, Good Evening, and thank you for this opportunity to present CMGRA views concerning the development of Midtown.

CMGRA has supported in previous submissions and continues to support development in the area known as Midtown, because it is a unique location, currently underdeveloped and, as such, an opportunity for redevelopment and densification.

- Just building condos in accordance with developers` proposals will not result in a complete community. The growth targets have been established by the Province, of initially 20,000 by 2031 and are estimated as many as 68000 at build out many years in the future. As Town planning documents have clearly stated this development will require all of the components of a complete community in order to accommodate and serve the new residents.
 - Success in this endeavour will be evidenced by a strong interest in locating in Midtown by home seekers, and an acceptance and integration with the existing community in Oakville.
 - The development has to be attractive for new residents to want to live in Midtown.
- 2. To achieve this success CMGRA has identified 5 key issues which in our view will need to be addressed to ensure that Midtown becomes a complete community.
 - 2.1. population density. brings with it the need for social space and social interaction opportunities to avoid stress from overcrowding and dissatisfaction within the community. Concerns have been raised that the planned density is excessive and much higher than current densities in downtown Toronto, and US cities.
 - 2.2. Building heights In taller buildings residents and in particular Seniors tend to become isolated due to lack of social interaction opportunity. In addition timely response of emergency services is more challenging as the building increases in height. (CLRT 18 May 2023)
 - 2.3. *Mobility issues* At present Midtown is cut off from adjacent areas to the North (QEW), East (Trafalgar Rd), and South (railroad). Each of these corridors will require improved access both for pedestrians and vehicles. This will require the cooperation and support of MTO and Metrolinx to provide effective safe solutions. Their role in any planning is critical.
 - 2.4. Parkland, recreational facilities. Currently it appears that minimal green space will be available in Midtown. This is unfortunate and will reduce the appeal of the development, and its success. Examples from somewhat similar development, (specifically Vancouver), have demonstrated the need for a green space "escape " from hi rise condos.
 - 2.5. Financial Impact of infrastructure costs. With the reductions in development charges provided from developers, there will be an urgent and evident need for financial support from senior levels of Government who have mandated this growth and the schedule.

None of these are trivial issues and will require determined commitment to achieve a complete community in Midtown. It is a step forward that a Director for Midtown has been appointed and a consulting team retained to address this issue.

CMGRA has consistently supported development in Midtown. In this endeavour we have also consistently supported both our Town's, as well as our neighbouring Residents Associations', goal of a complete (affordable and attractive) community, Success in achieving this will be to the benefit of both new and existing residents, and the developer community. Our view has always been that the complete community must serve the people who live there.

It remains our goal of achieving Livable Oakville in Midtown.

DaveMallen, Director, CMGRA