



January 20, 2025

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

e: TownClerk@oakville.ca

Dear Mayor Burton and Members of Council:

**RE: PROPOSED DRAFT MIDTOWN OAKVILLE OFFICIAL PLAN AMENDMENT 2025
STATUTORY PUBLIC MEETING
OUR FILE 17270A - 359 DAVIS ROAD**

Kard Properties Limited, registered owners of the lands with municipal address 359 Davis Road (the "subject lands"), have retained MacNaughton Hermsen Britton Clarkson Planning Ltd. ("MHBC") to represent their land interests in Oakville, Ontario. The subject lands are located south of the QEW highway and east of Trafalgar Road central to the Midtown Oakville area.

This letter is submitted in respect of the proposed draft Midtown Oakville Official Plan Amendment 2025 ('OPA') that seeks to repeal and replace the Livable Oakville Official Plan, Part E: Section 20, and applicable Schedules L1 to L6. This proposed amendment forms the basis of our comments.

SUBJECT LANDS: CONTEXT

The subject lands are contained within the delineated Urban Growth Centre and Major Transit Station Area ("MTSA") boundary of Midtown Oakville, as per Halton Region Official Plan Map 1h: Regional Urban Structure and Map 6a: Midtown Oakville GO UGC/MTSA. The subject lands are currently designated 'Office Employment' within the Trafalgar District of Livable Oakville Official Plan, Schedule L1: Midtown Oakville Land Use. Trafalgar Road to the east and Chartwell Road to the west provide vehicular access to the subject lands via South Service Road East to Davis Road.

The subject property is approximately 0.51 ha (1.26 acres/5,100 m²) in area and is located on the east side of Trafalgar Road, south of the QEW with frontage along Davis Road. There is an existing two storey structure on the site that contains a commercial service use (auto collision repair) with a building footprint occupying ±50% of the lot. To the east and west are existing one storey structures, to the north is a small woodlot and a hotel, and to the south is a six storey office building surrounded by three paved surface parking lots with the GO rail corridor located further to the south.

PREVIOUS SUBMISSION COMMENTS

On April 22, 2024, a submission letter was submitted to Town of Oakville Council regarding the Midtown Oakville OPA 2024 version. In that letter, several recommendations were presented to the Town for consideration that included the following:

1. Landowners' Agreement/Cost-Sharing

- Recommendation to amend policy to identify that smaller precinct areas should represent the formation of landowners' groups, rather than a Midtown Oakville-wide group.

2. Mixed Uses

- Recommendation to reduce the minimum Gross Floor Area ('GFA') of non-residential uses within a mixed-use development.

3. Mid-Block Connections

- Recommendation to indicate that mid-block connections should follow existing or future lot lines, rather than within/through existing lots.

4. Requirements vs Encouragements

- Recommendation to remove multiple policies utilizing the term 'shall' rather than 'encourage' or 'may'. The rationale was that where development applications may not be able to implement certain matters for varying site-specific limitations, with such a prescriptive term will result in the need for applications to amend policies creating inefficiencies both for the Town and for applicants.

5. Tower Separation Distances

- Recommendation to defer to Urban Design Guideline documents, rather than identify a regulatory measurement through a policy document.

CURRENT MIDTOWN OAKVILLE OPA COMMENTS

It should be noted that previously submitted comments, as noted above, continue to apply to the current proposed draft Midtown Oakville OPA, as do other policy matters. The following comments regarding the draft proposed Midtown Oakville OPA remain unresolved:

1. Landowners' Agreement/Cost-Sharing (s. 20.6.4)

Policy s.20.17.5.a., regarding the creation of a landowners' group, currently requires that one group is to be established to represent the entirety of Midtown Oakville. Rather than establish one group, it is geographically more logical to establish smaller entities either based on precincts or on smaller areas of the Midtown Oakville UGC/MTSA.

2. Mixed Uses (s.20.4.2.b)

It is noted that within the Urban Core designated lands, that the policy has reduced the GFA of non-residential use to 12% of the total proposed GFA in a new development. As

per other policies, such numerical standards should be contained in other design guideline documents rather than within policy.

3. *Mid-Block Connections* (s.20.5.1.i)

The policies note that mid-block connections, as shown conceptually on Schedule L6, should be provided within large blocks. The recommendation remains that the policy should indicate that such connections will follow established lot lines or new lot lines for new development.

4. *Requirements vs Encouragements*

Given that policies are intended to be interpretable, while regulations are meant to enforce standards, it remains a recommendation that less utilization of the term 'shall' is supported. This is to avoid unnecessary amendments to the Official Plan in situations where the policy text should be directive, but flexible to recognize unique site-specific anomalies.

5. *Tower Separation Distances*

As per our previous submission in 2024, it is recommended that Midtown Oakville policies defer to Urban Design Guideline documents, rather than incorporating regulatory measurements throughout a policy document.

6. *Development Permit/Community Planning Permit System*

The proposed draft Midtown Oakville OPA has included planning permit system policies that are applicable town-wide. These policies are contained in Section 28.15 that indicate that the Town may implement a planning permit system in areas the Town chooses. The intent of a development permit/community planning permit system is to create operational efficiencies in development approvals by eliminating uncertainty and the need for policy interpretations at the time of a development application. As proposed in s.28.15, the policies contain conditions that will hinder development, by introducing standards for building height and density that will result in contradictions between the draft OPA policies and any proposed DP/CP By-law.

CONCLUSION

We appreciate the opportunity to provide Council with our comments and recommendations regarding this Midtown Oakville Official Plan Amendment 2025. Overall, the proposed policies should support redevelopment that achieves the envisioned land intensification of the Town's Urban Growth Centre to 2051.

Yours truly,

MHBC



Oz Kemal, BES, MCIP, RPP
President

cc. *Kard Properties Limited*