

# Public Agency Comments

## Regarding Draft Midtown Oakville & Community Planning Permit System OPA

- 1<sup>2</sup> Conservation Halton
- 2<sup>2</sup> Halton Region
- 3<sup>2</sup> Halton Catholic District School Board
- 4<sup>2</sup> Halton District School Board
- 5<sup>2</sup> Metrolinx
- 6<sup>2</sup> Trans Northern Pipeline



Planning & Regulations  
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2596 Britannia Road West  
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[conservationhalton.ca](http://conservationhalton.ca)

November 21, 2024

Sybelle von Kursell, Manager – Midtown Oakville and Special Programs  
Town of Oakville, Planning & Development  
Oakville, ON

**BY E-MAIL ONLY** ([sybelle.vonkursell@oakville.ca](mailto:sybelle.vonkursell@oakville.ca))

To Sybelle Von Kursell:

**Re: Midtown Oakville Draft Official Plan Amendment – September 2024**  
**CH File Number: AMPR-433**

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Conservation Halton (CH) staff has reviewed the above-noted draft Official Plan Amendment (OPA) dated September 2024 and circulated on October 31, 2024 as per our regulatory responsibilities under the *Conservation Authorities Act* (CA Act) and Ontario Regulation 41/24 and our provincially delegated responsibilities under Ontario Regulation 686/21 (e.g., acting on behalf of the province to ensure decisions under the *Planning Act* are consistent with the natural hazards policies of the Provincial Planning Statement [PPS, Sections 5.1.1-5.2.8] and/or provincial plans).

### **Proposal**

The purpose of the proposed OPA is to update the land use policies for Midtown Oakville in the Livable Oakville Plan, to create a framework that will guide development and manage growth.

### **Conservation Authorities Act and Ontario Regulation 41/24**

Under Part VI of the *Conservation Authorities Act* (CA Act) and Ontario Regulation 41/24, CH regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline and hazardous lands as well as lands adjacent to these features. Midtown Oakville is adjacent to Sixteen Mile Creek and contains the erosion hazard associated with the valley. The area is also traversed by tributaries of Lower Morrison Creek and contains the flooding and erosion hazards associated with that watercourse.

Permits are required from CH prior to undertaking development activities within CH's regulated area and applications for development are reviewed under the *Conservation Authorities Act* (CA Act), Ontario Regulation 41/24, and CH's Board-approved policies and requirements (<https://conservationhalton.ca/policies-and-guidelines>).

CH is undertaking a study (Sixteen Mile Creek to Lower Morrison Flood Hazard Mapping Study) to update flood hazard modelling and mapping within Kent Gardens, the QEW corridor, Midtown Oakville, and adjacent areas. A public engagement session to present the result of the study is anticipated in spring 2025.

### **Ontario Regulation 686/21 - Provincial Planning Statement (Sections 5.1.1-5.2.8)**

In addition to CH's regulatory responsibilities described above, CH has provincially delegated responsibilities under Ontario Regulation 686/21: Mandatory Programs and Services, to act on behalf of the Province to ensure that decisions under the *Planning Act* are consistent with the Natural Hazards Sections (5.1.1-5.2.8) of the Provincial Planning Statement (PPS).

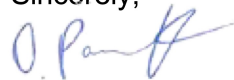
### **CH Comments**

1. General – CH staff are supportive of policies 20.5.4 a) – e), as they are consistent with the natural hazards of the PPS.
2. Additional Policies – CH staff recommends including additional policies in Section 20.5.4 which speak to technical submission requirements relative to hazardous lands. Please refer to Appendix A, Comments 1 and 2 for suggested policy wording in this regard. This would also better align the Town's OP with the language in the CA Act and O.Reg 41/24.
3. Additional Land Use Schedule – Once CH's Sixteen Mile Creek to Lower Morrison Flood Hazard Mapping Study is completed, staff recommends including a Schedule which illustrates hazardous lands and the Approximate Regulation Limit (ARL) of CH for reference purposes. Please refer to Appendix A, Comment 3 for suggested policy wording in this regard.
4. Land Use Schedules – As CH's flood hazard mapping study advances, the land use schedules should consider and incorporate flood hazard mapping information as it becomes available. CH staff would be happy to discuss this further with Town staff as information becomes available.
5. Two-zone Concept – As noted in Town staff's report to Council dated October 22, 2024, the use of a two-zone concept approach for flood plain management is not applicable in the context of Midtown and CH staff understand that reference to the proposed two-zone concept (20.5.4 f) and associated terms proposed in the glossary will be removed from the OPA.
6. Other – As part of the Town's Midtown Implementation Program work, flood hazard mitigation measures should also be considered. CH is committed to working with the Town to assist in this regard.

### **Conclusion**

Overall, CH is pleased to see natural hazard policies included in the draft Midtown OPA. CH staff appreciate the opportunity to provide feedback on the draft policies and would be pleased to meet with Town staff to discuss CH's comments further.

Sincerely,



Ola Panczyk  
Senior Environmental Planner

[opanczyk@hrca.on.ca](mailto:opanczyk@hrca.on.ca)

**Appendix A: Suggested Policies**

CH suggests the following policies noted in the table below be included in the Midtown OPA.

#	Topic	CH Suggested Policies
1.	CA Act and associated O.Reg 41/24	Development and site alteration within or adjacent to hazardous lands is subject to the approval of Conservation Halton, under the <i>Conservation Authorities Act</i> and associated regulations and policies.
2.	Technical Studies	Technical studies, prepared by qualified professionals, may be required to delineate and/or refine the limit of hazardous lands, and demonstrate that policies X-X have been met, to the satisfaction of the Town and Conservation Halton.
3.	Additional Schedule – Hazardous Lands and ARL	Appendix XX illustrates hazardous lands and the Approximate Regulation Limit (ARL) of Conservation Halton for reference purposes. Conservation Halton must be contacted for updated hazard and regulation limit mapping and to confirm permit requirements. The text of the <i>Conservation Authorities Act</i> and associated regulations prevails over any mapping. Conservation Halton's regulation limit does not represent a development limit.



Strategic Initiatives and Government Relations  
Office of the Chief Administrative Officer  
1151 Bronte Road  
Oakville ON L6M 3L1

November 27, 2024

Sybelle von Kursell  
Manager, Midtown Oakville and Special Programs  
Planning & Development  
Town of Oakville

**RE: Midtown Oakville Draft Official Plan Amendment (September 26, 2024)**  
Regional Comments

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I am writing regarding the Midtown Oakville Draft Official Plan Amendment ('OPA') to the Livable Oakville Plan released September 26, 2024, for review and discussion. The Region looks forward to supporting the Town in achieving its vision for the area through the provision of Regional infrastructure. We have reviewed both the specific policies for Midtown Oakville and the general provisions that are also included in the draft OPA.

In accordance with Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*, and the roles outlined in the new *Memorandum of Understanding for an Integrated Halton Area Planning System* ('MOU'), this letter provides the Region's comments related to servicing and transportation.

### **Servicing**

New developments are to demonstrate that sufficient capacity is available for both existing and proposed watermains and wastewater mains. This should be demonstrated through a Functional Servicing Study. Functional Servicing Studies will be required to be in conformity with the approved Area Servicing Plan for Midtown Oakville, which the Region is working closely on with the Town. Functional Servicing Studies should include all phasing and timing of proposed watermains and wastewater mains to service the proposed developments and reference the Regional Capital Works projects currently forecasted on Trafalgar Road to accommodate the developments if capacity constraints are identified for Regional water and wastewater.

Further, the Town is planning to realign Cross Avenue in the area of proposed redevelopment. The existing Regional servicing that is located on Cross Avenue will need to be relocated as part of the road realignment. The Functional Servicing Studies should also address how the relocation of the existing services will be implemented.

### **Transportation**

The draft OPA does not include general or specific policy related to Transportation Impact Studies and Guidelines to support development applications. These requirements, along with the need to develop a terms of reference for technical studies, such as Transportation Impact Studies to the satisfaction of the Town and the Region, should be included as a policy. The Region's

requirements per the Highway Dedication Guidelines, Access Management Guideline, Noise Abatement Guidelines and Transportation Impact Study Guidelines should be referenced and must be considered in the overall development of Midtown Oakville.

### **Regional Proposed Modifications and Comments**

The Region offers modifications in the attached Appendix A related to infrastructure that remains of interest to the Region.

These comments are preliminary based on the draft OPA dated September 26, 2024. Additional comments may be provided as the OPA progresses which may include comments related to financial aspects. Regional staff welcome the opportunity to meet with Town staff to discuss the comments.

Sincerely,



Tyler Peers  
Policy Specialist, Strategic Initiatives and Government Relations

Cc: Kirk Biggar, MCIP, RPP, Manager, Policy Planning and Heritage, Town of Oakville  
Kristen DeLong, Manager, Strategic Initiatives, Halton Region  
Scott MacLeod, Senior Planner, Infrastructure Planning & Policy, Halton Region

Attached: Appendix A – Midtown Oakville Draft Official Plan Amendment (September 26, 2024),  
Halton Region Comments



**Appendix A – Midtown Oakville Draft Official Plan Amendment (September 26, 2024) – Halton Region Comments**

**Red / Yellow Highlight** – Proposed Regional Modification

Section	Proposed Modification	Comment
20.3.2 f) Development Concept, Trafalgar Precinct	Trafalgar Road will be improved through landscaping treatments and building frontages that create an environment that supports and encourages walking within Midtown Oakville, <u>in accordance with the Region's most up to date Regional Road Landscaping Guidelines.</u>	To support the Regional Guidelines
20.5.2 a) iii. Mobility, Transportation	The <u>Town and the Region</u> may require the early conveyance of rights-of-way, prior to development, to complete the street network.	To ensure any changes do not impact the functions of the Regional road network.
20.5.2 a) iv. Mobility, Transportation	The Town <u>and the Region</u> may secure rights-of-way on alignments as shown on Schedules C, D, L5 and L6 through the planning approval process, through purchase and sales agreements, or through a public land expropriation process. Final rights-of-way shall be consistent with Schedules C, D, L5 and L6, or otherwise be determined through detailed transportation studies, transit plans, environmental assessments where required, and the planning approval process.	It is noted that Schedules C, D, L5 and L6 do not include the 47m right-of-way for Trafalgar Road – how will this right-of-way be protected for?

Section	Proposed Modification	Comment
20.5.2 b) i. Active Transportation	Midtown Oakville <u>Local</u> streets shall provide sidewalks on both sides;	To clarify Local streets
28.19.3 j) ii. Transportation Demand Management	The development of site-specific Transportation Demand Management (TDM) strategies shall consider relevant Town Parking Strategy(ies), Halton Region's Mobility Management Strategy, other relevant strategies that the Town and/or Region are a party to, and relevant by-laws that may authorize, permit or preclude proposed strategies.	Specific reference not required, covered by "other relevant strategies that the Town and/or Region are a party to"
Schedule L5 Transportation Network		Please show Trafalgar Road as Regional Major Arterial with a 47m right-of-way



November 29, 2024

Sybelle von Kursell  
Planning Services Department  
Town of Oakville  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

Dear Sybelle

**RE: Midtown Oakville Draft Official Plan Amendment – September 2024**

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Thank you for the opportunity to review and provide comments on the Midtown Oakville Draft Official Plan Amendment (OPA). It is our understanding that the Midtown Oakville OPA provides for amendments to the Livable Oakville Official Plan as it relates to Midtown Oakville and is intended to update policies and schedules for Midtown to conform with the Town of Oakville Official Plan. It is noted that although the proposed changes are primarily directed to Midtown Oakville, the Draft OPA includes relevant changes to the Official Plan, mostly technical in nature, that would apply on a townwide basis.

#### **School Requirements for Midtown Oakville**

On October 29, 2024, the Town of Oakville held a Special Council Meeting where staff presented a report on the Draft Midtown Oakville Official Plan Amendment.

As part of the staff report to Council, it is noted that the projected growth estimate for Midtown has been amended since the Board previously provided comments on March 7<sup>th</sup>, 2024. Based on the new analysis, Midtown Oakville is projected to have a population of 18,500 and 9,200 housing units by the year 2051.

It is noted from the report that this estimate is based on current trends that show a downturn in development construction and population growth that is contrary to what had been assumed only 12 months earlier. However, the report also states that the OPA permits a range of density of development that, if maximized on all sites, could accommodate approximately 36,000 residents for Midtown Oakville.

As such, HCDSB **requires one (1) elementary school site** within Midtown Oakville based on the data provided to HCDSB on October 31<sup>st</sup>, 2024. Should the growth estimate change, revised comments and requirements will be provided.

As mentioned previously in HCDSB's comments, the Board requires a compact standalone school site within the Midtown Oakville area. Following discussions with the Halton District School Board, HCDSB will pursue the westerly standalone school site, located in the Lyons Precinct, as identified in the Midtown Oakville OPA on "Schedule L1 Land Use".

It should be noted that compact standalone school sites come with challenges and that maximum flexibility in the development of school sites will be required.

#### **Midtown Oakville Draft Official Plan Amendment (OPA)**

Based on the draft Midtown OPA provided to HCDSB on October 31, 2024, the following comments are provided.

##### **Section 20.4.1 General**

HCDSB would like confirmation on the definition of "public service facilities" and if schools are included as public service facilities. The Town's current Official Plan has a definition of public service facilities which

mentions facilities for educational programs, however there is also a separate definition for educational facilities. The Board prefers that schools are also included in the definition of “public service facilities”.

#### **Section 20.4.1 e) General - Educational Facilities**

- i.) HCDSB is supportive of the identification of schools on Schedule L1 of the Official Plan Amendment.
- ii.) Due to the long-term forecasted and dynamic nature of development for the Midtown Oakville community, the Board is supportive of allowing for additional school areas, beyond those identified in Schedule L1, to be identified as this Plan is implemented without having to do an amendment to the Plan.
- iii.) The Board is supportive of having educational facility sites determined in consultation with School Boards with respect to location, size, and development phasing.
- iv.) While the Board is supportive of building to an urban standard that optimizes the use of land, encourages walking and cycling and is connected to the broader transportation network, there are limitations in what the Board can build on a compact standalone school site. The creation of standalone urban schools in the Midtown Oakville context requires a new approach to delivering educational facilities. By providing maximum flexibility to school boards it will ensure that these schools can be successfully implemented. Certain uses for school sites may be required on adjacent lands, such as parks and right-of-ways. These include, but are not limited to:
  - School bus and parent drop off lay-bys for schools;
  - In-ground waste bins for school garbage collection and pickup;
  - Surface and/or underground parking; and,
  - Play areas.

For outdoor play areas, Joint Use Agreements will be required between the Town and HCDSB as there is expected to be more sharing of space and land than in traditional suburban schools in the Town of Oakville.

In addition to the above, the Board is dependent on Ministry of Education funding to build schools, which may limit the Board’s ability to provide urban design components for school sites.

- v.) The Board is supportive of optimizing the use of land for all our school sites.
- vi.) The Board strongly supports the requirement for having any landowner or developer proposing residential development consult with school boards to determine if the need for educational facility space is required.

#### **Section 20.4.1 h) General - Active Frontages**

The Board would like confirmation from the Town if Active Frontages policies i.) to v.) apply to school sites. The Board recommends exemptions for school sites as it may impact the Board’s ability to reduce school site sizes and optimize the use of land for school sites.

**Section 20.4.2 d) Designation Specific - Parks and Open Space**

- iv.) HCDSB acknowledges and appreciates that the Town of Oakville will work with schoolboards to co-locate parks and school sites to optimize co-benefits where and when possible. However, it should be noted that without parks adjacent to school sites, the HCDSB will not be able to provide a compact urban school site in Midtown Oakville. Without complimentary sharing synergies between schools and parks, the Board will require additional acreage for school sites.

**Section 20.5.1 b) Urban Design and Built Form – Public Realm**

The Board would like confirmation if urban design and built form policies are applicable to school sites. As previously mentioned, the Ministry of Education provides funding to school boards for the construction of schools, which limits the Board's ability to incorporate any extras in the design of schools such as urban design components.

If the Town of Oakville wishes for the HCDSB to fully utilize school sites to their maximum potential, relief from urban design criteria, setbacks, parking ratios and other restrictions will be required.

**Section 20.5.1 c) Urban Design and Built Form – Parks and Open Space**

The Board is supportive of policies for the co-location of parks and schools. HCDSB agrees that the parks system with open spaces in Midtown Oakville needs to be associated with educational facilities. However, HCDSB would like to ensure that should the school require outdoor play areas in adjacent parkland, that general members of the community are not permitted to access the designated spaces for the school during and/or after school hours depending on the type of space provided. Furthermore, barriers and fencing may be required for certain school and outdoor play areas to ensure school staff can safely manage students during and/or after school hours.

Outdoor play areas are a vital component of a school site and an important part of student education. Joint Use Agreements will be required between the Town and HCDSB to determine the parameters of exclusive HCDSB parkland use and public use when the space is not being used by the school.

**Section 20.5.1 e) Urban Design and Built Form – Site Density**

The Board is supportive of the policy for the exemption of educational facilities from minimum site densities requirements.

**Section 20.5.1 f) Urban Design and Built Form – Building Height**

The Board is supportive of the policy for the exemption of educational facilities from minimum building height requirements.

**Section 20.5.1 k) Urban Design and Built Form – Green Roofs**

The Board asks that the Town exempt educational facilities from any requirements to provide green roofs. As part of the school site design for Midtown Oakville, the Board may have to explore opportunities to provide rooftop play areas in order to accommodate all components of a school on a smaller compact school site. Furthermore, the Board receives limited funding for schools from the Ministry of Education and as such, certain features like green roofs cannot be provided.

#### **Section 20.5.2 a) Mobility – Transportation**

The Board is supportive of policies that prioritize the design of year-round multi-modal street networks that include active transportation and transit use. However, the Board does have concerns regarding the location of an arterial road next to its school site. On Schedule L5, Cross Avenue, which abuts the proposed HCDSB school site, is shown as a future arterial road. HCDSB strongly discourages having elementary schools located on major roadways through the community (such as Cross Avenue). However, considering the compact and urban nature of this school, HCDSB is willing to explore opportunities for this location that meet the needs of both the community and the Board through a safe and school friendly road network design along Cross Avenue.

#### **Section 20.5.2 b) Mobility – Active Transportation**

The Board is supportive of safe pedestrian and cycling infrastructure that supports active transportation. However, it is noted that on Schedule L6, “off-road active transportation connections” are proposed throughout the community. The Board has concerns with the off-road active transportation connection that bisects the proposed HCDSB school site. With the compact nature of the school site and the educational facilities that need to be provided, an active transportation connection through the site would not be possible.

#### **Section 20.5.2 c) Mobility – Mid-Block Connections**

The Board is opposed to any mid-block connections as part of the “off-road active transportation connections”, as identified on Schedule L6, that impact the HCDSB proposed school site.

#### **Section 20.5.2 d) Mobility – Parking**

Due to the unique nature and design of the school site in this community, the Board requests that schools, as public facilities, be exempt from the requirements of the Town of Oakville Zoning By-law. Should a Zoning By-law Amendment for Midtown Oakville follow this OPA, the Board will provide school site specific requirements at that time in order to ensure the school site design will comply with the new requirements of the updated Zoning By-law.

The Board is supportive of the sharing of parking spaces and the full utilization of the road network adjacent to school sites to provide, additional parking, lay-by areas for pick-ups and drop-offs, and active transportation infrastructure.

The Board is supportive of having electric vehicle charging stations, however, due to funding limitations, the Board would not be able to provide this infrastructure at its cost.

#### **Section 20.5.3) Stormwater Management**

Due to funding limitations, and the unique nature and compact design of the school site in this community, the Board may not be able to incorporate green infrastructure that supports stormwater management.

Furthermore, should stormwater management charges or fees be considered by the Town of Oakville for this community, the Board requests that it be exempt from those charges/fees.

#### **Section 20.5.4) Spill Flood Hazard and Hazardous Lands**

The Board is supportive of policies that prohibit the placement of schools on hazardous lands, including spill flood hazard areas. If schools are located near hazardous lands, please ensure that all required environmental regulations are followed including site separation and setbacks to ensure compliance with all regulatory bodies.

#### **Section 20.5.5) Sustainability**

The Board is supportive of policies for renewable energy generation and the creation of energy efficient buildings. However, due to Ministry of Education funding limitations, sustainable development may not be able to be achieved for schools.

#### **Section 20.6.1) Implementation - Monitoring**

The Board is supportive of the Town monitoring the level of development within Midtown Oakville. It is important to track the pace of development and the timing of development in order to ensure that schools and other public uses can be provided in time to meet the needs of the community. Should the scale, type, and/or timing of development change within Midtown Oakville, the Board asks that the Town inform the Board so that the Board can reassess community needs and ensure proper educational facilities are provided for the community.

#### **Section 20.6.2) Implementation Measures**

The Board asks that the Town of Oakville include schoolboards in the development of implementation measures to ensure adequate educational facilities are provided for the community.

#### **Section 20.6.3) Phasing/Transition**

It is understood that the development for Midtown Oakville will occur over the long-term and that the timing of development is subject to the availability of required infrastructure. The Board requests that school sites be considered in the public infrastructure coordination so that schools can be made available to the community in the early phases of development.

#### **Section 20.6.4) Landowner Agreements/Cost Sharing**

It is understood that development for Midtown Oakville shall only be permitted once a landowners' group has been established for the purposes of administering a cost sharing agreement amongst landowners. As with other landowner group cost sharing agreements, schools should be identified as cost shared items that are shared amongst the landowners. Though the Board will work with landowners for the acquisition of school sites, schoolboards are not party to cost sharing agreements. As per the current Ministry of Education regulations, schoolboards purchase school sites at fair market value and then the proceeds of the sale are distributed equitably among the landowners group.

#### **Townwide Policies - Glossary**

The Board requests that Section 29.5 "Glossary" of the Town of Oakville Official Plan be further clarified for the definitions of "educational facilities" and "public service facilities". The Board would like confirmation if schools also fall under the "public service facilities" definition.

Additional comments on the OPA will be provided as more information is available.

We look forward to collaborating on this project and making ourselves available to discuss the above comments at your convenience.

If you have any questions regarding the aforementioned, please contact the undersigned.

Yours truly,

*Branko Vidovic*

Branko Vidovic  
Senior Manager, Planning Services

cc: G. Charles, Town of Oakville  
A. Lofts, Chief Financial Officer & Treasurer of the Board  
R. Merrick, Chief Operations and Sustainability Officer  
D. Gunasekara, Manager, Planning Services  
K. Panzer, Planning Officer, Planning Services  
F. Thibeault, Halton District School Board  
L. Choi, Halton District School Board



November 22, 2024

Sybelle von Kursell  
Planning Services Department  
Town of Oakville  
1225 Trafalgar Road  
Oakville ON L6H 0H3

Dear Sybelle:

**Subject: Midtown Oakville Draft Official Plan Amendment - September 2024**

On October 29, 2024, the Town of Oakville held a Special Council Meeting where staff provided a report on the draft Midtown Oakville Official Plan Amendment. The draft OPA proposes a number of amendments to the Liveable Oakville Official Plan for Midtown Oakville. The draft OPA also includes a number of changes that apply on a town-wide basis.

In a letter dated March 26, 2024 to the Town, the Halton District School Board identified a preferred concept (Concept A: Trafalgar Central Employment Focus) where three elementary school sites were identified. The Board identified the need for two (2) standalone school sites in Midtown Oakville and provided a list of school site criteria required. At the Technical Agency Committee (TAC) information meeting on February 6, 2024, growth was projected to a combined total of **49,700 people and jobs (32,400 people, 17,300 jobs) by 2051** for Midtown Oakville. The staff report dated October 22, 2024 on the [updated draft OPA](#) projects a combined total of **29,900 people and jobs (18,500 people, 11,400 jobs) by 2051**.

The updated numbers are based on *“current trends that show a downturn in development construction and population growth that is contrary to what had been assumed only 12 months earlier.”* ([Planning and Development Department Staff Report, October 22, 2024](#)). Acknowledging the reduction in population, the second school site for the HDSB may not be required as early as previously anticipated. That being said, the ability to incorporate additional sites into the plan will remain important.

The Board will provide updated comments as the Midtown Oakville growth area review progresses and the draft OPA is further updated and refined. As such, our comments may be adjusted or added upon in future submissions to the Town.

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### **Comments on Student Accommodation in Midtown Oakville**

It is anticipated that the Halton District School Board will still require two (2) elementary school sites and that the criteria outlined in our previous letter dated March 26, 2024 remain valid. Additional sites may need to be incorporated into Midtown Oakville and/or the location of a school site may need to change. The Board will continue to emphasize the importance of flexibility in where schools can be permitted.

The Board has a number of comments as it pertains to education and other matters as it relates to school board facilities. Please note that the Board continues to assess the impact of the changes to the projected population of Midtown Oakville and what impact this may have on the student accommodation needs as consideration needs to be given to overall neighbourhood lifecycles and student yield trends over a long period of time.

The Board requires an AutoCAD file of the updated Midtown Oakville block plan in order to develop an updated preliminary school site concept, and determine what an urban school in Midtown Oakville will need to resemble, and what implementation considerations will be required as part of the future Zoning By-law and or Community Planning Permit System. The Board will provide a follow up on the above to the Town as soon as this is made available.

As a starting point, the Board will require that both of its sites be standalone, and not part of larger podium developments up-front, and may seek additional site sizes to accommodate larger schools. The Board continues to advocate that one additional school site be shown on the land-use plan (Schedule L1) as an alternate location.

### **Comments on the Midtown Oakville Draft Official Plan Amendment (September 2024)**

The Board has provided a table (see **Appendix A**) which compares the Board's comments from March 26, 2024 to the updated draft OPA dated September 2024. This serves as a quick reference of the Board's previous comments and identified issues that remain to be addressed in the OPA or through other avenues.

The Board would like to note that two versions of the draft OPA were received, one on October 8, 2024 and one on October 31, 2024. It has been assumed that the draft OPA received on October 8, 2024 is the correct version where Schedule L1 shows the "Priority Area for School" symbol whereas the draft OPA received on October 31, 2024 shows no school site symbol in Schedule L1.



### Section 20.4.1 General

- This section outlines the general provisions for “Public Service Facilities” and “Education Facilities”. Clarification is required to whether “Educational Facilities” fall under the “Public Use Facilities” definition, and benefit from both policy directions, or are separate. If separate, there are multiple areas within the OPA that would benefit from making reference to both types of facilities. If “Educational Facilities” also fall under the “Public Use Facilities” definition, the later definition should mention “Schools” in the current Liveable Oakville Official Plan, under Part F, Section 29.5 (Glossary), which is recommended to be defined as follows:
  - Educational Facilities means an elementary or secondary school whose program is recognized by the Ministry of Education. For greater certainty, educational facilities includes a public school, a separate school and a private school, as defined by the Education Act, R.S.O. 1990, c. E2, as amended.
  - Public Service Facilities means lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure.

### Section 20.4.1.e) General - Educational Facilities

- The Halton District School Board has identified the need for two elementary school sites. The Halton Catholic District School Board has also identified the need for at least one elementary school site. Schedule L1 only identifies two priority areas for schools to be located. A third site should be shown to give consideration on where the best location would be within the overall plan, acknowledging that it may be relocated at a later date (as per the below).
- The Board appreciates the flexibility built into the text where *“Additional school areas beyond those identified in Schedule L1 may be identified as this Plan is implemented, without amendment to this Plan.”*, which partially addresses initial concerns expressed by not having two (2) sites identified for the HDSB. The issue still remains if a third site is needed, the remaining locations may not be as optimal for a school site.
- The Board recommends that Section 20.4.1. e) sub vi. is unclear as it is written, as there may be extra text from a previous version. Recommended to alter the wording to *“Any landowner or developer proposing residential development shall consult with applicable are strongly encouraged to provide school boards in advance of completing their application for development, to determine a need for educational facility space within the proposed development”*. This consultation is especially important even in instances where a school site isn’t located within or adjacent to holdings, especially if a third site is required.

- Additional sites, flexible space for student accommodation or the relocation sites may be required due to the following:
  - Increased student yields.
  - Timing of development does not match the timing of student accommodation needs.
  - The exploration of options to lease office or commercial space to provide temporary student accommodation within close proximity to a Midtown school (given the smaller sites and lack of available space for portables) or provide classroom space to address changes in demand for Alternative, Continuing, and Adult Education to serve the community.

#### Section 20.4.1.h) General - Active Frontages

- Both symbols identifying the Priority Areas for Schools are along Active Frontages. The Board notes that the draft OPA policies seek to have deeper setbacks to the public realm.
- The Board recommends that this not apply to schools, as it may impact the ability to reduce site sizes if the building is pushed further into the site. If required, additional lands may be required to meet the base land requirements for the future schools.
- It is also required that 70% of the public realm frontage along the ground floor be devoted to active use at grade-uses. Schools should be included in this definition, or confirmation that institutional uses encompass schools.

#### Section 20.4.2.d) Designation Specific - Parks and Open Space

- The Board acknowledges the text where *"The Town will work with school boards to co-locate park and school site to optimize co-benefits, where and when possible."*
- It is understood that an urban school building model will be required for Midtown Oakville where dedicated school sites adjacent to parks should be no smaller than 1.5 acres, and ideally 2.0 acres in size. This is to be validated with further study and may be subject to change over time once detailed site fits are completed, which may result in additional lands being required.
- The Board would like to note that school sites are required to be adjacent to parks to accommodate an urban school building model and to address the educational component of outdoor space and recommends that *"where and when possible"* be removed from the above noted text. In the event that the Board cannot be located adjacent to a park, additional acreage will be required.

#### Section 20.5.1.b) Urban Design and Built Form - Public Realm

- The Board will be seeking 3-4 storey facilities for their elementary school buildings.
- Additional information is required to assess whether the required setbacks and step-backs will require the building to be pushed further into the site which will negatively impact the Board's efforts to increase land efficiencies that keep site sizes as small as possible.

#### Section 20.5.1.c) Urban Design and Built Form - Parks and Open Space

- The Board acknowledges that open space associated with educational facilities are part of the Parks and Open Space system. Please note the following:
  - Open space associated with educational facilities may be significantly limited, or non-existent. These may be reserved and fenced as exterior play areas for child care and/or kindergarten play areas cannot be accessed during and outside of school hours, or fully encumbered by the building footprint.
  - It is unclear whether the open space associated with school owned properties are to be under the Town's ownership that are jointly used by the Town and School, or lands within the Board's ownership. The co-location of schools and parks will need to go beyond traditional Reciprocal Agreements.
  - School yards are an important component of student education and should be prioritized for school use during school hours in the year if joint-use agreements are to be established.
- The Board would like to ensure that general members of the community should not be permitted to access the designated parks and open spaces for the school use during school hours, or scheduled based on outdoor play schedules. Furthermore, barriers and fencing may be required for certain school and outdoor play areas to ensure school staff can safely manage students during and/or after school hours. This is especially important as the school sites are immediately adjacent to surrounding roadways, presenting a safety risk for our youngest students.

#### Section 20.5.1.e) Urban Design and Built Form - Site Density

- The Board acknowledges subsection iv) where *minimum site densities shall not apply to lands required for public parks and open space and educational facilities.*
  - The Board requested in previous comments that an exemption be applied to any public education facility from the calculation of floor space index and minimum densities, regardless of whether it is standalone or within a mixed use building, and is therefore supportive of this addition to the Official Plan.

#### Section 20.5.1.f) Urban Design and Built Form - Building Height

- The Board acknowledges subsection iii) where *minimum heights shall not apply to lands required for public parks and open space and educational facilities*. The Board is supportive of this addition to the Official Plan.

#### Section 20.5.1.k) Green Roofs

- The Board would seek an exemption for educational facilities. School boards are limited in their funding allocations to fund green roofs as part of future school projects.
- The Board is exploring rooftop play areas as part of its plans, but has not confirmed their viability and financial feasibility.

#### Section 20.5.2.a) Mobility - Transportation

- The Board is supportive of a street network that is multimodal year-round, provides valuable frontage for development and provides the setting for the range of uses and activities that define Midtown Oakville. The Board is in support of policies that improve the pedestrian and cycling network and recognizes that improved connectivity generally provides benefits to the community, including students that choose these networks to access school sites all year round.
- The Board makes the following recommendations regarding the policy language:
  - In reviewing subsection iv. and Schedule L6, the Board notes that an active transportation corridor is bi-secting both school blocks. Given the school facility would cover the majority of the site, it will not be feasible to have active transportation connections as proposed.
  - In reviewing subsection viii., the Board is supportive of shared access for parking and loading on the municipal right-of-way. This will serve to greatly reduce surface parking needs for visitors.
  - The Board recommends that on-street parking be permitted on all frontages of the schools site if possible, or at a minimum the local and collector roads the school site fronts onto. Moreover, the frontages along the adjacent parks of school sites should also support on-street parking to support parent drop off and pickups.

#### Section 20.5.2.b) Mobility - Active Transportation

- As noted in the previous section, the Board is in support of policies that improve the pedestrian and cycling network and recognizes that improved connectivity generally provides benefits to the community, including students that choose these networks to access school sites all year round.
- The use of grade separated bridges is also a key piece of infrastructure that will permit students to cross Trafalgar Road. Note that above ground bridges are preferred.

- As identified in the section above, Schedule L6 identifies off-road active transportation connections that would bisect the school sites into two, which is not feasible given the footprint of the facility.

#### Section 20.5.2.c) Mobility - Mid-Block Connections

- Mid-block connections on school sites will not be possible across school sites, as shown in Schedule L6.
- The Board would like to explore opportunities to close local streets adjacent to school sites during peak hours at drop off and pickup to further maximize pedestrian safety for elementary school aged children.

#### Section 20.5.2.d) Mobility - Parking

- The Board is interested in creating partnerships with the Town and other public agencies for shared parking facilities. The Board will be exploring underground parking for this project in order to make the reduced site size viable. If sharing opportunities existing with other public agencies, it should be explored.
- Maximum parking standards for educational facilities should reflect a ratio that provides minimum parking for staff on site, and offsets community parking needs to limited surface and/or on-street parking opportunities.
- The Board is supportive of the considerations around surface parking requirements and limitations.
- Electric vehicle charging stations should not be required for educational facilities, as the Board is limited in its funding envelope to install as well as operate charging stations.

#### Section 20.5.3 Stormwater Management

- Given the smaller educational facility site sizes, the Board may be limited in its ability to incorporate green infrastructure and/or low impact development.

#### Section 20.5.4 Spill Flood Hazard and Hazardous Lands

- The Board has noted that institutional uses such as schools and daycares shall not be permitted to locate in spill flood hazard and hazardous lands.
- The Board would like to ensure that should schools be located adjacent to hazardous lands that appropriate separations are provided to ensure school staff can safely manage students during and/or after school hours.

#### Section 20.5.5 Sustainability

- The Board is in support of policies that address sustainable development such as renewable energy, design strategy elements and building materials. However, the school site designs, coordination of funding may present challenges in certain instances. The Board recognizes the use of “should/may” instead of “shall” in this section.

### Section 20.6.1 Implementation - Monitoring

- The Board will continue to monitor the pace of development and the number of residential units in Midtown Oakville. Any construction of residential units within the area will have an impact on student accommodation of the area.
- The Board will monitor the level of development with regular site visits, examining progress of development applications, regular review of school board conditions at time of circulation of development applications (draft plan of subdivision, site plan) tracking existing students in Midtown Oakville, updating student yield from new development in Midtown Oakville, regular updates to school enrolment projections and analysis of school building and portable utilization.
- It is understood that the development of Midtown Oakville shall occur over a long period of time. When available, the Board would appreciate notices of updates to development and infrastructure phasing. This will help the Board with long term strategic planning of capital projects.

### Section 20.6.2 Implementation Measures & Section 20.6.3 Phasing/Transition

- Educational facilities should be added, if not included in public service facilities.
- Coordination with school boards is also recommended.
- The Board recommends that education facilities provisions be added to the list of metrics to be measured and evaluated, in collaboration with school boards.

### Section 20.6.4 Landowners Agreements/Cost Sharing

- The Board acknowledges that a landowners' group for Midtown will be established to ensure the delivery of key infrastructure, services, and utilities are coordinated and costs are shared between all landowners.
- Educational Facilities should be noted as a cost share item.
- The Board requests confirmation of the intent of subsection d), and whether boards are encouraged to participate in the landowners group.

### Townwide Policies

- It is understood that the number of proposed changes outlined in the draft OPA are directed to Section 20 (Midtown Oakville) of the Livable Oakville Official Plan. Other relevant modifications have been made to other sections of the official plan that will have an impact townwide.
- The Board requests that Section 29.5 Glossary be reviewed regarding the definition of "Educational Facilities" and "Public Service Facilities". Clarification should be made in the definitions on whether "Education Facilities" fall under "Public Use Facilities" or should be considered as separate entities.

The Board continues to look forward to further collaborating on this study and making ourselves available to discuss the above comments at your convenience.

If you have any questions regarding the aforementioned, please contact the undersigned.

Sincerely



Frederick Thibeault  
General Manager of Planning

Cc: G. Charles, Town of Oakville  
L. Choi, Halton District School Board  
M. Wildfong, Halton District School Board  
B. Vidovic, Halton Catholic District School Board  
D. Gunasekara, Halton Catholic District School Board  
A. Garde, Snyder Architects

attached:

Appendix A - Comparison Table of HDSB Comments (letter dated March 26, 2024) and draft Midtown OPA (dated September 2024)

**APPENDIX A**

**Comparison Table of HDSB Comments (letter dated March 26, 2024) and draft Midtown OPA (dated September 2024)**

*RED indicates an outstanding question or issue that remains to be addressed*

Item	HDSB Comment on draft Midtown OPA (Mar 2024)	Draft Midtown OPA (Sept 2024)
1 Identification of school sites	Concept A, Trafalgar Central Employment Focus was the preferred concept. (shows the locations of three potential school sites)	<b>Section 20.4.1.e)</b> states that Schedule L1 to this plan identifies priority areas for schools to be locations; <i>Two versions of the draft OPA have been shared with different Schedule L1 maps where one version does not show the "Priority Area for School" symbol.</i>
2 Definition of Educational Facilities	Future note for Zoning, definition of <i>educational facilities</i> would like to be reviewed by the Board.  Clarification whether Educational Facilities fall under the Public Use Facilities definition, or are separate.	<b>Section 20.4.1.e)</b> - <i>Educational Facilities</i> is further expanded. <i>Clarification if Educational Facilities are also considered Public Service Facilities or are a separate type of facility.</i>
3 Where are Educational Facilities Permitted	The Board would like to see that <i>educational facilities</i> are permitted uses within lands designated as either Office Employment and/or Community Commercial.	<b>Section 20.4.1.a)</b> - states that "all public service facilities, including transit-supportive facilities such as bus terminals, passenger pickup and drop-off (PUDO) areas, are permitted." <i>Unclear if educational facilities are included in this statement where this type of facility is permitted in all of Midtown.</i>
4 Parks and Open Space flexibility in limiting access, physical barrier	The Board acknowledges that school yards are part of the Parks and Open Space system as outlined in this section. Please note the following: <ul style="list-style-type: none"> <li>School yards within school owned properties may be significantly limited, or non-existent. These may be reserved and fenced as exterior play areas for child cares and/or kindergarten play areas cannot be accessed during and outside of school hours, or fully encumbered by the building footprint.</li> <li>It is unclear whether "School Yards" are to be under the Town's ownership that are jointly used by the Town and School, or lands within the Board's ownership.</li> <li>School yards are an important component of student education and should be</li> </ul>	Section 20.4.2.d) - states that: <b>iv.</b> The Town will work with school boards to co-locate park and school sites to optimize co-benefits, where and when possible." Section 20.5.2.c) - states that the park system shall be further complemented by "open space associated with education facilities."  <i>Clarification required if parks and open space connected to a school can limit access during school hours for school use only.</i>



	<p>prioritized for school board use during school hours in the year if joint-use agreements are to be established.</p>	
<p>5 Parks and Open Space reciprocal agreements, ownership.</p>	<p>Additional language to Section 8.1.8 which indicate the co-location of schools and parks will need to go beyond traditional use agreements under the existing Reciprocal Agreement, and will be part of the Board’s overall outdoor play area requirements.</p> <p>Under Section 11.2.6, Educational Facilities are required to provide for multi-purpose co-use by public community facilities. Please clarify if the intent of this section is in relation to the Board’s Reciprocal Agreement. The Board is willing to create partnerships with the Town and other public agencies.</p>	<p>Not addressed in draft OPA. Requested that increased sharing will be required between Board and Town to remain as efficient with land needs as possible.</p>
<p>6 Parks and Open Space flexibility in limiting access</p>	<p>Under Section 8.1.7 regarding the design of parks and open spaces, the Board would like to ensure that should the school require outdoor play areas in adjacent parkland, that general members of the community should not be permitted to access the designated spaces for the school during school hours, or scheduled based on outdoor play schedules. Furthermore, barriers and fencing may be required for certain school and outdoor play areas to ensure school staff can safely manage students during and/or after school hours. This is especially important as the school sites are immediately adjacent to surrounding roadways, presenting a safety risk for our youngest students.</p>	<p>Section 20.5.2.c) - states that the park system shall be further complemented by “open space associated with education facilities.”. Clarification required if school yards can limit access during school hours, and required safety measures for areas fronting onto arterials and collectors.</p>



**To:** Sybelle Von Kursell ([sybelle.vonkursell@oakville.ca](mailto:sybelle.vonkursell@oakville.ca))  
Manager, Midtown Oakville and Special Programs,  
Town of Oakville

**From:** Alvin Chan,  
Manager Adjacent Development,  
Third Party Projects Review – GO (Heavy Rail),  
Metrolinx

**Date:** December 12, 2024

**Re:** **Town of Oakville Midtown Oakville and Community Planning Permit System Official Plan Amendment – Metrolinx Response**

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Metrolinx has reviewed the Town of Oakville Midtown Oakville and Community Planning Permit System Official Plan Amendment, as circulated by email on December 2, 2024.

In review, Metrolinx provides the following comments and proposed policies for consideration. Should there be any questions or concerns, please do not hesitate to contact me at the undersigned.

Best regards,

A handwritten signature in black ink, appearing to read "Alvin Chan", written in a cursive style.

Alvin Chan ([Alvin.chan@Metrolinx.com](mailto:Alvin.chan@Metrolinx.com))  
Manager, Adjacent Development  
Third Party Projects Review – GO (Heavy Rail)  
Metrolinx  
20 Bay Street Suite 600, Toronto

**METROLINX COMMENTS AND PROPOSED POLICIES**

1	That any development within 300m of the Metrolinx Rail Corridor shall conform to the “Metrolinx Adjacent Development Guidelines - GO Transit Heavy Rail Corridors” and “Metrolinx Overbuild Development Guidelines - GO Transit Heavy Rail Corridors”.
2	That any development within 300m of the Metrolinx Rail Corridor shall require an Acoustical Study, which shall include the current rail traffic data and the Standard Metrolinx Noise Warning Clause, to the satisfaction of Metrolinx and the Town.
3	That any development within 75m of the Metrolinx Rail Corridor shall require a Vibration Study, to the satisfaction of Metrolinx and the Town.
4	That any development adjacent to the Metrolinx Rail Corridor shall not alter any drainage patterns, flows and / or volumes, absent review and approval by Metrolinx and its Technical Advisor, with all costs to be borne by the applicant / owner.
5	That any development adjacent to the Metrolinx Rail Corridor shall require execution of agreements with Metrolinx as deemed applicable, including but not limited to, Adjacent Development Agreement, Crane Swing Agreement, Shoring System and Permission to Enter Agreement, and Non-Disclosure Agreements.
6	That any development within 300m of the Metrolinx Rail Corridor shall require registration of an Environmental/Operational Easement in favour of Metrolinx, over the subject lands.
7	That any adjacent development shall provide the required setback and standard safety barrier (berm) or receive approval of an alternative barrier per a Rail Safety Report to be reviewed by Metrolinx and its Technical Advisor, with all costs to be borne by the owner / applicant. Sufficient setbacks for future building maintenance and other related works in proximity to the property line should also be considered.
8	That any work within or in close proximity to the Metrolinx Rail corridor shall require a Metrolinx Work Permit in combination with other associated requirements as determined applicable by Metrolinx, with all costs to be borne by the owner / applicant.
9	That any vegetation within 3.5m of the mutual property line with Metrolinx shall be restricted to low lying vegetation only.
10	That any adjacent development to the Metrolinx Rail Corridor shall install the Metrolinx Standard Security Fence along the property line, save and except for where substitutes are deemed satisfactory by Metrolinx.



December 12, 2024

Town of Oakville  
c/o Planning and Development  
1225 Trafalgar Road  
Oakville, Ontario  
L6H 0H3

Attention: Sybelle Von Kursell, Manager – Midtown Oakville and Special Programs

RE: File/application No.: N/A  
Proposed Development location: Midtown Oakville

Dear Manager,

Thank you for providing Trans-Northern Pipeline Inc. (TNPI) with the Official Plan Amendment (OPA) for Midtown Oakville for the proposed future planning and development within the Midtown Area, to make the area more livable. This plan has not been completed however will include a transit station which will be a major transit Station area, in accordance with the *Planning Act*. Vacant underutilized lands (as described), will be the landscape for additional residential, retail and employment uses, not yet planned. TNPI currently operates high-pressure petroleum products transmission pipelines within a 10 foot right of way (ROW) on the adjacent property south to the proposed development relating to the Midtown Oakville project.

Please note the following in relation to the proposed development:

- Permanent structures are not allowed within the ROW and are requested to be setback 10 m from the ROW
- Rail crossings must remain outside of the ROW and are requested to be setback 10 m from the ROW. Design and setback distances are requested for review to ensure suitability on lands adjacent to the ROW. Additional mitigation measures may be required
- Any crossings, both permanent and temporary will require a permit which may be requested by submitting a request to [crossingrequestseast@tnpi.ca](mailto:crossingrequestseast@tnpi.ca)
- Please provide the details on “significant residential and employment” (pg 7 OPA) as it relates to capacity. Additional assessment by TNPI may be required to ensure suitability for density changes within the proposed blocks.
- ROW access must not be blocked off, allowed continued access for operational and maintenance purposes
- Please submit a plan of the proposed development with the TNPI pipeline and set-back distances notes. Profile of any adjacent apparatuses may also be required for review.

Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

- *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the*

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**TORONTO**

310-45 Vogell Road, Richmond Hill ON L4B 3P6  
TEL (289) 475-5369 • FAX 905-770-8675

**CALGARY**

109-5305 McCall Way NE, Calgary AB T2E 7N7  
TEL (403) 476-1646 • FAX 905-770-8675

**TRANS-NORTHERN PIPELINES INC.**

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*construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*

- **Prohibition — vehicles and mobile equipment**

*It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless*

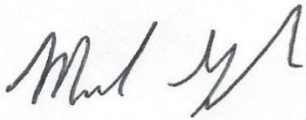
- *(a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*
- *(b) the vehicle or equipment is operated within the travelled portion of a highway or public road.*

Additionally, should the applicant propose to cross the pipeline or ROW with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact TNPI prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from TNPI will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Michelle Gruszecki, Property and Right-of-Way Administrator via email at : [mgruszecki@tnpi.ca](mailto:mgruszecki@tnpi.ca)

As always, Trans-Northern Pipeline Inc. appreciates being circulated development applications.

Yours truly,



Michelle Gruszecki  
Property and Right of Way Administrator