

Planning and Development Council Meeting
Tuesday, October 15, 2024

Comments Received Regarding Item 6.2

Town-initiated, Town-wide
Town initiated Official Plan Amendments to Preserve the Town's
Protected Employment Areas per subsections 1(1.1) and (1.2) of the
Planning Act, R.S.O. 1990, c. P.13 (File No. 52.57.03)

From: [Lynda Agudo](#)
To: [Town Clerks](#)
Subject: [EXTERNAL] Cornwall and Trafalgar residences...
Date: Friday, October 4, 2024 11:53:16 AM

To whom it may concern,

I love that area, (not the traffic so much) with Beertown on the corner and all the beautiful planters. I HATE thinking of a 19 story residential/shopping building going up! I'll bet a ton of other people object to it too. I think a huge structure would just ruin that corner. Hope there is time to have that reversed. Thanks, a concerned citizen,
Lynda.

Sent from my iPhone



Thursday, October 10, 2024

VIA EMAIL

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

Dear Mayor Burton and Members of Oakville Council:

**Re: Public Meeting and Recommendation Report -Town-initiated Official
Plan Amendments for Town's Protected Employment Areas**

I am writing to you as the Chief Executive Officer of the following companies, all of which own lands with the corporate limits of the Town of Oakville:

- Rowhedge Construction Limited
- Star Oak Developments Limited
- Sixth Oak Inc.
- Melrose Investments Inc.
- Mel (Wyecroft) Inc.
- Guglietti Brothers Investments Limited

All of the above-referenced companies are registered owners of lands in the various Employment Areas of the Town of Oakville. For purposes of this letter I will speak of them as "Melrose".

My staff and I have reviewed the Staff Report that was prepared for the upcoming October 15, 2024 Planning and Development Council meeting, as well as the draft Official Plan Amendments that are appendices to that report, and we can advise that we have concerns with the way the Town is proceeding in this matter.

As Council is well aware, Melrose has taken an active role in the development and implementation of the various planning documents that have been adopted over the years

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TEL: 905-849-1360 FAX: 905-849-9921

www.melroseinvestments.com

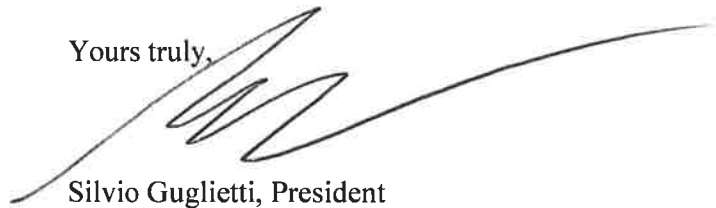
that concern the Employment/Industrial lands in the Town. Throughout our participation there has been an expectation that a range of land uses were to be allowed on designated employment lands including Melrose owned employment lands. The Town's current approach to removing several non-manufacturing/warehousing uses significantly impact the economic viability of these Melrose employment lands. Our concern is that there may not be enough purely manufacturing/warehousing type tenants to develop the lands in a viable economic manner.

Considerable effort and expense have already been committed in undertaking studies and designs for some of the lands, and a curtailing of non-manufacturing uses will render said effort and expense wasted. Any existing units which were built for non-warehousing/non-manufacturing users, but which may be currently vacant, will not be usable as those units will not be suitable for manufacturing/warehousing users.

It is the position of Melrose that the blanket removal of the non-warehousing/non-manufacturing uses is an over-reaction to the changes in the Planning Act that are set out in your Staff's report.

I trust that you will find the foregoing to be of assistance in your deliberations. If you have any questions, please do not hesitate to have your staff contact me directly.

Yours truly,

A handwritten signature in black ink, appearing to read 'Silvio Guglietti', written over a horizontal line.

Silvio Guglietti, President



THE ERIN MILLS DEVELOPMENT CORPORATION

October 11, 2024

Town Clerk
Town of Oakville
Clerk's Department
1225 Trafalgar Road
Oakville, Ontario
L6H 0H3

TownClerk@oakville.ca

**Re: Town Initiated OPA to remove Commercial / Office / Service Establishments /
Recreational and Sport Uses from Employment District Designation**

Roundhead Holdings Inc. is the registered owner of the lands illustrated on the attached plan highlighted in green and aerial photos outlined in red and blue. We have concerns with respect to the removal of the above noted land uses which are currently permitted to us. The elimination of these uses will limit the type of development we envision for our lands.

The contemplated elimination of these uses should only occur after the Town has completed their studies and not before.

Yours very truly,
THE ERIN MILLS DEVELOPMENT CORPORATION
for ROUNDHEAD HOLDINGS INC.

Frank Gasbarre
General Manager

King's Highway 407

407 TRANSITWAY SITWAY

PROVINCIALY-OWNED (MOI) LANDS

PROPOSED WAY STATION

OWNED DS

WILLIAM HALTON PARKWAY

WILLIAM HALTON PARKWAY

William Halton Parkway

TRAFALGAR ROAD

Trafalgar Road

HAMILTON REGIONAL WATER TOWER

BURNHAMTHORPE ROAD

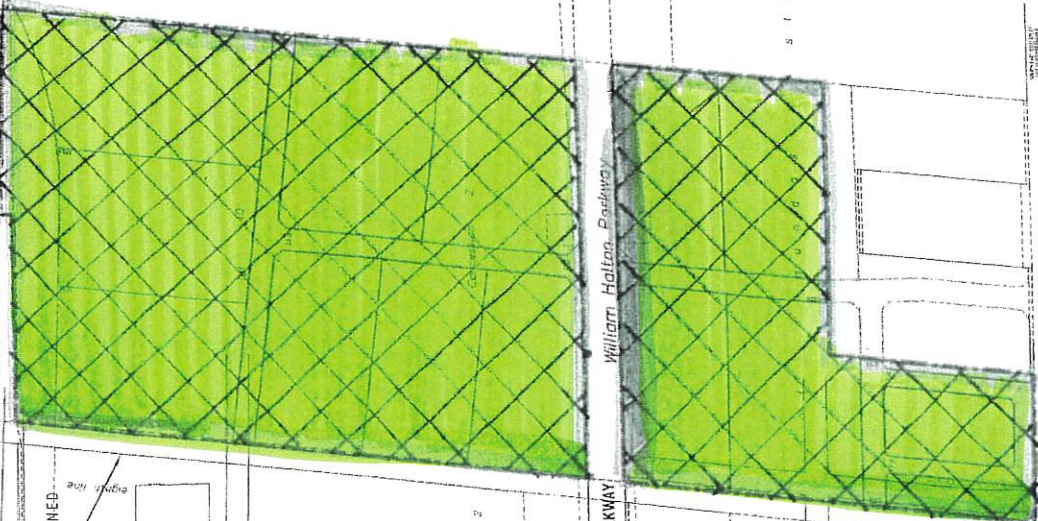
BURNHAMTHORPE ROAD EAST



ref 5

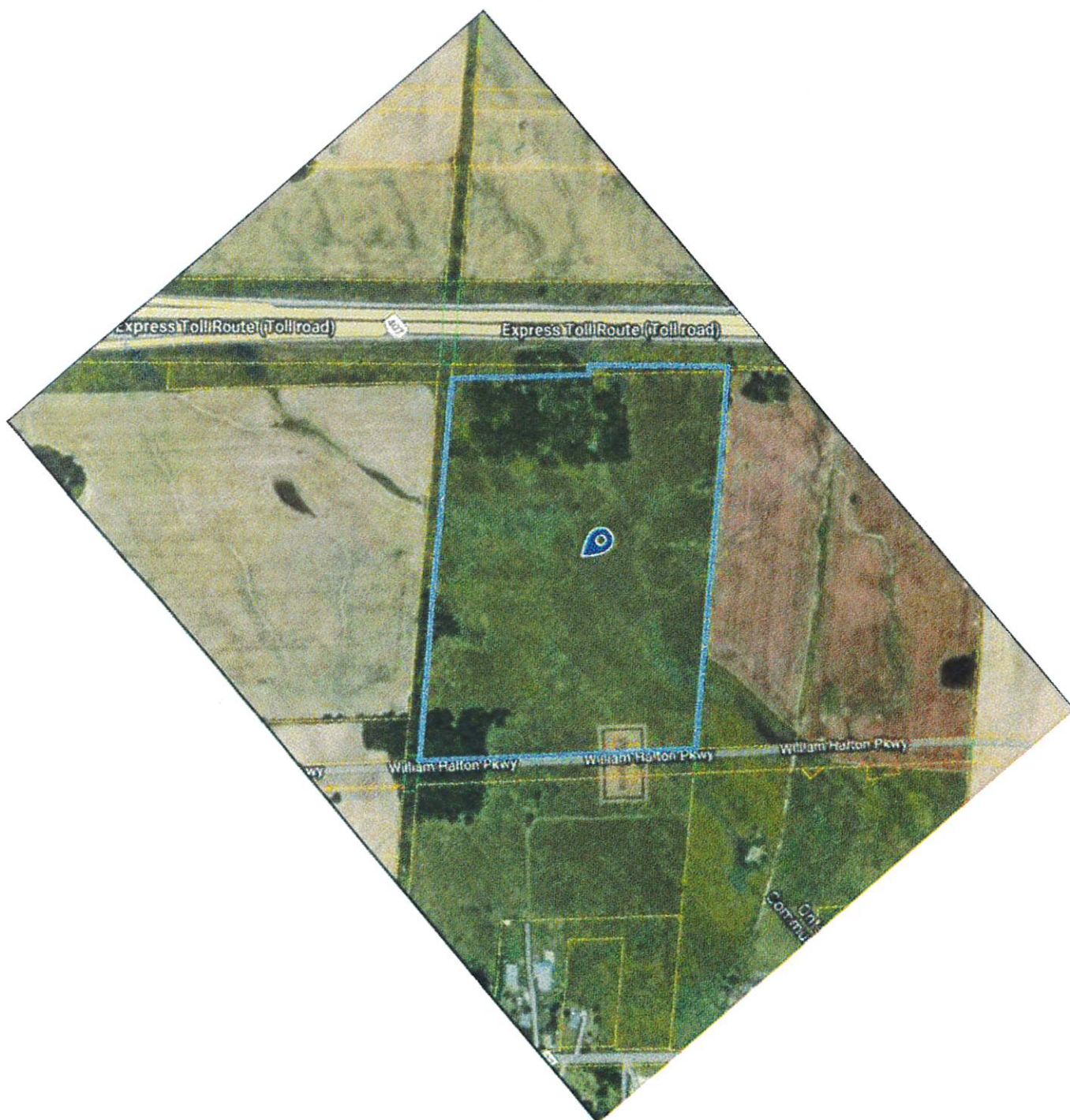
Construction 2

STREET



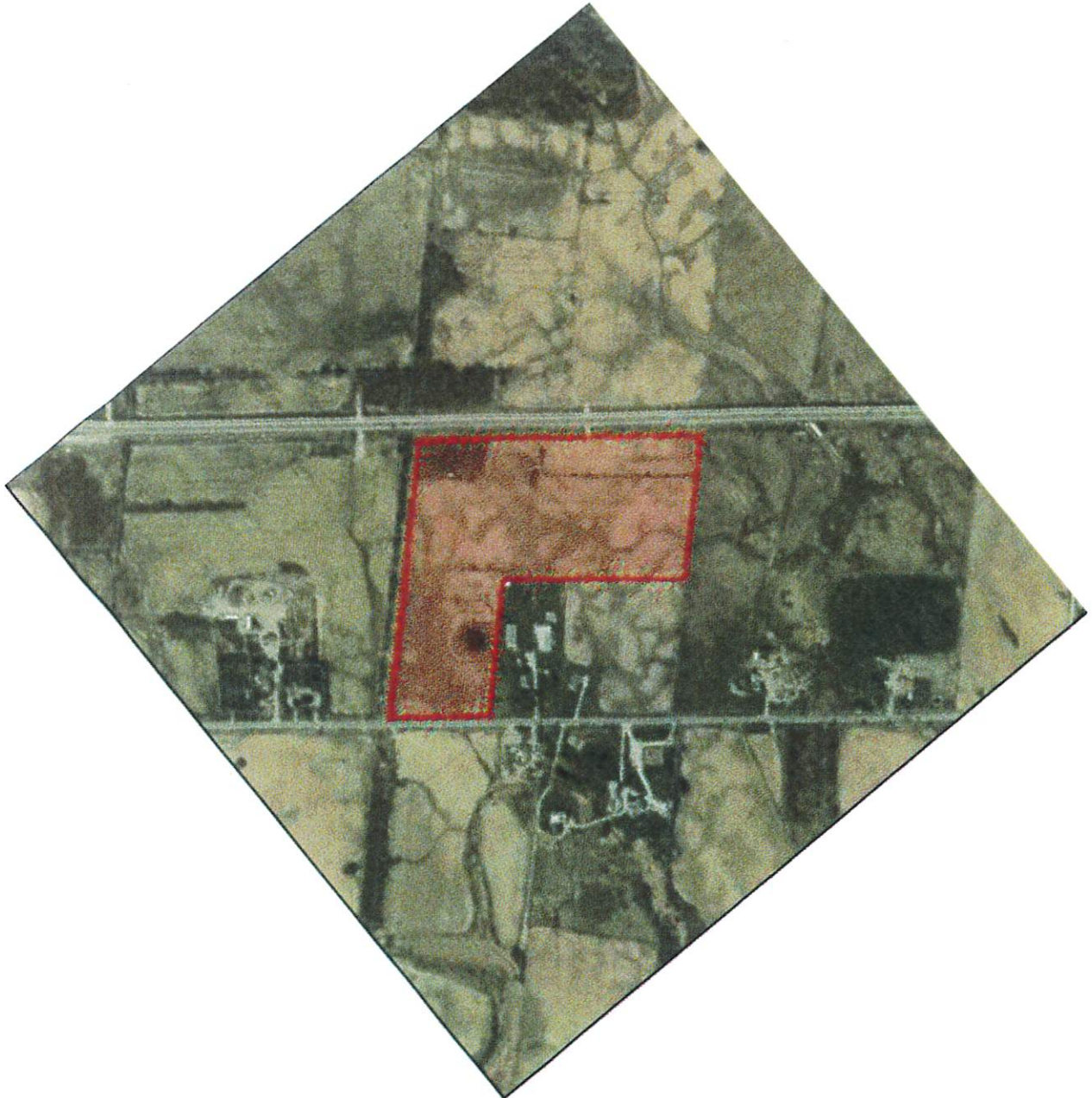
BURNHAMTHORPE RD E

Company	Erin Mills Development Corporation
Group	Default
Roll Number	24 01 010 020 008 52
Address	BURNHAMTHORPE RD E
Municipality	Oakville
Owner	ROUNDHEAD HOLDINGS INC
Legal Description	PT LT 10, CON 2, TRAF NDS; S/T A PERMANENT EASEMENT OVER PT 1 ON EXP. PL HR1307656 TOWN OF OAKVILLE



BURNHAMTHORPE RD E

Company	Erin Mills Development Corporation
Group	Default
Roll Number	24 01 010 020 008 51
Address	BURNHAMTHORPE RD E
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Legal Description	PT LT 10, CON 2, TRAF NDS; S/T A PERMANENT EASEMENT OVER PT 2 ON EXP. PL HR1307656 TOWN OF OAKVILLE



From: [John Corbett](#)
To: [Town Clerks](#)
Subject: [EXTERNAL] Item 6.2 Oakville Employment Policy Amendments October Planning Council Meeting File 52.57.03
Date: Friday, October 11, 2024 1:59:42 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[Oakville OPA .pdf](#)

To the Town Clerk:

On behalf of Tafia Development Corporation, please accept our submission for consideration at the upcoming meeting as captioned above. I would appreciate confirmation of receipt.

Thank you for your co-operation.

John B. Corbett, MCIP, RPP

President

Corbett Land Strategies

416-806-5164

Corbett Land Strategies

5045 South Service Road, Suite 301

Burlington, Ontario L7L 5Y7

www.corbettlandstrategies.ca



Friday, May 11, 2024

Town Clerk
Town of Oakville.
1225 Trafalgar Road
Oakville, ON L6H 0H3

RE: File No: 52.57.03
Town-Initiated Official Plan Amendments to Preserve the Town's Protected Employment Areas per Subsections 1 (1.1) and (1.2) of the Planning Act
Comments on Behalf of Tafia Development Corporation – 65-89 Loyalist Trail

On behalf of the Tafia Development Corp, Corbett Land Strategies Inc. (CLS) wishes to submit this letter in response to the Town-Initiated Official Plan Amendments relating to updates to employment areas policies (File No.52.57.03). It is understood that the Town is undertaking the Official Plan Amendments to preserve existing employment areas and ensure consistency with the New Provincial Planning Statement (PPS, 2024) which will come into effect on October 20, 2024. We have significant concerns with the approach being pursued and are requesting Council to establish carefully thought out transition policies that will no compromise complete applications that are currently advanced in the approval process. There has been no local public consultation process undertaken in the formulation of these amendments to reveal the serious consequences outlined in this letter.

Background

Through Bill 97, the Planning Act was amended to include a new definition of “area of employment” to focus on traditional employment uses while excluding certain uses including institutional and commercial such as office and retail. Transition provisions (Sec. 1 (1.1) and (1.2)) allow municipalities to have polices in an Official Plan that allow the continuation of lands within employment areas with uses excluded by the new definition of “area of employment”. Bill 97 received Royal Assent on June 8, 2023.

On August 20, 2024, the Province released a new draft of the final PPS, 2024, to be in effect as of October 20, 2024. The PPS 2024 includes the new definition of “area of employment” (in coordination with Bill 97) in which certain uses would be excluded under the new definition of ‘area of employment’. In response, the Town is advancing an Official Plan Amendment with the intent of preserving jobs in employment areas over the long term and establish consistency with the PPS 2024.

65-89 Loyalist Trail

The lands located at 65-89 Loyalist Trail (Subject Lands) are currently occupied by five industrial and office buildings. The buildings have completed construction and are currently in

the midst of being occupied with uses currently permitted by the Official Plan and Zoning By-law.

The subject lands are located immediately north of an existing residential development, woodlot to the west and north and agricultural/future employment to the west. The subject lands are designated as Employment Area as per Schedule A1 of the Livable Oakville Plan and located within the Employment District as per Figure NOW 2 & NOE 2 of the e North Oakville East and West Secondary Plans, which is applicable to the proposed OPA.

A Zoning By-law Amendment (ZBA) was submitted and deemed complete on September 27, 2024. The amendment is seeking to permit the use of 'commercial fitness centre' in the Light Employment Zone and sets a maximum Gross Floor Area (GFA) for the proposed 'commercial fitness centre' use at 50%. The proposed application is being sought to expand the tenancy opportunities of the existing buildings in accordance with market demand generated by the adjacent residential and employment communities without any exterior changes to the constructed buildings. These proposed uses add to the economic vitality of the municipality and its host employment area.

Transition Provisions for Excluded Uses

The Town's-Initiated Official Plan Amendment is seeking to address the policy changes established for "areas of employment" through Bill 97 and PPS 2024. The Town has identified that the updated definition now considers the following designations to be protected employment areas:

- Employment Area designations of Office Employment, Business Employment, Industrial and Business Commercial within Livable Oakville Plan; and,
- Employment District in the North Oakville East and West Secondary Plans.

The Planning Act permits municipalities to establish transition policies for employment areas which may be occupied by excluded uses defined under the PPS, 2024 on the date that it comes into force. The transition is also intended to allow the municipality to complete a comprehensive employment area review to determine appropriate locations for employment areas that are consistent with the provincial direction on employment areas.

Impact

The proposed Town-Initiated Official Plan Amendment will have significant impact to the existing and future tenancy opportunities for the existing employment buildings as allowed under prevailing official plan and zoning provisions. In addition to the proposed "commercial fitness centre" use specified under the current zoning by-law amendment application, the proposed official plan amendment will also preclude other uses under existing zoning such as a Place of "Amusement", "Commercial School", and "Day Care".

Given the proximity of residential uses to the subject lands to the immediate south, they are well suited to offer transitional employment uses. These attributes ensure that the subject lands

offer both employment and service opportunities to the residential lands to the south that support their day-to-day ability to live, work and play in close proximity.

Recommendations

Before Council proceeds with the proposed amendments as currently drafted there are at least three other procedural options that would better serve the public interest. First, we strongly recommend that the Town-Initiated Official Plan Amendments be deferred until after the completion of the Employment Land Review. Given that the previous employment land review was completed in 2018 and sought to establish employment land needs to 2041, the staff report indicates an update is already anticipated to be commenced shortly.

Alternatively, we suggest a six month transition period be adopted within the amendment language that would enable current applications to be considered on their own land use and planning merits. In this scenario, the current complete applications would be allowed to proceed under established timelines. Third, should the Town proceed with adopting the Town-Initiated Official Plan Amendment to update employment area policies, it should be modified to recognize lands that may be subject to development applications that have obtained formal completion status. The following language is recommended to not prejudice complete applications that are advanced under existing planning policy:

Item No.	Section	Description of Change	Proposed Amendment to Change (Red Italicised Bolded Text)
2.	<p>New 7.6.8.2 m) LAND USE STRATEGY Employment District – Permitted Uses, Buildings and Structures</p>	<p>Add new policy 7.6.8.2 m), as follows:</p> <p><u>Notwithstanding 7.6.8.2 i), parcels of land within the Employment District that were used for uses excluded from the definition “area of employment” in paragraph 2 of subsection 1(1) of the Planning Act, that were lawfully established on or before October 19, 2024, may continue</u></p>	<p>Add new policy 7.6.8.2 m), as follows:</p> <p><u>Notwithstanding 7.6.8.2 i), parcels of land within the Employment District that were used for uses excluded from the definition “area of employment” in paragraph 2 of subsection 1(1) of the Planning Act, that were lawfully established on or before October 19, 2024 or are subject</u></p>



CORBETT LAND STRATEGIES INC.
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		<p><u>to be used for such purposes pursuant to subsections 1(1.1) and (1.2) of the Planning Act.</u></p>	<p><u>to land use planning applications deemed complete prior to October 19, 2024, may continue to be used for such purposes pursuant to subsections 1(1.1) and (1.2) of the Planning Act.</u></p>
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The above recommendation to amend the Town-Initiated OPA can be advanced for several reasons. The first being that the long term intent of the PPS will not be undermined given that there can not be a significant number of complete application seeking the proposed excluded use. Secondly, the subject lands are occupied by existing employment buildings which are currently securing leases with permitted uses that are duly permitted under existing zoning. Lastly, the subject lands are uniquely located within an employment area that is surrounded by residential lands to the south. It would be better to support employment and related uses which can enhance the compatibility between “traditional” employment uses and the residential lands to the south.

It is understood that the Town is seeking to advance the proposed Official Plan Amendments to ensure that consistency with Bill 97 and PPS 2024. The Town should however give further consideration to the proposed impact that the changes will have on existing properties which are presently achieving the employment goals and objectives of the Province and Towns. The proposed recommendations further enhance the transition policies until such time that the Employment Land Study is completed.

Should there be any questions or comments relating to the above, please feel free to reach out to the below.

Sincerely,

John B. Corbett

John Corbett, MCIP, RPP
President
Corbett Land Strategies Inc.
john@corbettlandstrategies.ca
416-806-5164

Copy: Denise Baker, Aird & Berlis



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