

Susan and Olaf Alksnis - Sherwood Heights and a Livable Oakville

Livable Oakville 2.2.1 Guiding Principles: To preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods (Sunset walks up the hill. Watch the clouds. See the Lake).

## PROCEDURAL ISSUES

The Clearview neighbourhood is mostly unaware of this issue. Notices were mailed to property owners within 240m of the property. There was no broader paper door-to-door delivery of a notice, no mail, no email messages relating to this matter, even though it could fundamentally alter the character of our neighbourhood. This lack of communication generates distrust.

The “statutory public meeting” for the application was held in January 2023 and “one member of the public attended.” Yet everyone we have spoken to has been shocked by the coming potential changes.

And even those who have paid full attention are daunted by a bewildering array of acronyms and terms, and vague phrases such as “range of employment uses” or opaque phrases such as “to act as a transition from surrounding employment uses and sensitive land uses.” The website’s continued use of 2022 materials has confused some. And it is difficult to construct a full picture of what is happening because of a serious absence of detail. Sadly, it is then harder to generate public emotion and opposition.

When letters were written by the public (given to us in Appendix D), their concerns and preferences seemed to have no impact. I parsed their letters and many raised questions that were not resolved by any of the documents presented on the Town’s website. See our Appendix 1

Yet, Council is to agree that “Council has fully considered all the written and oral submissions relating to these matters and that those comments have been appropriately addressed.”

## WHAT WE ARE NOT YET GIVEN

I find that little has been appropriately addressed, or indeed addressed at all. Here is a list of 9 FUTURE TO-DOs derived from OPA 68:

- Transportation Impact Study
- Environmental Impact Assessment
- Arborist Report
- Stormwater management determined through the development process
- Stormwater Management Report
- Land Use Compatibility Study
- Environmental Site Assessment
- The type and size of permitted uses shall be determined through the development process and regulated by the implementing zoning
- Additional technical studies, ie noise, vibration, air quality may be required

Clearly, many very important issues have not yet been addressed.

## CORE DETAILS AND THE DEVIL IN THE DETAILS

It is hard for us members of the public to take the information that has been given to us and then generate a concrete picture of what is going on here.

Individual buildings shall not exceed 7000 square meters. That is about 84 meters by 84 meters. Surprisingly, the number of buildings allowed is not specified. Hence the total number of allowable “square meters” is not known. The maximum height of buildings is not specified. A conceptual drawing of potential buildings shows about 45 business/commercial units and just under 400 parking spaces for cars and trucks. No maximum number of parking spaces is given. This is a mammoth enterprise.

These Business Employment uses are permitted where they have been demonstrated to be compatible with surrounding sensitive land uses. I cannot see that any such demonstration has been made, but the list of allowed uses includes: restaurants, art galleries, places of entertainment, and animal shelters. So, at best, late-night noise disturbs the slumbers of residents on Winterbourne. At worst, inebriated patrons stagger to the community garden and the food forest for inappropriate midnight activities.

But the purchaser of a property capable of holding multiple 7000 square meter buildings will not be aiming to accommodate numerous Mom-and-Pop shops. They will recoup their costs by much larger schemes,

So thankfully, the Livable Oakville Official Plan speaks of “Urban Structure” – How to grow to provide for the long-term protection of natural heritage, public open space and cultural heritage resources, and maintain the character of Residential areas. But we are not being maintained. Livableness means that “Buffering and landscaping shall be required to ensure visual and physical separation between employment uses and adjacent uses.”(14.1.4) Where is the buffering? Where is the separation? If “across the street” is separation, what does “zoning” mean?

400 or more cars and trucks will make their daily left turn onto Sherwood Heights, from a turning lane that can accommodate 2 cars, or one truck, and any more than that will clog the single eastbound lane on Kingsway. So you will have to widen Kingsway even though the kids’ playground and basketball courts are only meters away.

The steepness of the Sherwood Heights hill will make trucks and commercial vehicles generate a lot more transmission and breaking noise. Trucks from the East will pass our two neighbourhood schools.

If an area is a “Neighbourhood Hub” how close can a large business development be? Across the street? What is a safety-first design for sports and leisure activities? How close can we allow development to a children’s soccer field? Where do parents park for a soccer game when Sherwood Heights itself can no longer be parked on? How close should trucks get to a children’s playground and basketball court?

How can you ensure that we end up with a Livable Oakville if we approve developments that lack specification of almost any details?

## ECOLOGICAL CONCERNS I

Repeatedly, the Province has expressed the importance of the environment.

Provincial Policy Statement 2020. Many provisions of this document highlight the importance of environmental foresight:

1.1.1d “avoiding development and land use patterns which may cause environmental or public health and safety concerns”

1.1.1h “promoting development and land use patterns that conserve biodiversity”

1.1.1i “preparing for the regional and local impacts of a changing climate”

1.1.3 “It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures”

1.1.3.2d asks us to prepare for the impacts of a changing climate

Growth Plan 2019. Many provisions of this document also highlight the importance of environmental foresight:

“The Growth Plan is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment”

1.2.1 Guiding Principles include “Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime” and “Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure- that are adaptive to the impacts of a changing climate- and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions”

2.2.1.4f “mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities”

Globally and nationally, there is a growing acknowledgment of the likely future climate changes facing us. In response to grocery prices and food chain disruptions, we need a forward-looking insuring of agricultural possibilities in Oakville. Already there is a serious demand for the growing spaces allocated in the Community Gardens (a 5 year waiting list). Expand the gardens. 2551 can help.

Locally, provincially-mandated densification will give us 50,000 new people east of the Oakville GO station, and an apparent reluctance to go to any high-rise model will result in a minimum of available green space. But more people will require more Parks. 2551 is only a ten-minute drive for those fifty thousand people. Give them 500 trees to aid in carbon sequestration, urban cooling, and wildlife protection. Green relaxation while seeing some birds of prey or coyotes.

If we don’t do this, where will the Green Space required in the future be obtained from? As the population and temperature increase, the need for Green will increase.

Do we want to go further? How about a new configuration on Sherwood Heights. We could leave the

land as is and move the road much closer to Ford Drive. Then we combine existing park and public areas with 2551, leaving a large contiguous area for Community Gardens, Dog Park, Walking paths, Food Forest, and an expanded Avonhead Trail. This would be a substantial and unique contribution to a livable Oakville. Something needed.

But where is the need for OPA 68? Unsold parcels of land have existed at the top of Sherwood Heights for years. Unused buildings are only minutes away.

## ECOLOGICAL CONCERNS II -Stormwater

Paving over and building on top of 2551 will seriously damage the site's ability to absorb rainfall, even as we face increasing numbers and severity of thunderstorms and rains. 100-year events are now occurring in consecutive years.

The Joshua's Creek valley has clearly been a concern and past events have necessitated a Stormwater Management Pond on the south side of Kingsway and a more massive one between Sheridan Gardens and the train tracks. This is because the entire Avonhead area is historically subject to extreme weather events. Some may remember a November 30<sup>th</sup> sudden storm about ten years ago. It blasted Oakville quite badly with unexpected snow, but in particular it hit the Sherwood Heights/Ford Drive area with a solid glaze of ice, rendering driving exceptionally hazardous. We watched cars drive up the hill, only to slide the entire way back down. When walking up the hill to see a summer sunset, the temperature seems to fall substantially with all that green around you. The hill is truly connected to Nature.

The entire property basically slopes down from East to West, and from North to South. So it slopes down to the NE corner of Ford and Kingway where a single pipe receives the runoff. I do not believe that the land can be paved-over without serious and very costly run-off ramifications. The Stormwater Management Pond is presumably there for a reason. Paving over 2551 will greatly exacerbate that concern.

And this issue is of special concern because, contrary to the ESSQ, the property was used for commercial purposes that may have caused contamination. Ford did have a large parking lot there, vestiges of which remain. This is an easily verified empirical fact. I saw it yesterday.

## NEW TRANSIT CAPABILITIES

Need another use of the land? It's close proximity to both the QEW and the 403 make it an ideal location for charging stations for Electric vehicles or a GTA transit hub, with access from Ford Drive.

## CONCLUSION

Apparently, the air quality on this site is too poor for a Long Term Care Facility. Yet adding major businesses, and hundred of cars, and trucks would not harm the air quality for nearby Clearview residents. Instead, somehow it "buffers" us. It's a "complementary" development that can act as a buffer for emissions, noise and vibrations coming from the adjacent highway, and improve access to services and goods for Clearview residents. This is being done to help Clearview? Common sense

suggests that rather than any buffering, an increase in emissions, noise, and vibrations will occur. Add large buildings and large parking lots, how could it be otherwise?

Staff are of the opinion that the proposed change in land use designation would contribute to a healthy, livable and safe community. I do not think so. No one I have talked to in Clearview thinks so. Because this is not good planning. At every point, development supersedes environment and community. This is partly concealed by the extensive lack of detail. Parameters that will only be filled in later: “a refinement of uses, size and types will be implemented through a future Zoning By-law Amendment application”. That’s when “functional and technical design matters” will be addressed.

Staff think that OPA 68 provides a comprehensive approach to determining the limits of development. But 68 does not remotely tell us what those limits are. Sadly, anyone financially capable of buying this property will have the financial and legal wherewithal to forcefully guide the process forward, so that every square inch of 2551 is used solely for “development”.

So this is not a “transition” of any kind. It is a sea-change for our community. By eliminating environment and community, OPA 68 is inconsistent with the Provincial Policy Statement. It is entirely inconsistent with the “general intent and purpose” of the Livable Oakville Plan. The application claims to conform to the Town’s Urban Structure because it “aids in the achievement of complete communities”. But zoning is all about “juxtaposition” and “close proximity” and designing “separation”. For 30 years, the Town made the East side of Sherwood Heights a vibrant multi-faceted Neighbourhood Hub. Fantastic. Makes me proud to live in Oakville. Now the West side is to be a .....what? It does not “complete” Clearview. It damages many of our favourite things about Clearview. It introduces hundreds of strangers to places where our youngest neighbours like to spend time.

How the two sides of Sherwood Heights look in ten years will say a lot about how Oakville actually works and what it wants to be.

One thing leaves me with a lingering anger. Staff think that OPA 68 protects “natural features”. This is particularly galling, as the entire site will be bulldozed and every living thing removed. Here are three important quotations: “Virtually all of the subject property will require clearing and grading, and therefore all existing vegetation .... will require removal as a result of the development”. (EIR p24 6.3.1) and “The marsh vegetation of the two small wetland communities will also be removed” and “a limited number of trees that would be protected by the Town’s tree bylaw will be removed” (EIR, p24)

Think about this. This is where we are? How can we create a document such as this? It’s like the famous 1968 quotation: We had to destroy the village in order to save it. This is front-page-of-the-newspaper kind of stuff. Government acting badly.

Staff think that there are no outstanding planning issues to be resolved, that this is the community design strategy of a Livable Oakville. If this is true, how will Oakville possibly remain special? How is this facing up to a declared Climate Emergency? Can massive developments ignore the environment entirely? Once Green is gone, it will be gone forever. Grassland gone. Wetlands gone.

I do not think that the interests of Oakville and Clearview are being protected. This is not good planning. When I have used the phrase “Staff think” it is because that’s the phrase the documents use. But the world is changing in fundamental ways. I guess that what is considered good planning has to change if we want to end up with a truly Livable Oakville. Thank you.

## APPENDIX 1- ISSUES RAISED BY LETTERS

- =Major warehousing
- =Worry about size of future development
- =Trucks on local roads
- =Endanger residents, close proximity to community park and small children
- =Noise abatements
- =Increased traffic, limiting residents' access
- =Better community-related uses
- =Small shops, not warehouses
- =Kids on the soccer fields- nearby
- =Strangers drawn into proximity to kids
- =Danger to natural area with urban wildlife, plants
- =Less of a buffer between Clearview and Ford Drive/ QEW
- =Kingsford Gardens Park- sports fields, community garden, dog park, children's playground, Food Forest, Pollinator Pathway/ will be impacted
- =Lack data wrt traffic, air quality, odour, noise effects on sensitive sites above
- =Proximity to sensitive sites and residences, so extent and nature of site contaminants should be identified and studies before the land is designated
- =Environmental sustainability
- =Cultural vibrancy
- =Social well-being of residents
- =Limit the height?
- =Traffic on Ford, using Kingsway as a thorough-fare between WC and Ford
- =Eye-sore
- =Noise pollution
- =Drive coyotes and foxes out of 2551 and into neighbourhood, humans and pets in danger
- =Air quality is already poor
- =Deviation from MECP guidelines for development

- =The applicant has not performed due diligence in evaluation of the significant risk this change in land use presents to local residents, community, public, and natural environment
- =Compatibility Study is conflicting in its analysis and fails to address fundamental concerns to public health and safety
- =Proposed change is in very close proximity to sensitive public sites, so a more detailed study is required
- =The facility is planned within 70 meters of a sensitive land use, conflicts with recommended separation distances defined by the MECF
- =fails to assess, minimize and mitigate any impact to residents and the community at this time and instead defers evaluation to the change in land use is in place.
- =As documented in the Environmental site assessment, the site includes fill material of a currently unknown environmental quality, potential hydrocarbon contamination and heavy metals. A more rigorous assessment of the potential air quality, odour and noise impacts from disturbance of these materials is required.
- =The documented need to remove 108 plant species including 40 native species to facilitate development of the land
- =The documented on site observation of 33 bird species including 4 breeding bird species and 2 bird species at risk (SAR)
- =It is known that the site was subject to the placement of fill material and likely contamination due to the presence of the highway in close proximity. The extent and nature of site contaminants, anthropogenic in origin, remains unclear as documented in the report. A more rigorous assessment of site contaminants including independent field investigations should be completed to assess the characteristics of the soil and groundwater and suitability for excavation and to permit the proposed change in land use. The contaminants identified as potentially present at the site including metals, Arsenic, Selenium, Antimony, Petroleum Hydrocarbons (PHCs), Volatile Organic Compounds (VOCs), Polychlorinated Biphenyl (PCBs). These contaminants are known to be highly carcinogenic to humans and can lead to cancer.
- =The Environmental Site Screening Questionnaire filled out by GSP is misleading. In responding to Question 4.” Is there any reason to believe that the subject property is potentially contaminant based on historic use...”. GSP has responded as “uncertain.” This response is misleading and contradicts with statements in the Phase One ESA completed by GHD. The Phase 1 ESA identifies the area as subject to infilling with the potential for the contaminants identified in Item 4. above as being present.
- =risks include but are not limited to exposure to air borne contaminants including carcinogenic chemicals, dust, and noise
- =lack of meaningful public consultation or engagement
- =need critique of EIS- no significant natural features or species or habitats?

=Physical site investigations

=More rigorous assessment of potential site contaminants

=Bottleneck to future QEW/403 developments