

Planning and Development Council Meeting  
January 22, 2024

**Comments Received Regarding Item 7.1**

Recommendation Report – Official Plan Amendment (File No. 1715.25) and Zoning By-law Amendment (File No. 1715.25),  
Format Lakeshore Inc., 42 Lakeshore Road West – By-law  
2024-020 and By-law 2024-021

**From:** Kurt Strobele [REDACTED]  
**Sent:** Sunday, January 21, 2024 1:48 PM  
**To:** Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>; Rob Burton <[Mayor@oakville.ca](mailto:Mayor@oakville.ca)>; Ray Chisholm <[ray.chisholm@oakville.ca](mailto:ray.chisholm@oakville.ca)>; Cathy Duddeck <[cathy.duddeck@oakville.ca](mailto:cathy.duddeck@oakville.ca)>  
**Subject:** 42 Lakeshore Road West Recommendation Report

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

RE:  
Official Plan Amendment (File No. 1715.25) and Zoning By-law Amendment (File No. 1715.25), Format Lakeshore Inc., 42 Lakeshore Road West – By-law 2024- 020 and By-law 2024-021

Dear Mayor, Councillors, and Planning Services Department Staff,

We are responding to the Recommendation Report prepared by the Planning Services Department, which recommends significant amendments to the existing Zoning By-law 2014-14 that are INCONSISTENT with the Town's own guidelines for development in Kerr Village.

We ask that the Recommendation Report and the application by the Format Group not be approved by the Town for the reasons given below.

**1. Proposed Amendment is a major change to the Zoning By-laws.**

“...The subject property is zoned Central Business District as per Zoning By-law 2014-014, and subject to Special Provision 17 (CBD sp: 17), which permits a mixed use building up to 5 storeys in height (with bonusing).” [p.2]

**2. Proposed Project is not complementary to the neighbourhood and does not adhere to the current Livable Oakville goals, objectives, and policies for Kerr Village .**

As noted in the Recommendation Report: "... Livable Oakville goals, objectives and policies for Kerr Village which provide for a mixed-use building, up to 5-storeys in height..." [p.6] The Recommendation Report then suggests modifications in the absence of any rationale

**3. The Recently updated Official plan Amendment 15 states....**

“ Kerr Village is also recognized in the Urban Structure as a MainStreet Area for its distinctive character and is intent to accommodate a

relatively lesser amount of intensification than primary growth areas such as Midtown, Uptown and Palermo Village.”

Lesser amount of intensification implies a low to medium density development, an 8 storey building does not represent a low to medium density development.

The proposed building height does not fit into the streetscape nor the character of the immediate residential area on the south side of Lakeshore.

The proposed number of units will result in significantly higher traffic congestion and create pedestrian safety concerns and increase the “noise level” in the immediate area.

#### **4. Proposed Project does not conform with recent other building approvals.**

Below are 4 recent developments that are similar in location and lot size, but with lower height and density.

- (1) “Windermere” (205 Lakeshore Rd W). ~16,600 SF lot, 33 residential units, 2 commercial units, 4 storey;
- (2) “Berkshire Residences” (123 Maurice Dr). ~25,400 SF lot, 55 residential units, 1-2 commercial units, 4 storey;
- (3) 95 Brookfield Rd, 22 townhouses, 3 storey + roof terrace;
- (4) “Revera” Retirement Home (105, 113-159 Garden Dr). ~54, 200 SF lot, 100 independent supportive living units and 32 assisted living units, 5 storeys.

If the Town was to apply similar Criteria to 42 Lakeshore ( 25,155 sqft lot size) the development should be in the range of 30 to 40 residential units, 3 to 5 commercial units, maximum 4 storeys high, which would actually conform , and not be in conflict, with current Zoning and the Kerr Village goals, objectives, and policies, and better fit the streetscape .

It is unclear why the Town is being inconsistent with its treatment of this site compared to other recent projects

The four examples cited above suggest that medium density projects are financially viable., so there can’ be no argument that a higher density is required for financial viability.

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#### **5. Developer has hosted "information meetings", but has not responded to the principal concerns raised by the Community.**

**The changes presented in the Recommendation Report do not address the fundamental concerns of the community either.**

**Local area residents are vehemently opposed to the Proposed Project.** In addition to verbal presentations at the previous "information meetings ", written objections have been submitted to theTown. Prior to the November 13, 2023 Council Meeting, 52 Petitions objecting to the proposed Amendments were delivered to Town Hall. In addition, many other households emailed their petitions and/or detailed objection letters directly to the Town. We estimate that nearly 100 objections were submitted prior to the November Council Meeting,

Neither the current application nor the Town’s Recommendation Report appropriately address the key objections raised .

These remaining concerns and objections are still in place and therefore these letters and petitions should remain tabled for the meeting on January 22.

## 6. SUMMARY

We oppose this application and ask that the Mayor and all councillors oppose the application as it stands ,

We believe the majority of the community object to the proposed amendments BUT do support the development of the 42 Lakeshore Rd West site provided it complies with the existing By-laws and is complementary to the Community and the long-term vision of "Livable Oakville" and as stated in “Kerr Village goals, objectives and policies”.

Kind regards,

Kurt Strobele  
Marianne Strobele

[REDACTED]

OAKVILLE

[REDACTED]

[REDACTED]

**From:** Richard Molyneux [REDACTED]  
**Sent:** Sunday, January 21, 2024 2:12 PM  
**To:** \_Members of Council <[MembersofCouncil@oakville.ca](mailto:MembersofCouncil@oakville.ca)>; Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>  
**Cc:** Riley McKnight <[riley.mcknight@oakville.ca](mailto:riley.mcknight@oakville.ca)>  
**Subject:** Comments on: Recommendation Report – Official Plan Amendment (File No 1715.25 and Zoning By-law Amendment (File No. 1715.25). 42 Lakeshore Rd West.

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On November 09 2023 we submitted our objections to the previous proposal for a 10-storey building and our same objections apply to the 8-storey proposal.

This submission dated January 21 2024 refers to the Recommendation Report – Official Plan Amendment (File No 1715.25 and Zoning By-law Amendment (File No. 1715.25). 42 Lakeshore Rd West.

### **Planning process flawed.**

This report contains a large body of work that is a significant re-design of the 10-storey proposal submitted by Format, but apparently the work has been carried out by the Oakville Planning Department. It therefore appears that the Department is putting forward and recommending for approval something they have done themselves, at the cost of local tax payers.

Surely the correct process involves rejection of the Format 10-storey proposal, a complete re-design by the developer, and evaluation of that by the Planning Department?

### **Comments on conclusions in Recommendation Report.**

We wish to focus attention on the conclusions on Page 36 of the Recommendation Report. Most of these conclusions are, in our opinion, inaccurate and misleading, as is much of the 37 page report..

Bullet point 1.

“The revised proposal is consistent with the PPS and conforms to the growth Plan and the Halton Region Official Plan, and has regard for matters of Provincial interest and **represents good planning.**”

How can it be described as good planning when: The revised proposal represents major variances from the Town of Oakville’s own planning and zoning guidelines, ignores local residents issues like parking and traffic (among others) , is totally out of character with any developments south of Lakeshore and the absence of any affordable housing units puts it at variance with matters of Provincial interest?

Bullet Pt 2.

“The subject property is located **within** a Node and Corridor (Kerr Village)..... is directed towards Kerr Village at an appropriate scale for the context to achieve broader policy goals and objectives.”

The use of the word **within** is deliberately misleading. The property is on the southern boundary of this Corridor, is effectively within a low density residential area and in the opinion of **all** local residents is not on an appropriate scale. Its location right on the extreme south eastern edge of the Kerr Corridor does not make it in any way ‘directed towards Kerr Village’.

The Town Plan clearly envisaged a gradation between the developments north of Lakeshore and the residential area south of Lakeshore as demonstrated by the appropriate scale of newer buildings along Lakeshore, east of the creek (the newly constructed Brookfield property is a good example.) The 8-storey proposal is clearly in conflict with this objective.

Bullet Pt 3.

“The Official Plan amendment, as revised, proposing a 3-storey increase in the maximum building height...”

The revised plan amendment indicates the 3-story increase will make this an 8-storey building (which is being supported). This is not really correct. Considering the maximum height of the structure the building as proposed will effectively be a 9 or 10-storey building not only 8-storeys .

Bullet Pt 4.

“The Zoning By-law amendment, as revised, will support the appropriate intensification of the subject property to encourage the vitality of the Kerr Village Growth Area...”

A 3-story increase will have negligible impact for the vitality of Kerr Village. A lower building meets all of these objectives while remaining closer to the character of the neighborhood.

Bullet Pt 6.

“The Official Plan and Zoning By-law amendments, as revised, foster the maintenance of the existing neighborhood character by ensuring the existing McCraney –Robertson heritage dwelling be restored, as to commemorate the history of the site and continue the historic main street character, and encouraging a public square along Lakeshore Road West.”

Suggesting that this proposal ‘fosters the maintenance of existing neighbourhood character’ is nothing short of absurd. It is completely out of character with anything south of Lakeshore, west of the creek. (And there is only one other similar building south of Lakeshore in Oakville.)

The preservation of the heritage building is part of any deal here. Adding 3-storeys to what will, even with any design improvements, inescapably be a visually overbearing structure for the heritage building, cannot under any circumstances be portrayed as positive, as this bullet point attempts to do.

And how on earth does this encourage a public square along Lakeshore Road West?

### **Implications to the wider Oakville.**

Our opposition to this proposal is not about NIMBYism, although we are proximal residents and will be negatively impacted in a number of ways. An appropriate 5-storey development has our full support. Format is driven by corporate greed and seeks to maximize profits at the cost of our town and it is difficult to understand why our Planning Department is going out of its way to accommodate this corporate objective..

From the attitude of this developer we gained the impression that from day one that believed it would be possible to railroad this proposal through. It is such a major variance from the current town plan that, if approved, it makes a mockery of the planning process and opens the door to all developers to go down the same road. This can only be bad for Oakville.

R and D Molyneux [REDACTED]

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

From: [REDACTED]

Sent: Sunday, January 21, 2024 6:12 PM

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

Subject: 42 Lakeshore West

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

Hello,

I am a resident living on [REDACTED] and like all of my neighbours, am firmly against the building of a condo (of ANY size, namely the 8 or 10 stories proposed) at 42 Lakeshore West.

This is a low density residential area, but with many public services which invite (as they should) a huge number of other Oakville residents and visitors to our town.

Lakeshore is already too busy to be safe in the summer months, there is still insufficient street parking and a condo tower with a large number of additional residents will only further contribute to a strip of lakeshore that cannot safely accommodate more.

Better to build multi-story, high density condos where their residents can safely and easily access the GO station.

Thank you for your attention

Kathy

[REDACTED]

Sent from my iPhone

**From:** Manlio Marescotti [REDACTED]  
**Sent:** Sunday, January 21, 2024 6:18 PM  
**To:** Rob Burton <[Mayor@oakville.ca](mailto:Mayor@oakville.ca)>; Ray Chisholm <[ray.chisholm@oakville.ca](mailto:ray.chisholm@oakville.ca)>; Cathy Duddeck <[cathy.duddeck@oakville.ca](mailto:cathy.duddeck@oakville.ca)>; Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>  
**Cc:** Nancy Marescotti [REDACTED]  
**Subject:** Re: Format Lakeshore Inc., File No. OPA1715.25, Z.1715.25, Ward No. 2

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

Dear Mayor and Councillors,

We were surprised and disappointed by the Recommendation Report prepared by the Planning Services Department, which recommends significant amendments to the existing Zoning By-law 2014-14 that are inconsistent with the Town's own guidelines for development in Kerr Village. Equally distressing, the approval of the Planning Staff's recommendations will have the unintended consequence of setting a dangerous precedent for future developments along Lakeshore Rd and elsewhere in Olde Oakville. We ask that the Recommendation Report and Format Group's Application not be approved by the Town for the below reasons:

*[note: page references are to the Planning Services Department's Recommendation Report dated January 9, 2024]*

**Proposed Amendment is a major change to Zoning By-laws.** "...The subject property is zoned Central Business District as per Zoning By-law 2014-014, and subject to Special Provision 17 (CBD sp: 17), which permits a mixed use building up to 5 storeys in height (with bonusing)." [p.2]

**Proposed Project is not complementary to the neighbourhood and does not adhere to the current Livable Oakville goals, objectives, and policies for Kerr Village which provide for a mixed-use building up to 5 storeys in height.** As noted in the Recommendation Report: "...Livable Oakville goals, objectives and policies for Kerr Village which provide for a mixed-use building, up to 5-storeys in height..." [p.6] The Recommendation Report then recommends significant modifications in the absence of any rationale.

The proposed building height will create significant privacy and shadowing issues and does not fit into the streetscape nor the character of the immediate residential area on the south side of Lakeshore. The proposed number of units will result in significantly higher traffic in the area (particularly on Chisholm), creating pedestrian safety concerns and increasing the "noise level" in the immediate area. Of note, the Recommendation Report requires a revised Transportation Impact Study to be submitted which suggests that some of the data is dated and/or that there are concerns with the transportation impacts which the Planning Services Dept hopes can be addressed through a reduction in the number of residential units.

**Proposed Project does not conform with other building approvals in the proximity.** [note: A list of recent development approvals in the area has been requested from the Planning Services

Dept, but has not yet been provided.] We are aware of four recent area developments that are similar in location and lot size, but are significantly smaller:

- (1) "Revera" Retirement Home (105, 113-159 Garden Dr). ~54, 200 SF lot, 100 independent supportive living units and 32 assisted living units, 5 storeys;
- (2) "Berskshire Residences" (123 Maurice Dr). ~25,400 SF lot, 55 residential units, 1-2 commercial units, 4 storey;
- (3) 95 Brookfield Rd, 22 townhouses, 3 storey + roof terrace;
- (4) "Windermere" (205 Lakeshore Rd W). ~16,600 SF lot, 33 residential units, 2 commercial units, 4 storey.

An exception is the Lions Foundation of Canada Dog Guides redevelopment, on the northern side of Lakeshore and on an infinitely larger site, which will be a 6 storey retirement home with 230 suites but only 110 parking spots.

Based on the above projects and site size (25,155 square feet), it is reasonable that the development on 42 Lakeshore Rd W should be in the range of 30-50 residential units, 1-3 commercial units, 4-5 storeys which would conform with the current zoning and Living Oakville guidelines, and better fit the streetscape.

The Developer has stated that higher density is required to ensure the financial viability of the project. However, the four examples cited above suggest medium density projects are financially viable.

It is unclear why the Town is being inconsistent with its treatment of this site compared to other recent projects.

**The developer has not addressed the Community's questions and comments. The revised plans presented in the Recommendation Report are developed by the Planning Services Dept, not the Developer, and they still do not address the Community's concerns.**

The developer has hosted "information meetings", but has not been transparent in discussing the development plans nor has responded to the principal concerns raised by the Community. At both the WHRA's AGM on April 25, 2023 and the Developer's Information Session on July 25, 2023, there was great opposition to the proposed project and significant frustration to the lack of answers. The lack of community input is noteworthy as the WHRA has provided input to other developers in the past and works closely with the Town to address community concerns, including (and most notably) the existing traffic issues on Chisholm.

**Local area residents are vehemently opposed to the Proposed Project.** In addition to verbal presentations at the above "information meetings", written objections have been submitted to the Town. Prior to the November 13, 2023 Council Meeting, 52 Petitions objecting to the proposed Amendments were delivered to Town Hall. In addition, many other households emailed their petitions and/or detailed objection letters directly to the Town. We estimate that nearly 100 objections were submitted prior to the November Council Meeting, which is a

sizeable portion of the area households. [note: the total number of objections received has been requested from the Planning Services Dept, but has not yet been provided.] Neither the current application nor recommended amendments appropriately address the key objections raised and therefore these letters and petitions should remain tabled.

In summary...

- **We, and we know the majority of the Community, object to the Developer's Application and the Planning Services' Recommended Amendments and ask the Mayor and Council to not approve the proposed Application and Amendment.**
- **However, we believe the majority of the Community (including the undersigned) support the development of the 42 Lakeshore Rd West site provided it complies with the existing By-laws and is complementary to the Community and the long-term vision of "Livable Oakville".**

Kind regards,

Manlio and Nancy Marescotti



On Mon, 8 Jan 2024 at 12:45, Franca Piazza <[franca.piazza@oakville.ca](mailto:franca.piazza@oakville.ca)> wrote:

Attached is the Meeting for a Proposed Official Plan and Zoning By-law Amendment notice served in accordance with the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

If you prefer that we use an alternative email address for service, please contact Franca Piazza, Legislative Coordinator at 905-845-6601 ext. 5986 or at [franca.piazza@oakville.ca](mailto:franca.piazza@oakville.ca)

**Franca Piazza, (She/Her)**  
**Legislative Coordinator**  
**Planning Services**

Town of Oakville | 905-845-6601, ext.5986 | f: 905-338-4230 | [www.oakville.ca](http://www.oakville.ca)

**From:** Heather Gaber [REDACTED]

**Sent:** Sunday, January 21, 2024 9:04 PM

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

**Subject:** 42 Lakeshore Road West Format Lakeshore Inc. OPA 1715.25, Z.1715.25, Ward 2

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

To whom it may concern,

We oppose the building of a 10 or even 8 storey building on the lot at 42 Lakeshore Rd. The overbearing size of a building that tall on such a small lot will negatively impact the surrounding neighbours. Please consider a smaller building more in line with the immediate area.

Thank you,  
Heather & Anthony

**From:** [REDACTED]

**Sent:** Sunday, January 21, 2024 10:05 PM

**To:** \_Members of Council <[MembersofCouncil@oakville.ca](mailto:MembersofCouncil@oakville.ca)>; Cathy Duddeck <[cathy.duddeck@oakville.ca](mailto:cathy.duddeck@oakville.ca)>; Ray Chisholm <[ray.chisholm@oakville.ca](mailto:ray.chisholm@oakville.ca)>; Rob Burton <[Mayor@oakville.ca](mailto:Mayor@oakville.ca)>; Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>

**Subject:** Planning Development Council Meeting 22 Jan 2024 OPA File No. 1715.25 Zoning By-Law amendment File No 1715.25 Format Lakeshore Inc

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**Attention: The Town Clerk**

Town of Oakville  
Clerk's Department  
1225 Trafalgar Road  
Oakville  
L6J 2M1

21 January 2024

**Attention:** Mayor Rob Burton  
Ray Chisholm  
Cathy Duddeck  
All Oakville Town Councillors

**Re: Recommendation Report – Official Plan Amendment (File No. 1715.25) and Zoning By-law Amendment (File 1715.25) Format Lakeshore Inc., 42 Lakeshore Road West – By-law 2024-020 and By-law 2024-021**

Firstly, thank you all for taking the time to read and consider our response to the Recommendation Report from the Planning Services Department set out below.

We have reviewed the Recommendation Report presented by the Planning Services Department (PSD) and have a number of concerns regarding both the process being followed to consider and approve the Application submitted by Format in October 2023, as well as the specific recommendations of the Planning Services Department.

We attach our submission to the Town of Oakville on 8 November 2024 in response to the Application, submitted by Format on 3 October 2023, for an amendment to the Official Plan and the Zoning by-law. Please consider our 8 November 2023 letter in addition to our response set out below to this Recommendation Report submitted by the Planning Services Department.

In summary our **broader concerns** regarding the Recommendation Report submitted by the Planning Services Department are:

1. The PSD Recommendation Report does not provide any reasons why the existing standards should be amended, only that the standards should not apply to this Application. We are asking why the

accepted Town and Region standards should not apply to this property? Why is it necessary to amend the existing standards for this particular application?

2. The PSD Recommendation Report for By-law amendments to facilitate approval of the Application relies on vague and unspecified “holding provisions” to be adjudicated subjectively by, *inter alia*, the Planning Services Department, against standards that are not enumerated or stated or subject to any objective oversight, community transparency or scrutiny.

For example, the Recommendation Report states that a “*revised Transportation Impact Study, inclusive of a revised parking plan, be submitted*” and that this “*revised Transportation Impact Study will be completed through the future site plan application*”, however this does not stipulate what the parameters of the study would be or what requirements should be met for the transportation impacts to be deemed acceptable. Is the mere submission of an updated Transportation Impact Study sufficient to meet the bar for approval? How much traffic on the corner of Chisholm and Lakeshore, or Forsythe and Lakeshore, is too much? What are the measurements or standards which should be met?

3. That the 120-day timing issue appears to be a *fait accompli*, does not excuse the Council and interested parties from requiring more certainty from the Planning Services Department as to how the Applicant’s eventual submission will be adjudicated. It appears that the PSD is seeking approval **now** for issues that will be reviewed in the **future** site plan application. Why is the approval now being based on thus far inconclusive or incomplete studies which will be submitted during the site plan application. **This process to approve a by-law amendment now without sufficient information seems to be rushed and ill-considered.**
4. **The PSD Recommendation Report seems to cross an important line in giving the appearance of the Planning Services Department representing the Applicant/developer.** This seems to present a clear conflict of interest. This apparent/perceived conflict of interest is anchored to a non-compliant Application which was knowingly submitted as non-compliant with the current established standards. **A Planning Services Department Recommendation provided at the last minute, apparently under 120-day timing pressure, seeks far-reaching amendments that casually set an alarming precedent.** This recommendation seems to demonstrate a contempt for Council, as well as for the Oakville community. The only benefit for the community of Oakville appears to be to avoid the Applicant’s right to appeal to the Ontario Land Tribunal and to receive from the Town a part-refund of the fees the Applicant has paid to the Town.

Our **specific concerns** regarding the actual Planning Service Department recommendations are:

#### **A. Building Height**

The Recommendation Report states that an 8-storey building of [35 metres in height] with greater setbacks, fewer dwelling units and fewer underground parking floors, is acceptable without advancing any evidence why 8 storeys is better than the previously agreed 5 storeys [of 18 metres in height]. Why not 7, or 6 or 5 for that matter? The motivation for 8 storeys seems only to be anchored to the developer’s 10

storey application, rather than starting with the question **why any increase** from the current by-law requirement of 5 storeys is justified.

Furthermore, it is unclear whether the developer is proposing a 10-storey building or an 11-storey building. Whilst the Planning Justification Report presented by Batory on behalf of Format (in October last year) refers to a 10-storey building of 38.25 metres, a footnote on page 2 of the PSD Recommendation Report states that *“For consistency this report will refer to the proposed mixed-use building as 10 storeys however it is technically 11 storeys when accounting for the rooftop amenity space.”* **Clearly the neighbouring residents are very concerned about this “technicality” as, the fact, is what has been applied for is an 11-storey building and this important issue has been tucked away in a tiny footnote.**

**So, the PSD is recommending a building of 9 storeys when the rooftop amenity space is taken into account.**

According to the current regulation, as set out in the table on page 24 of the Recommendation Report, regulation c) states that the property is zoned for a building of 18 metres in height. This is currently set at 5 storeys. So, this means that each storey is 3 metres high making five storeys a total of 18 metres high. The PSD proposed 8 storey building would be 8 X 3 metres totalling 24 metres high. Assuming we add 3 metres for the roof top amenities storey this would be 9 X 3 metres totalling 27 metres high. However, the PSD Recommendation is for a building of 35 metres high.

And whilst they are proposing to reduce the number of storeys by 2, the height differential from the 10-storey 38.25 metre application is just 3.25 metres lower at 35 metres for the 8-storey building being proposed by the Town’s Planning Services Department. **Surely, using the same ratio of storeys to height in metres, 8 storeys should only be ~24m in total height, not 35m?**

Regulation m) in the table on page 24 states *“The maximum height shall **include** a mechanical penthouse which should not exceed 6 metres above the maximum height.”* If the maximum height of an 8-storey building is 3 metres by 8 storeys totalling 24 metres, plus 6 metres for the mechanical penthouse then the total height for this building should be no more than 30 metres, yet the Town’s Planning Service Department is recommending a building of 35 metres, plus rooftop amenities of 6 metres. Does this take the building to 41 metres? **What is the actual height the PSD is proposing for this building?**

**All of this is very confusing to the point of obfuscation and does not appear to be in good faith.**

#### **B. Recommendation 1 on page 1:**

*“That the Official Plan Amendment and Zoning By-law Amendments for 42 Lakeshore Road West, (File No. 1715.25 and Z. 1715.25), as modified to an 8 storey building, be approved on the basis that the amendments are consistent with the Provincial Policy Statement, conform with all applicable Provincial Plans, the Region of Halton Official Plan, the Livable Oakville Plan, have regard for matters of Provincial interest, and represent good planning for the reasons outlined in the report from the Planning Services department dated 9 January 2024.”*

We take issue with this recommendation as it is tautologous and places the Planning Services Department as subjective adjudicator of its own process and recommendations. The Planning Services department has itself modified the proposal to an 8-storey building. This has not been submitted by the developer and the

PSD is deeming its own proposal to be in conformity with all applicable plans. Is this not a decision for the Council to make?

**C. Recommendation 4 on page 1:**

*“That the notice of the Council’s decision reflect that Council has fully considered all of the written and oral submissions relating to these matters and that those comments have been appropriately addressed.” This cannot be “fully considered” where approval is predicated on decisions not yet made and vaguely referenced by unspecific “holding provisions” requiring further studies and updates.* The PSD Recommendation Report itself calls for, amongst other things:

- A **review of unit types and sizes** to ensure a reasonable mix of unit sizes.
- A **revised Transport Impact Study**, with a change of scope, including a new parking plan.
- A **Streetscape Plan** with improvements to the public realm along Lakeshore Road West and Chisholm Street.
- A **revised Functional Servicing Report**
- Continuing **sun/shadow impacts to be reviewed** through the future site plan to ensure the parameters of the **Town’s terms of reference** for shadow impacts are met.
- And other items, such as encouraging sustainable building practices, a review of set-backs and step backs, encouragement to mitigate noise levels, etc.

In view of the fact that so many issues need revision and updated plans, it seems that this development being proposed by Format and recommended by the Town’s own Planning Services Department is not ready for approval and does not warrant changing the Town’s Official Plan and By-laws.

This may be standard Planning Services Department practice in these planning matters, but surely falls well short of a transparent and easily verifiable process. **We also do not believe Council can honestly and fairly state it has “fully considered all of the written and oral submissions” and that those “comments” have been “appropriately addressed” because the holding provisions do not set out clear requirements to be fulfilled before approval.** This holding provision is pushed to a future unspecified date so neither the Council nor the PSD nor the public can possibly have fully considered them and deemed the comments to have been “appropriately addressed.”

**D. Page 3 bullet point 3 Recommendation:**

*“Staff recommends approval of the proposal, as revised as it is consistent with the Provincial Policy Statement, conform with all applicable Provincial Plans, the Region of Halton Official Plan, the Liveable Oakville Plan, have regard for matters of Provincial interest, and represents good planning for the reasons”*

Firstly, this recommendation appears to be incomplete as it does not state the reasons, it simply stops mid sentence.

Secondly, clearly neither the developer’s application, nor the Town’s Planning Services Department proposal, as set out in the Recommendation Report, is “consistent with” all applicable plans or regulations since they are seeking an amendment to the Official Plan and the Town’s Zoning by-laws. **If this was consistent with these plans, no amendment to the Plan or the By-law would be required. They are**

**purporting that a deviation from the already regulated standard is “good planning.” We cannot agree with this.**

Finally, allowing for this amendment and deviation from the established Official Plan and Town of Oakville By-laws opens the door for further, ongoing amendments to the Town’s vision for Oakville and sets an alarming precedent for future developments which affect the physical character, shadowing and traffic impacts of this neighbourhood.

**We cannot support this application to amend the Official Plan and By-laws, nor the Planning Service Department’s recommendation for an 8 (effectively 9) storey building on this site.**

Yours faithfully,

**Linda and Andrew Dorrington**

Submission on 8 November 2023

**Attention: The Town Clerk**

Town of Oakville  
Clerk’s Department  
1225 Trafalgar Road  
Oakville  
ON L6H 0H3

8 November 2023

**Attention:**

**Ray Chisholm** [ray.chisholm@oakville.ca](mailto:ray.chisholm@oakville.ca)

**Cathy Duddeck** [cathy.duddeck@oakville.ca](mailto:cathy.duddeck@oakville.ca)

**Re: OPA1715.25 Ward 2 Official Plan Amendment and Zoning By-law Amendment**

Dear Sir/Madam,

We are joint owners of [REDACTED], Oakville and as such are directly impacted by the proposed development at 42 Lakeshore Road West. We have reviewed, in detail, the documents pertaining to this development on the Town of Oakville website, and we hereby formally submit our response to the proposed by-law amendment and development on this property.

Firstly, we fully understand and appreciate the current pressures on the Federal, Provincial and Municipal Governments across Canada to address the housing crisis facing the country. We understand that densifying existing urban and exurban areas is preferable to eroding the greenbelt and creating further sprawl. We also understand that expanding communities into new areas is more costly for local governments who then have to provide infrastructure, transportation and services to these communities.

Having said that, we believe that this push to densify existing communities needs to be undertaken very carefully and thoughtfully so as not to destabilize, overshadow, overwhelm and change the character of existing neighbourhoods.

**We have gone through this application carefully and we strongly object to the proposal to re-zone 42 Lakeshore Road West to allow for a building of the size and density as set out in this application** by Format Lakeshore Inc. and its consultants, Batory Planning & Management. In summary, the project proposal references multiple instances of non-compliance with Town standards and relies on opinions not supported by the facts of their own studies. The detailed reasons for our objection are set out below.

## 1. HEIGHT, MASS, DENSITY, SCALE AND CHARACTER

It is our view that this proposed building is altogether too high, too dense and its mass and scale does not transition sensitively relative to the other residences on the south side of Lakeshore between Kerr and Forsythe streets and as such it does not protect the physical character of the existing neighbourhood.

On review, this proposal is not in accordance with the **Halton Region Official Plan (ROP)**, specifically, the two policies identified below.

Policy 79.3(6) of the Halton ROP requires: *“Local Municipalities to ensure the proper integration of Strategic Growth Areas with surrounding neighbourhoods through pedestrian walkways, cycling paths and transit routes, and the **protection of the physical character of these neighbourhoods** through urban design.”*

Policy 86 (11) *“Permit intensification of land use for residential purposes such as infill, redevelopment, and conversion of existing structures **provided that the physical character of existing neighbourhoods can be maintained.**”*

The height, mass and scale of this proposed building is too great relative to the other residential homes south of Lakeshore Road in this immediate neighbourhood and as such does not protect the physical character of the neighbourhood. The distinct “West Harbour” neighbourhood (sub-area) is bounded by Forsythe Street, Lakeshore Road West, Kerr Street and South to the lake, regardless of its position in the wider Kerr Street Strategic Growth Area, which includes a number of distinct sub-areas.

Chisholm Street south of Lakeshore Road West, where this proposed development is situated, is entirely residential, apart from the gelato shop on the southwest corner. This new development will entirely change the character of this small neighbourhood. The neighbourhood currently consists of 36 houses and townhouses and the increase of 152 additional units in this neighbourhood will entirely change the character of the area.

Furthermore, this proposed building is not supportive of the **Town of Oakville’s Official Plan, Livable Oakville**, for several reasons.

As stated in the Batory Planning and Urban Design Rationale document, Section 6.9 of Oakville’s Official Plan emphasizes compatibility with buildings in the surrounding context through location, orientation, scale, fit and transition. This section directs that new developments should ensure that proposed building heights and form are compatible with adjacent existing development by employing

an appropriate transition of height and form from new to existing development, which may include setbacks, façade step backs or terracing.

This property (42 Lakeshore West) was previously approved for a 5-storey building of no higher than 18.0 metres. This proposed new 10-storey building will more than double that height to 38.25 metres. **That is 20.25 metres greater than was previously approved and permitted.**

In addition, the Oakville Official Plan guideline regarding right-of-way widths is not being respected. The Official Plan recommends that the “development should be situated below a 45-degree angular plane projected over the property above a height of 80% of that width (20.8 metres) or a maximum of 6 storeys.”

This proposed new building exceeds the suggested angular plane and overall building height restrictions by 20.25 metres and is five storeys higher than is permitted. The step backs and setbacks are not sufficient to address or ameliorate the significant increase in mass and scale relative to the other residences and commercial buildings on the south side of Lakeshore Road West.

Existing mixed use (residential and street -facing business premises) on Lakeshore West are significantly lower in height and minimal impact on the overall character of the neighbourhood. Existing higher-rise buildings are all on the Northside of Lakeshore West or distant from the West Harbour neighbourhood with minimal impact on the West Harbour community.

Section 3.3.21 of the Oakville Official Plan and the guidelines recommend that buildings above 6 storeys are set back a minimum of 5.5 metres from side property lines. The proposed development is set back just 0.79 metres from the west property line. **That proposed setback is 4.71 metres less than recommended in the Town of Oakville’s own plan for development in Oakville.**

Construction of this building will effectively dictate how the adjacent properties on the west side of Lakeshore Road will have to be used in the future. A 38.25-metre-high building, with no windows and only 0.79 metre setback from the property line, will mean that any future development on the adjacent properties will be constrained by the impacts on shadow, wind, light and view, resulting from this 10-storey building which does not meet the setback recommendations in the guidelines of the Oakville Official Plan. Future developers of the adjacent property will have to take into account that west-facing occupants, whether residential or commercial, will be looking over an alleyway and onto a blank wall opposite. **This certainly is not in keeping with, nor does it protect, the physical character of the existing neighbourhood as required by the Halton Region Official Plan.**

There is insufficient evidence to support the impact conclusions in the project proposal and its non-compliance with existing Town of Oakville standards.

## 2. SHADOW IMPACTS

The Town of Oakville Terms of Reference for Shadow Impact Assessments set out clear criteria for determining the impact of shadows cast by development. These criteria consider the impact on private residential properties, public space and the potential for solar energy.

Format and Batory acknowledge that their impacts exceed the limits set by the town. Their conclusion, however, is that these impacts are “modest” and “minor” are unsubstantiated.

## **Public Realm Impacts**

Regarding the impact on public space, and as stated in the developer's own shadow study, on 21 April and on 21 September the sidewalks on Lakeshore Road West had continuous sunlight for only 4 hours (from 1:54 to 5:54 pm). The town requires that public sidewalks receive at least 5 hours of sunlight per day on 21 April, 21 June and 21 September. This 20% non-compliance with the minimum standard set by the town is characterized by the developer as "modest." This non-compliance is justified by the developer based on what they claim are the impacts of the existing approved development and other structures in the area. However, these studies were not provided to the public in this application for comparison, so we are unable to accept the opinions of the developer. Our conclusion is that these shadow impacts are not modest. Furthermore, non-compliance by other developments should not be allowed to set a precedent at variance with the Town's stated standards.

The Chisholm Street sidewalk only received a little over 4 hours (less than the required 5 hours) of continuous sunlight on 21 April. On 21 September Chisholm Street sidewalk only received 2 hours of continuous sunlight in the morning. The developer claims that a "significant portion" of this sidewalk received full sunlight from 8:34 am to 1:34 pm. However, the developer does not identify which portion of the Chisholm Sidewalk received the sun, nor do they define what they mean by "significant portion."

## **Allowance for Solar Energy**

In the context of global warming and the climate crisis more and more people are moving to solar and other sources of renewable energy. Future developments should facilitate rather than inhibit the future adoption of solar energy to power and heat homes.

In view of this, the Town of Oakville's terms of reference require that new developments do not exceed two consecutive hours of shadow on 21 December.

The developer's shadow study shows that the proposed 10-storey building will exceed the consecutive two-hour requirement on three properties in the vicinity, at the northwest and southeast corners of Lakeshore Road West. These properties will experience three hours of shadow consecutively on 21 December should this building be approved. This will impact the feasibility of any future installation of solar energy panels on these buildings and goes against all the efforts being made to combat and adapt to climate change.

Section 11.1.9 of the Livable Oakville Plan states that *"Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy and microclimatic conditions such as shadowing."*

What is clear is that the shadow analysis does not meet the Town of Oakville's Terms of Reference and the standards, nor the Livable Oakville Plan. The developers claim that the three criteria set by the Town are "generally" met and that increases in shadow are "minor". This opinion is not congruent with the intention, nor the standards set by the Town of Oakville, and is unsupported by the results of the developer's own studies.

## **3. TRAFFIC IMPACTS**

The developer had a traffic study conducted by LEA Consulting and this document is available on the town website, however, it is largely indecipherable to the lay person or general members of the public due to the extensive use of jargon acronyms and opinions unsupported by the provided data. The developer's Rationale/Planning Justification Report mentions that this study was conducted and concludes that the traffic impacts resulting from this proposed 10-storey, 152-unit building, will be "minimal".

We find it significant that the developer and their consultant, Batory, have not seen fit to provide a detailed analysis in plain language in their Rationale/Planning Justification Report as they did with other subjects. This omission gives the impression that the developer is not being completely transparent or that the study is less than comprehensively supportive of their opinions.

Before this zoning by-law amendment is considered, we require the traffic study be explained to residents without obfuscation and jargon and the opinions justified in terms that can be understood by those who are not qualified traffic engineers and will be most impacted by the increased traffic resulting from this proposed development.

Section 11.1.9 of the Livable Oakville Plan states that within all stable residential communities, *"The transportation system should adequately accommodate anticipated traffic volumes..."* Without further study and greater clarity, it is not clear from the development proposal that the traffic volumes can be adequately accommodated.

It is our view, as the people most impacted by the proposed development, that the congestion and noise impacts from the increased traffic caused by this development will not be minimal.

### **Congestion and Noise**

Based on common sense and experience, our position is that it is unrealistic to believe that adding potentially 183 new vehicles, plus construction vehicles, moving trucks for residents, weekly garbage collection and additional commercial activity and deliveries will have a "minimal" impact on the local neighbourhood and residents in the area. It is simply not possible that all of this additional traffic in the area will have a minimal impact.

In order for the residents and users of the new development to enter and exit the parking garage and access Lakeshore Road West they will be circulating the block from Chisholm to Burnet and then Wilson, Forsythe or Kerr streets. This will add a significant amount of additional traffic to what are relatively quiet narrow residential streets.

The additional traffic in and out of the new building and in the surrounding local streets will have a significant impact on not only congestion but also noise levels in the neighbourhood.

We have not seen a noise study done regarding this development. Is there one? If not, why is it not required and why was it not conducted?

### **Parking**

The average Canadian household has 1.5 cars each. 41% of the units in the proposed development will have two or three bedrooms and it is reasonable to estimate that those units will house two adults each (and some children). Indeed, the one-bedroomed units could also house two adults each. If we assume that each unit has two adults, they could potentially each need a car. That would require 304 parking spots. If we use the national average of 1.5 cars per household as a guide, the building will require 228 parking spots. While these numbers may not be reached, it is safe to say that 152 resident parking spots will be insufficient. Where will all the additional cars park?

And, even if the parking provisions meet the Town guidelines, it is unclear from the traffic study, how this increased number of cars and resulting traffic congestion will be accommodated in the proposed development.

Chisholm Street is narrow and already has a problem with parking and through traffic congestion. At certain times of the day and the week (specifically in the summer or weekends/public holidays) it is difficult for two-way traffic to pass due to the parking on the west side of the street. Removing the street parking to allow for freer traffic flow will simply exacerbate the traffic and parking congestion on other streets in the residential West Harbour neighbourhood.

### **Face the reality of inadequate public transit**

It is clear from the Rationale/Justification Report that the developers purport to be contributing to climate change solutions by constructing a building with insufficient parking. On page 48 of the Rationale/Justification Planning Report, the developer's state that *"the limited amount of proposed parking – 1 spaces (sic) per unit, excluding visitor parking – reflects the intent of the Growth Area to encourage transit use and eschew personal automobile travel where possible."*

While we understand that the Provincial Policy Statement (2020), Policy 1.1.3.3 sets out that *"Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development,"* and that Policy 1.6.7.4 *"promotes land use patterns, densities, and mixes that minimizes the length and number of vehicle trips and support current and future use of transit and active transportation"*, the fact is that:

- a. Public transit in Ontario is simply neither adequate nor extensive enough to meet the needs of our increasing population. Toronto, Oakville and the GTA simply cannot compete with cities such as London, New York, Tokyo or Barcelona, etc. when it comes to providing flexible, far reaching, frequent, high-speed public transportation. We simply do not have the public transit infrastructure in the GTA to meet the transportation needs of our residents.

Expecting developer's to effectively force residents into using public transit rather than personal vehicles by not providing adequate parking is cynical and not a realistic solution to the transit problem or to combatting greenhouse gas emissions. When there is inadequate public transit, people will always rely on their own vehicles which provide more efficient, reliable, flexible, and convenient transportation.

- b. The climate in the GTA is such that from October to May (7 months) the average monthly low temperatures are between +3 degrees and -12 degrees C. The high temperatures for these months are between -4 and +12 degrees C. That means for much of the year people will, and do

in fact, “eschew” active transportation as the weather conditions go from being unpleasant to downright dangerous for walking a cycling in snow and ice.

Lakeshore Road West and East is a high traffic corridor and cyclists take their lives in their hands on this busy road. Furthermore, there is no bike lane on Lakeshore between Wilson and Forsythe.

The 152 bicycle parking spaces are commendable, but these spots are unlikely to be fully utilized as for much of the year, and for many of the elderly residents this mixed-use building is apparently targeting, bicycles are simply not a practical option.

- c. The developer acknowledges that there are no planned changes to the existing study area transport network within the 5-year window of their study (i.e., before 2027.) This means that the Town has no plans to enhance the transport network within the next five years however, this proposed new development will add significant traffic to the West Harbour and surrounding neighbourhoods.
- d. Patronizing “transit-based strategies” referenced in the Traffic Study (e.g., “encourage residents to utilize alternative modes to the personal vehicle to undertake daily activities” or “promotional materials” for “alternative travel modes”) are a condescending cop-out for so-called experts who will not have to live with the consequences of their unsubstantiated opinions and places the responsibility on residents for ameliorating the traffic congestion they acknowledge will occur. The developer’s advice for residents to avoid congestion by changing the resident’s lifestyle, is simply disingenuous given a deficient proposal and absent any stated/concrete future support from the Town of Oakville.

On 19 January 2022 Turo Canada and Leger released their Car Ownership Index study. This study shows that:

- 83% of Canadians own or lease a vehicle.
- 81% of car owners feel it is impossible not to own a car and they have no plans to not own a car in the future.
- The reasons given by Canadian car owners for owning a vehicle are convenience (31%), commuting (30%) and freedom (17%).

The reality is that the citizens of Canada, and certainly Oakville, will remain dependent on personal automobiles (bicycles are at best a seasonal option for a certain demographic and not for the elderly and physically challenged residents at any time of year).

Provincial and other Governments simply decreeing the use of transit or active transportation will not make it so. Developers who cynically aim to get their projects approved by greenwashing their intentions without providing any concrete steps to evidence how the decree is implemented will not actually address the issues they purport to be solving.

**Where there is no viable alternative, people will “eschew” active transportation and public transit and will use cars.**

#### 4. CONCLUSION

While we understand the political and real-life pressures on all levels of Government to address the housing crisis and the so-called climate crisis, we find the proponent's attempt to characterize their project as an answer to these problems unconvincing. The developer, like any other business is motivated by profit, and it is our view that our neighbourhood should not be hastily sacrificed for the wrong reasons.

Residents are well-aware that the Town of Oakville is anxious to receive its share of the Federal Government's Housing Accelerator Fund. We are concerned that the Town of Oakville may rush to approve this zoning by-law amendment as an indication that Oakville is compliant with the conditions set by the Minister of Housing, Infrastructure and Communities in his letter to Mayor Burton on 25 October 2023. However, we believe that making short-term decisions to secure Federal funding (or for other reasons) and approve this application to change our by-laws is not the way to build well-balanced sustainable communities and is not in alignment with Livable Oakville.

We ask the Town of Oakville to consider very carefully their decision regarding this re-zoning application. Once this zoning by-law amendment is made, it opens the door and sets a precedent for other such applications in Oakville. Please think about what has made Oakville a successful community and what gives it its distinct character and appeal. Should this zoning by-law amendment be approved and the 10-story building be constructed, there will be no going back.

Yours faithfully,

**Linda and Andrew Dorrington**

*Linda Dorrington*

*Author of [The Phantom](#) and [The Fraud](#) – a novel*

*Available on Amazon*



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

From: Gudrun Bennett [REDACTED] >

Sent: Monday, January 22, 2024 8:24 AM

To: Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>; Rob Burton <[Mayor@oakville.ca](mailto:Mayor@oakville.ca)>; Cathy Duddeck <[cathy.duddeck@oakville.ca](mailto:cathy.duddeck@oakville.ca)>; Ray Chisholm <[ray.chisholm@oakville.ca](mailto:ray.chisholm@oakville.ca)>; Manlio Marescotti [REDACTED]; Brian Gore [REDACTED]; Ahughes33 [REDACTED]

Subject: 42 Chisholm proposed height and density

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

Bryan and I live at [REDACTED] Oakville and echo the concerns and arguments presented by Anne and Mark Hughes, Brian Gore and Manlio Marescotti and others.

We are totally dismayed that our planning department would be more accommodating to developers wishes for more financial gain than to the very valid concerns of the neighboring residents. Neither a ten story building nor an eight story one really 9:with roof super structure, should be allowed to be built. As has been pointed out repeatedly, either size would increase already existing traffic problems as these neighborhood streets are feeders for the ever more popular Tannery Park and the various much used parking lots. These concerns have been addressed in previous submissions.

In addition there is the concern of shadowing houses and depriving them of much needed sunlight if the proposed building exceeds the five story limit set out sensibly by the Town years ago.

We would like to have an explanation as to why the planning department sees fit to change those parameters and pander to the developer, totally disregarding and overriding citizen input and concerns. The argument that these units are much needed does not hold in view of the fact that a majority of the units in the buildings at the corner of Bronte Road and Lakeshore, built to similar greedy density standards, remains unoccupied two and more years after completion. If a project fails and goes bankrupt, the damage to the streetscape has still been done. You cannot unscramble scrambled eggs. Therefore this ill conceived concept must not be allowed to go forward and we urge and expect our very own town council to look after its citizens concerns rather than those of an entirely profit motivated developer.

Gudrun and Bryan Bennett

[REDACTED]  
Oakville Ontario  
[REDACTED]

Sent from my iPad

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

From: Riadh M [REDACTED]  
Sent: Monday, January 22, 2024 10:09 AM  
To: Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>  
Cc: Ray Chisholm <[ray.chisholm@oakville.ca](mailto:ray.chisholm@oakville.ca)>; Cathy Duddeck <[cathy.duddeck@oakville.ca](mailto:cathy.duddeck@oakville.ca)>  
Subject: Development at 42 Lakeshore West

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Hello TownClerk,

I am writing to express my opposition and concerns to the proposed Development at 42 Lakeshore Road West.

I live on [REDACTED] across from this property, and know how busy this street can be at certain times, specially when cars are parked and given how narrow the street is, adding 150+ units with very little parking for them, will make it even worse. The proposed building with 8 or more floors will ensure many properties on the east side of Chisholm street will be in the shadow of this high rise building, specially since this building has very little or no setback. it is not the right building for this community, and does not reflect its character.

The developer has only one goal and that is to make as much profit as possible, and hence they are proposing a very high density 8 or more floors building, as they do not care about the negative impact to the Community this building will have, nor do they care that building does not reflects the Character of the community. I trust that our city planners and All the city councillors will put the interest of the community and what is best for it a head of the interest of the developer and reject plans that does not reflect what the land is zoned for.

The community does want to see this property developed, but in a responsible way that reflect its character.

Riadh Matti

[REDACTED]  
Oakville, L6K 3H8

**From:** Lorna Sinclair [REDACTED]

**Sent:** Monday, January 22, 2024 10:17 AM

**To:** Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>; \_Members of Council <[MembersofCouncil@oakville.ca](mailto:MembersofCouncil@oakville.ca)>; Rob Burton <[Mayor@oakville.ca](mailto:Mayor@oakville.ca)>; Cathy Duddeck <[cathy.duddeck@oakville.ca](mailto:cathy.duddeck@oakville.ca)>; Ray Chisholm <[ray.chisholm@oakville.ca](mailto:ray.chisholm@oakville.ca)>

**Subject:** Format Development; Misrepresentations & Lack of Due Process

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

**Attention: The Town Clerk**

Town of Oakville

Clerk's Department

1225 Trafalgar Road

Oakville

L6J 2M1

21 January 2024

**Attention: Mayor Rob Burton**

**Ray Chisholm**

**Cathy Duddeck**

**All Oakville Town Councillors**

**Re: Format Lakeshore Inc., File No. OPA1715.25, Z.1715.25, Ward No. 2**

Having recently received the attached January 22, 2024 meeting notice, we are following up on our previous submission dated November 12, 2023 with respect to the Format Lakeshore Inc. ("Format" or the "applicant") development proposal. We have reviewed the related report dated January 9, 2024 prepared by the Planning Services Department (the "report"), and are incredulous at the misrepresentations made and the lack of due process.

We do appreciate the significant amount of work that went into the recommended zoning changes with respect to setbacks, step-backs, and balcony projections, but the reduction of only 2 storeys is

unacceptable as the neighborhood residents' key issues remain unresolved. The reduction also appears to have been part of the original plan.

**By copy of this letter to the Town Clerk we request to be notified of the Town's decision in this matter, including the appeal process, in order to review our options with counsel.**

**We are also reviewing our rights under the Town's "Accountability and Transparency" commitment, whether through a Freedom of Information ("FOI"), or the Oakville "Ethics and Efficiency" site to document the misuse of Town time, materials and records as it appears the Town has done a significant amount of the applicant's work at the taxpayers' cost.**

#### Misrepresentations and Lack of Due Process

The Planning department report recommends that the official plan and by-law amendments, as modified to an 8 storey building, be approved by Council and that subsequent notice of Council's decision to do so will reflect that *"Council has fully considered all of the written and oral submissions relating to these matters and that those comments have been appropriately addressed"*. The report goes on to say that while Format is aware of these revisions, *"there is insufficient time under the Planning Act to continue discussions or for the applicant to provide a revised submission"*. We understand that the urgency to expedite passage of this proposal is due to the Town's January 31<sup>st</sup> decision deadline, failing which Format is entitled to file an appeal for non-decision. A meeting was therefore set for January 22<sup>nd</sup> in order for Council to meet this deadline despite the fact that the residents' key concerns have not been addressed throughout a process that has bordered on unethical.

Per Appendix "D" of the report, and the Town's official list of Active Development Applications, the only request by Format for an amendment to the zoning by-laws was the October 3, 2023 request for a maximum building height of 11 storeys, yet the draft plan and by-law amendments (Appendices D & E) are for a 9 storey building? And this after none of the residents' key questions have been answered by either Format, Batory or the Town? I myself have left a voicemail for Town planning staff (I can provide name and time) almost 2 weeks ago regarding these issues and have yet to receive a response. Questions raised at the November 13th Town public meeting, and in submissions with respect to that meeting include height, density, setbacks, history of parking and traffic concerns, shadow impacts and inadequate/erroneous/misleading studies and reports in the original Format/Batory submission.

The report notes that approval of the Zoning By-law amendment is subject to a holding provision requiring updates to reports and studies, but these updates are open-ended (e.g., no due dates, no criteria – i.e. need to meet existing bylaws) and are only subject to Region and Town signoff with no future consideration of the residents' concerns.

With respect to the key issue, being the number of storeys, we note that the original proposal put forward by both Format and the Town was for a 10-storey building, when in fact the building was to be 11-storeys (10 storeys plus amenities floor) plus MPH as confirmed by the draft Re-Zoning amendment. However, the architectural drawing used from the beginning by both Format and the Town was of an 8-storey building. This misleading rendering was not only used on submissions, but also on the Town billboards on the 42 Lakeshore Road West lot. And now we see that the Planning

Department's recommended "8-storey" building would actually be 9 storeys (Appendices D and E, Official Plan Amendment and Zoning By-law Amendment).

My summary of the status of this proposal/process is as follows. On November 13<sup>th</sup> the applicant's representative Paul Demczak (a former Oakville Town planner according to the Batory website) came to the Town public meeting and presented a proposal that garnered no support from the neighborhood residents, but Format still proceeded with their 11 storey application. The Town then drafted its own 37 page proposal that is not the subject of a revised submission from the applicant, yet they have provided draft amendments that they would like executed on January 22<sup>nd</sup> despite no actual submission from Format and zero support from the community. We want to stress that the community has said over and over that they are amenable to a 5 storey building (reflecting the current zoning), which itself would result in a huge increase in the population and density of the neighborhood, but first need the Town to engage in solving the existing parking/traffic concerns. A 5 storey building would also meet the Town's own plans for moderate growth in this area.

#### Issues Not Addressed to Date

To summarize, the following are the existing and anticipated traffic and parking issues on Chisholm have not been adequately addressed by the Town to date;

- Traffic studies related to adding a 152 unit building have all focussed on Lakeshore Road despite the fact the parking and freight entrances are on Chisholm only a few meters from residential homes
- Traffic studies need to be re-done to reflect peak periods, including morning and evening commuting traffic and Tannery Park evening and weekend traffic
- Starting in March 2021 the community had multiple meetings with the Town and Police regarding the Tanney Park traffic/parking/gridlock issues on Chisholm. The Town has tried no parking, 2 hour parking, increased ticketing, and there there is still gridlock at certain times. This is also a safety issue as emergency vehicles cannot move and there have been accidents at the Lakeshore/Chisholm intersection (there are Town and Police records). How would the exponential increase in traffic on Chisholm be dealt with?

In addition, the following are concerns raised at the November 13<sup>th</sup> meeting and resulting from a reading of the submission documents;

- The proposed 11 storey high building will be windowless and .79m from the property line on the west side. Why? What type of building is going to be built in the future beside such a huge blank wall of concrete almost on the lot line? Per Batory's own submission, "It is anticipated that the adjacent property to the west will redevelop in the future in a form similar to the proposed development with a similar upper floor condition". We would like to understand this statement.

- Current zoning side setback provisions for the site require a 5.5m setback. Format is proposing a .79m setback for the west side, and refers to this differential as “immaterial”. How is an 85% decrease in setback immaterial?
- At the November 13<sup>th</sup> meeting the resident of 87 Chisholm, a home that will face the vehicle entrance on Chisholm, asked why there was virtually no setback on the east side of the property. While the enhanced south side setbacks are addressed in detail in Format’s submission, the only mention of the eastern setback is on one of the drawings which indicates it is 1.1m. To date Batory/Format have not answered this question. Will the east side of the building protrude much further out than the Chisholm townhouses south of the site, thus greatly negating the enhanced south side setbacks Batory’s submission focuses on?

**In conclusion, we cannot support Format’s application to amend the Official Plan and By-laws to 11 storeys for the site in question, nor the Town Planning department’s recommendation for a 9 storey building on the site. In addition, we would like to express our serious concerns with the extent of misrepresentations and lack of due process throughout this file, including the significant amount of Town resources that have been directed towards activities outside of their mandate.**

Lorna Sinclair & Chris Fregren



**From:** Hossam Shiaty [REDACTED]

**Sent:** Monday, January 22, 2024 10:18 AM

**To:** Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>; Rob Burton <[Mayor@oakville.ca](mailto:Mayor@oakville.ca)>; \_Members of Council <[MembersofCouncil@oakville.ca](mailto:MembersofCouncil@oakville.ca)>; Ray Chisholm <[ray.chisholm@oakville.ca](mailto:ray.chisholm@oakville.ca)>; Cathy Duddeck <[cathy.duddeck@oakville.ca](mailto:cathy.duddeck@oakville.ca)>

**Cc:** Karen & Mark Banks [REDACTED]; Eileen & Rainer Beltzner <[REDACTED]>; Gudrun H Bennett [REDACTED]; Slava & Rob Breckon [REDACTED]; John Cupp [REDACTED]; Laura & Tony Dableh <[REDACTED]>; Liliane Dableh [REDACTED]; Jennifer & Mark Dietrich [REDACTED]; Phillip Early <[REDACTED]>; Colin Fell [REDACTED]; Brian Gore [REDACTED]; Margaret Hanson [REDACTED]; Anne & Mark Hughes [REDACTED]; Peter Kennan [REDACTED]; Vicki Kennan [REDACTED]; Karen & Gary MacDonald [REDACTED]; Nancy & Manlio Marescotti [REDACTED]; Lynn & Peter McAdam [REDACTED]; Kathy & Keith Mosley [REDACTED]; Sian Owen <[REDACTED]>; Dianne & Norman Pridgeon [REDACTED]; Nancy & Jim Purkis [REDACTED]; Jane Raham [REDACTED]; Laurie & William Shutt [REDACTED]; Marianne & Kurt Strobele <[REDACTED]>; Darlene Vilas [REDACTED]; Kelly Vournakis [REDACTED]; Alan Kouba [REDACTED]; Diana Trask [REDACTED]; Lynette Shiaty [REDACTED]

**Subject:** 42 Lakeshore Road West Development

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

Dear Mayor Burton and councillors,

We wish to add our strong disagreement and objection regarding this development to the many other objections you have already received.

The south side of Lakeshore Rd W. has no building taller than the townhouses lining it from Forsythe to Dorval and should remain this way as everything south of it is low rise residential

There is no conceivable reason this area should be turned into high density housing.

There will be a serious increase in traffic congestion in the area with cars continually making left turns into Chisholm with the attendant safety risks to pedestrians and traffic.

Chisholm Street is not wide enough to bear that kind of traffic.

We fail to understand why we always have to make exceptions to our bylaws and zoning to accommodate every development project thrown our way

While we all accept the province's need to increase housing density, we still have a responsibility to decide how and where to do it reasonably and effectively.

This kind of high density project needs to be near transportation hubs, not at the corner of Chisholm and Lakeshore where public transportation is barely adequate.

And last but not least, an exception such at this will create a very dangerous and worrisome precedent.

Yours Sincerely,

Lynette and Hosam Shiaty

Hossam Shiaty

[REDACTED]

Oakville ON

[REDACTED]

[REDACTED]

**From:** Max Farley [REDACTED] >  
**Sent:** Monday, January 22, 2024 10:31 AM  
**To:** Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>  
**Cc:** Rob Burton <[Mayor@oakville.ca](mailto:Mayor@oakville.ca)>; Cathy Duddeck <[cathy.duddeck@oakville.ca](mailto:cathy.duddeck@oakville.ca)>; Ray Chisholm <[ray.chisholm@oakville.ca](mailto:ray.chisholm@oakville.ca)>  
**Subject:** Re: OPA and Z.1715.25 – Format Lakeshore Inc. – 42 Lakeshore Road West – response from 86 Chisholm St

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

With respect to the amended plan for 42 Lakeshore Road, we have the following feedback:

The recommended reduction in height is encouraging, especially given that the proposed design images appear similar to the staggered 10 storey version. However, the fact that the revised plan is incomplete is alarming, and we can't support approving an incomplete plan. As per our email of November 10th, please don't allow another level of government to pressure us into making a decision without all information in a complete, official plan, especially as it pertains to the number of units to be included in the building, which appears to be suggested to be reduced on a straight line basis relative to the number of storeys being removed, and is still too dense in our view. Our concerns remain relating to the impact of the proposed building density on the already problematic traffic and parking issues which we pointed out in our November 10th email in this thread.

For the record, should a plan be approved and should construction proceed, we would like to ensure the following:

- The fence on the property line between [REDACTED] and 42 Lakeshore road is in good working order, and any damage to the fence or desire to replace it with a new fence would be funded by the owners of 42 Lakeshore.
- Similarly, the owners of 42 Lakeshore would be responsible for any damage to the retaining wall, driveway and property in general (all of which are on our side of the shared property line per survey)
- Owners of 42 Lakeshore should be responsible for compensating the owners of nearby properties for nuisance issues related to construction (i.e. regular window cleaning for dust, noise issues, 'weather vaning' of cranes overhead, etc)
- Bylaws about noise regulations should be strictly adhered to (start,/end/volume)
- Parking bylaws should be enforced during construction, and we would recommend the town consider permit only parking on Chisholm St, with two permits per resident during construction. We understand that construction requires many vehicles, but finding suitable parking for those vehicles is the responsibility of the builder and should not impact local businesses and residents.

These points may be covered already via existing by-laws or other legislation/rules, but we wanted to identify this up front. Mentioning these points now in no way suggests that we accept the current plan - again, we find the plan incomplete and can't support it in its current state.

Thanks

Max Farley and Ceilia Bai

[REDACTED] Oakville, ON [REDACTED]  
[REDACTED]

On Fri, Nov 10, 2023 at 4:00 PM Max Farley <[REDACTED]> wrote:

We are not opposed to the idea of development at 42 Lakeshore road, but have serious concerns about the currently proposed plan. The proposed height is significantly taller than the approved height, and would be an intrusion into the existing neighbourhood. Of greater concern is the proposed density of 152 dwelling units, particularly with only one parking spot per unit.

The traffic impact on an already busy street will likely make Chisholm St, which can be log jammed during busier hours of the day, into a dangerous gridlock. It is not a wide road, and when cars are parked on the west side of the street, bidirectional flow is not possible. Should this project proceed "as is", I anticipate the Town will have no choice but to make Chisholm a one way street south of Lakeshore to prevent gridlock extending onto Lakeshore road due to tenants and visitors trying to enter/exit the new building. With only one parking spot per unit, very limited guest parking, and new retail stores on the ground floor, we anticipate significant illegal / rogue parking in the neighbourhood as well.

The proposed height and density would be more appropriate in the proposed midtown area of Oakville, where it is closer to the transit hubs.

Again, we are not anti-development, but we do not support this sort of density for this building. The very feasible solution would be fewer, larger units at a higher price point to ensure the developer still makes a strong return on their investment. Please, let's not sacrifice the livability of Oakville in order to try to achieve density targets handed down from other levels of government.

Sincerely

Max Farley / Ceilia Bai

[REDACTED] Oakville, ON, [REDACTED]  
[REDACTED]

**From:** Landecon <[landecon@cosmopolitan.ca](mailto:landecon@cosmopolitan.ca)>

**Sent:** Monday, January 22, 2024 11:58 AM

**To:** Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>; Riley McKnight <[riley.mcknight@oakville.ca](mailto:riley.mcknight@oakville.ca)>; Cosimo Casale <[cosimo@cosmopolitan.ca](mailto:cosimo@cosmopolitan.ca)>

**Subject:** Arbor Memorial Inc. Commenting: Official Plan Amendment OPA1715.25 and Zoning By-law Amendment Z1715.25 (Format Lakeshore Inc.)

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

The Town Clerk of the Town Oakville,

Cosmopolitan Associates Inc. (CAI) represents Arbor Memorial Inc. (Arbor) on planning and land development matters. Arbor are the owners of the Oakview Funeral Home, located at 56 Lakeshore Road W..

As an interested stakeholder, we have reviewed **Proposed Official Plan Amendment OPA1715.25 and Zoning By-law Amendment Z1715.25 by Format Lakeshore Inc.** Please see our comments in the attached letter.

We are available to discuss our comments and concerns via a phone call or a virtual meeting, please do not hesitate to contact us.

Thank you for your consideration.

Sincerely,  
Cosimo **Casale**, P.Eng MCIP RPP PLE



January 22, 2024

**Attention: Planning and Development Council**

c/o Town Clerk at the Town of Oakville, Clerk's Department  
1225 Trafalgar Road, Oakville, Ontario L6H 0H3  
via: [townclerk@oakville.ca](mailto:townclerk@oakville.ca)

**cc: Riley McKnight, Planner, Current Planning – West District**

via: [riley.mcknight@oakville.ca](mailto:riley.mcknight@oakville.ca)

**Dear Council Members,**

**Re: Stakeholder Commenting on Proposed Official Plan Amendment OPA1715.25 and Zoning By-law Amendment Z1715.25 by Format Lakeshore Inc.**

Arbor Memorial Inc., Property Owner of Oakview Funeral Home at  
56 Lakeshore Road W, Oakville, ON L6K 1C7

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We are writing on behalf of Arbor Memorial Inc. (Arbor), whom we have represented for more than 20 years, on land use planning, engineering and land economics matters concerning their land holdings, cemeteries and funeral homes across Canada. Oakview Funeral Home (Oakview FH) is an Arbor property, located adjacent to the captioned proposal for **Official Plan Amendment OPA1715.25 and Zoning By-law Amendment Z1715.25** submitted by Batory Planning + Management (Batory) on behalf of Format Lakeshore Inc. (Proponent).

We understand that the updated proposal includes the reduction of the building height to 8 storeys with the development of fewer apartment units (Proposal) at 42 Lakeshore Road W. (Subject Lands). We have conducted a preliminary review of the Oakville planning staff's Recommendation Report for the Proposal dated January 09, 2024 and the attached appendices.

Oakview FH abuts the southwestern boundary of the Proponent's Subject Lands. In light of this proximity, we have previously written to you expressing our concerns regarding the

185 Blake Avenue  
Willowdale Ontario  
M2M 1B5 CANADA

tel 416.730.0886  
fax 416.250.0328  
[cosimo@cosmopolitan.ca](mailto:cosimo@cosmopolitan.ca)

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**DATE:** JANUARY 22, 2024

potential negative impacts of this Proposal on our client's property. The reduction of the building height from 10 to 8 storeys without any substantial change in building mass, especially along the western boundary, and lot coverage does not address our concerns. Our previous concerns are still valid, and we would like to reiterate them. Please see our letter dated November 12, 2023 attached for reference.

Please accept this letter as our formal submission to the Town of Oakville in regard to the Proponent's Proposal and request that our comments be given due consideration and incorporated where appropriate. The concerns identified in this letter are not exhaustive and we reserve our intent to submit additional comments and concerns throughout the development review process.

As mentioned, our focus is to ensure Arbor's current development permissions and rights are protected perhaps through instruments / conditional terms to be included in the Official Plan Amendment, Zoning By-law Amendment and/or Site Plan Agreement of this development.

We look forward to working with you to cooperatively find reasonable approaches to resolve our concerns on this matter. Should you have any questions, please do not hesitate to contact the undersigned.

Thank you for your attention.

***Sincerely,***

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Cosimo **Casale**, P.Eng. MCIP RPP PLE  
Cosmopolitan Associates Inc.



November 12, 2023

**Attention: Planning and Development Council**

c/o Town Clerk at the Town of Oakville, Clerk's Department  
1225 Trafalgar Road, Oakville, Ontario L6H 0H3  
via: [townclerk@oakville.ca](mailto:townclerk@oakville.ca)

**cc: Riley McKnight, Planner, Current Planning – West District**

via: [riley.mcknight@oakville.ca](mailto:riley.mcknight@oakville.ca)

**Dear Council Members,**

**Re: Stakeholder Commenting on Proposed Official Plan Amendment OPA1715.25 and Zoning By-law Amendment Z1715.25 by Format Lakeshore Inc.**

Arbor Memorial Inc., Property Owner of Oakview Funeral Home at  
56 Lakeshore Road W, Oakville, ON L6K 1C7

---

We are writing on behalf of Arbor Memorial Inc. (Arbor), whom we have represented for more than 20 years, on land use planning, engineering and land economics matters concerning their land holdings, cemeteries and funeral homes across Canada. Oakview Funeral Home (Oakview FH) is an Arbor property, located adjacent to the captioned proposal for **Official Plan Amendment OPA1715.25 and Zoning By-law Amendment Z1715.25** submitted by Batory Planning + Management (Batory) on behalf of Format Lakeshore Inc. (Proponent), to facilitate the development of a 10-storey mixed-use building with 477 square metres of commercial and retail space, 152 apartment units, and associated amenity space, bicycle and vehicle parking (Proposal) at 42 Lakeshore Road W. (Subject Lands).

We have conducted a preliminary review of the first submission materials for the Proposal, and the Planning & Urban Design Rationale by Batory dated August 2023. We understand the Proponent would like to add a site-specific exception to the main street designation

185 Blake Avenue  
Willowdale Ontario  
M2M 1B5 CANADA

tel 416.730.0886  
fax 416.250.0328  
[cosimo@cosmopolitan.ca](mailto:cosimo@cosmopolitan.ca)

land economists planners engineers designers project managers



DATE: NOVEMBER 12, 2023

within the Oakville Official Plan to increase the maximum building height from 5 storeys to 10 storeys, rezone the Subject Lands to increase the maximum building height from 4 to 10 storeys at 41m; and modify the minimum rear yard to permit building step-backs along the southern property line.

Oakview FH abuts the southwestern boundary of the Proponent's Subject Lands. In light of this proximity, we are writing to express a few initial concerns that require your attention and to express that we wish to work with the Proponent to resolve any items outlined herein. Our concerns are primarily related to the potential negative impacts of this Proposal on our client's property.

At the outset, we have to mention that Batory and, by extension, the Proponent does not recognize the presence and adjacency of Oakview FH to the Subject Lands in their Planning & Urban Design Rationale. Much emphasis and effort has been placed on the adjacency of the residential uses along the southern boundary of the Subject Lands, and the measures being taken to mitigate any potential impacts. However, there is no mention of the presence, relationship and/or interplay between such a large-scale, multi-storey development and our client's property, despite sharing a mutual property line.

Our interest, on behalf of our client, is to ensure that Arbor's development rights, as permitted, will not be curtailed by the Proposal or by any future residents thereof who may subsequently decide to object to any future development, build-out and/or routine operational activities within the Oakview FH property adjacent to the mutual property line. Therefore, as part of this application process, we request that the Proponent acknowledge and agree not to object, interfere or otherwise act in a manner that would directly or indirectly curtail Arbor's approved development permissions and rights over time.

We also understand that this is only the Proponent's first submission, and the Town's planning staff and other commenting agencies are yet to review the applications and provide their opinion. However, following are some of our initial comments:

1. **ACKNOWLEDGEMENT & DISCLOSURE:** The Proponent should specifically clarify in their reports if the residential units within the proposed development are for-sale condominiums or purpose-built rental apartments. We request that the Proponent include in their sales or leasing documents to future buyers or tenants of their development an acknowledgment that in purchasing or leasing their property, the buyers / tenants understand and agree that Oakview Funeral Home exists adjacent, or in the vicinity of, their home, and they will not object to any development/building applications or on-going build-out construction and/or operational activity within the Oakview FH property.
2. **TRAFFIC & CIRCULATION IMPACTS:** The Proponent should provide additional clarification on the adequacy of the underground parking and the impact of traffic generated by the Proposal, especially considering the proximity of the intersection of the proposed garage exit, Chisholm Street and Lakeshore Road W. Of specific concern regarding impacts on access to Oakview FH and its operations, and from a comprehensive planning perspective of the area, we request clarification on



**DATE:** NOVEMBER 12, 2023

the rush-hour traffic and queuing impact of 152 resident vehicles entering or exiting the underground garage, and if the Proposal could generate demand for additional on-street parking from the residents and/or commercial patrons. What, if any, mitigation measures are being considered to minimize negative impacts on surrounding properties?

- DESIGN, LANDSCAPE TREATMENT AND FENCING:** We would like the Proponent to provide additional clarification on the intent and design of the proposed setback area, and specifically how the design and treatment of the mutual property line may interface with and/or impact the current and future development of Oakview FH, especially given that the proposed building is about 1m from the property line.

The Proponent should provide a detailed design for the treatment of the mutual property line, including a strong tree-lined visual buffer installed and maintained through the retention of the existing trees and/or by planting new trees along the mutual property line on the Proponent's side and a decorative privacy fence of an appropriate height, and mixed vegetative screening with evergreen trees to create a strong visual and physical barrier between the Proposal and Oakview FH, to be provided and maintained at the Proponent's expense. We would like to have the opportunity to review and provide input on the boundary treatment and privacy screening along the mutual property line.

- SHADOW AND PRIVACY IMPACTS:** The Proponent should provide additional clarification on the shadow impacts on Oakview FH, and identify design options exploring alternatives that may minimize the shadowing of our client's property. We would like the Proponent and/or the planning staff to provide the "42 pages of coloured illustrations showing proposed and existing shadows" identified in the Shadow Analysis by Icon Architects included in this submission, for our review. We have not been able to locate this document of illustrations on the Oakville website.

The outdoor amenity space proposed is located abutting the rear yard of the funeral home. We are concerned regarding the associated impacts for patrons and their families during funeral and visitation services.

- CONSTRUCTION DISTURBANCE:** We request the Proponent to provide clarification regarding mitigation measures to be taken during construction to prevent and/or minimize the adverse impacts of dust, noise, etc., on day-to-day Funeral Home operations. For example, we would like to see some form of noise abatement during construction should a service be held during the site preparation and construction phase of the development. We are willing to work with Format Lakeshore Inc. on devising appropriate mitigation measures, and believe a simple liaison between the Oakview FH Property Manager and the on-site Construction Project Manager would suffice to ensure timely coordination and prevent disruptions to memorial services.



**DATE:** NOVEMBER 12, 2023

As, and when, the Proposal progresses into the stage of site plan approvals, we would like the opportunity to discuss the mutual property line treatment and review all related grading and landscape drawings, specifications, fence type/details, tree preservation plans, property line landscape barriers and drainage plans. We can, therefore, have the opportunity to review and provide comments to ensure that proposed screening and grading changes do not interfere with the visual appearance, and stormwater drainage over the mutual property line of Oakview FH and the Subject Lands.

Please accept this letter as our formal submission to the Town of Oakville in regard to the Proponent's Proposal and request that our comments be given due consideration and incorporated where appropriate. The concerns identified in this letter are not exhaustive and we reserve our intent to submit additional comments and concerns throughout the development review process. We also request the Town staff to keep us on the circulation list for this Proposal.

As mentioned, our focus is to ensure Arbor's current development permissions and rights are protected perhaps through instruments / conditional terms to be included in the Official Plan Amendment, Zoning By-law Amendment and/or Site Plan Agreement of this development.

We look forward to working with you to cooperatively find reasonable approaches to resolve our concerns on this matter. Should you have any questions, please do not hesitate to contact the undersigned.

Thank you for your attention.

**Sincerely,**

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Cosimo **Casale**, P.Eng. MCIP RPP PLE  
Cosmopolitan Associates Inc.