



October 15, 2024

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file #059520-00001

Oakville Town Council  
1225 Trafalgar Road  
City Hall  
Oakville, ON L6H 0H3

Attention: Victoria Tytaneck, Town Clerk

**Re: Planning and Development Council Meeting: October 15, 2024  
Item 6.2 – Public Meeting and Recommendation Report - 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 (the "Item 6.2")**

We are the lawyers for Cynthia Lynch, the owner of the lands municipally known as 263 Burnhathorpe Road West and are legally described as *Pt Lt 18, Con 2 Traf Nds, As In 267511, Except Pt 1, 20R2931 & Pt 1, Ex199, Oakville. Subject To An Easement In Gross Over Pt 2 On 20R18861 As In Hr985211* (the "**Subject Lands**"). The Subject Lands are approximately 20 hectares in area and are generally located east of Highway 407 near the intersection of William Halton Parkway West and Burnhathorpe Road West.

The Subject Lands are currently designated as Employment District in the North Oakville West Secondary Plan (the "**NOWSP**"). Per Subsection 8.3.2 of the NOWSP, the Employment District designation is presently designed to accommodate development of predominantly employment generating uses including a wide range of industrial and office development. Limited retail and service commercial uses designed to serve the businesses and employees are also permitted under Subsection 8.3.2 of the Employment District designation of the NOWSP.

Within Item 6.2, Town Staff have recommended to amend the NOWSP to add policy 8.6.5.2(l) which would restrict the Employment District use in the NOWSP to only those uses outlined in paragraph 1 of subsection 1 (1) of the Planning Act (the "**EDOPA**"). No adjusting to the delineation of lands designated Employment District in the NOWSP has been recommended by Town Staff in Item 6.2. For the following reasons, we request that Council refuse the recommendation to adopt the EDOPA and engage in further consultation with respect to the EDOPA prior to adoption.

### **The EDOPA is contrary to provincial legislation and policy direction**

The EDOPA purports to broadly protect employment lands in the Town of Oakville as areas of employment, despite clear provincial direction to limit areas of employment to heavy industrial uses and to make more land available for development. This approach does not represent good planning.

Further, on October 20, 2024, the Provincial Planning Statement, 2024 will come into effect (the “**PPS 2024**”). The PPS 2024 directs municipalities as planning authorities to support a modern economy, promoting economic development and competitiveness by encouraging a mix of uses within areas of employment to achieve complete communities. The EDOPA is inconsistent with this direction, instead having the effect of removing existing land use permissions, imposing significant barriers to diversifying employment areas for any other use other than heavy industrial uses.

We request further notice of any matters, inclusive of decisions on the EDOPA, related to this item.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in black ink, appearing to read 'SL', with a stylized flourish at the end.

Signe Leisk  
SL/km