

Planning and Development Council Meeting  
Monday, January 20, 2025

**Comments Received Regarding Item 6.2**

Town Initiated  
Midtown Oakville and Community Planning Permit System  
Official Plan Amendments  
File No. 42.15.59

**From:** Madie Vernooy <mvernooy@mhbcplan.com>

**Sent:** Monday, September 30, 2024 7:41 PM

**To:** Midtown <midtown@oakville.ca>

**Cc:** David McKay <dmckay@mhbcplan.com>; Oz Kemal <okemal@mhbcplan.com>; Eldon Theodore <etheodore@mhbcplan.com>

**Subject:** [EXTERNAL] 99 Cross Avenue, Commenting Letter on Draft Midtown OPA issued on September 26, 2024

Good Afternoon,

On behalf of our client, Home Depot of Canada Inc. (“Home Depot”), the owners of 99 Cross Avenue, please find attached a letter that outlines our feedback on the most recent Draft Midtown Oakville Official Plan Amendment (“OPA”) issued on September 26, 2024.

We would be pleased to meet further with the Town to discuss our client’s concerns and comments.

Sincerely,

**MADIE VERNOOY, B.KIN, MPI | PLANNER**



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

12 James Street North, Suite 301, Hamilton ON, L8R 2J9  
C: 289-253-7095



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September 30, 2024

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

Sent by e-mail: midtown@oakville.ca

Dear Mayor Burton and Members of Council:

**RE: PROPOSED DRAFT MIDTOWN OAKVILLE OFFICIAL PLAN AMENDMENT (SEPTEMBER 26, 2024)  
HOME DEPOT OF CANADA INC., 99 CROSS AVENUE  
OUR FILE 9316HA-28**

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On behalf of our client, Home Depot of Canada Inc. ("Home Depot"), we have reviewed the most recent Draft Midtown Oakville Official Plan Amendment ("OPA") policies and mapping issued on September 26, 2024. Home Depot owns and operates one of its stores located in the Trafalgar Village Mall at 99 Cross Avenue (the "Subject Lands"), that is intended by the OPA to evolve from its current focus into an urban high-density mixed use neighbourhood.

While Home Depot is not fundamentally opposed to the overall mixed use vision for the Subject Lands within the Oakville GO Protected Major Transit Station Area ("PMTSA"), we provide the following comments for the Town's consideration prior to finalizing the Draft OPA for Council adoption.

### **MIDTOWN OAKVILLE EXCEPTIONS**

The previous iteration of the Draft Midtown OPA released on April 2, 2024, included policies that proposed exceptions to the Draft Midtown OPA. Specifically, **Policy 20.16b** stated the following:

*The lands designated Urban Core at the northeast corner of Cross Avenue and Lyons Lane, and known collectively as the Trafalgar Village Mall, are subject to the following additional policies:*

- i. Redevelopment shall occur in a phased manner.*

- ii. Unless expropriated, the proposed roads, as shown on Schedule L8, shall only be required as part of a comprehensive site redevelopment.*
- iii. New large format retail and retail warehouse uses may also be permitted provided that they are located within mixed use buildings developed in conformity with this Plan.*

The latest Draft Midtown OPA has removed the exception policies that were included in the Draft Midtown OPA from April 2, 2024 which, were negotiated as part of the original settlement of the Midtown OPA. Our client prefers that the exception policies be included in all future Draft's of the Midtown OPA, as these policies allow for the eventual redevelopment of the Subject Lands to be phased, coordinated with the provision of infrastructure, and respond appropriately to the surrounding context and market demands of Midtown.

## **CONCLUSIONS**

At this time, our client is not supportive of the Draft Midtown OPA released on September 26, 2024. In our client's opinion the Midtown Oakville exception policies, that were in the OPA from April 2, 2024 and were originally negotiated as part of the settlement for the Midtown Oakville OPA, should be re-incorporated into future Draft's of the Midtown OPA to allow for the phased redevelopment of the Subject Lands that responds to the evolution of Midtown.

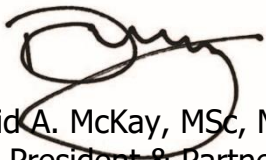
We would be pleased to meet further with the Town to discuss our client's concerns and comments.

Lastly, please ensure that we receive notice for any further meetings.

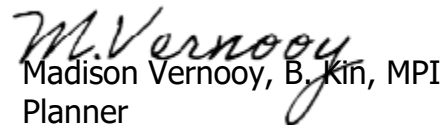
Thank you.

Yours truly,

**MHBC**



David A. McKay, MSc, MLAI, MCIP, RPP  
Vice President & Partner



Madison Vernooy, B. Kin, MPI  
Planner

**From:** Claire Ricker <cricker@bousfields.ca>  
**Sent:** Tuesday, October 29, 2024 4:32 PM  
**To:** Midtown  
**Cc:** Tyler Grinyer; Sasha Lauzon; Town Clerks  
**Subject:** [EXTERNAL] Midtown Oakville Draft OPA (Special Council Meeting Item 5.1)  
**Attachments:** Midtown OPA Comment Letter - 10.29.2024.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good afternoon,

We are the planning consultants for Distrikt Developments, the owners of approximately 11.5 acres of land in Midtown Oakville. Our office has had an opportunity to review the September 2024 Draft Official Plan Amendment for Midtown Oakville, and respectfully submit our comments for your consideration.

We would be happy to meet with Town Staff and the consortium team to discuss our comments, if required.

Thank you,

**Claire Ricker** (she/her)

Associate  
M.PI, MCIP, RPP

**Bousfields Inc.**

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October 29, 2024

**Sent Via Email to: [midtown@oakville.ca](mailto:midtown@oakville.ca).**

**Re: *Planning & Urban Design Comments*  
*Midtown Oakville Growth Area Review - Draft Official Plan Amendment*  
*(September 2024)*  
*Special Council Meeting Item 5.1***

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As you are aware, we are the planning consultants for Distrikt Developments (“Distrikt”), the owners of approximately 4.7 hectares (11.5 acres) of land in Midtown Oakville across multiple properties. Distrikt is currently overseeing four development applications<sup>1</sup> for their lands within Midtown, as discussed in our previous submissions. Distrikt has been an active participant in the Midtown Oakville Growth Area Review process since March 2021, and would like to thank Town Planning Staff and the OPA Team for the opportunity to provide comments on the emerging policy directions and overarching city building objectives for Midtown Oakville.

The following letter has been prepared on behalf of Distrikt with respect to the draft Midtown Official Plan Amendment (“the draft OPA”) that is before Planning Development Council this evening. The latest iteration of the draft OPA was released for public comment in September 2024. Distrikt continues to be generally encouraged by the vision the OPA team has presented for Midtown however, our comments generally remain unchanged from our previous submission filed on April 22, 2024, in particular those related to the use of height and density maximums, and tower separation.

With respect to the policies related to height and density, we appreciate that Policy 20.5.1(f)(i) allows for building heights to exceed the thresholds shown on Schedule L4, however, subsection (1) then requires the maximum density to not be exceeded. This is further acknowledged in the plan in Policy 20.5.1(e)(ii), which states that up to the maximum gross density, expressed as floor space indices (FSI), may be permitted on a development site in accordance with Schedule L3 and the policies of this Plan (our emphasis). The revised policy language in the latest draft OPA is a departure from the policy approach taken in the previous, April 2024 draft, which had eliminated density as a determinative factor for development. As such, **we continue to request that Town Staff and the OPA Team consider the elimination of both prescribed height thresholds and density maximums**

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<sup>1</sup> 1) 217-227 Cross Avenue and 571-595 Argus Road; 2) 166 South Service Road; 3) 590 Argus Road; and 4) 157-165 Cross Avenue, as a partnership with The Remington Group Inc.

**to allow for the optimization of the lands adjacent to the existing GO Station and future transit infrastructure (such as the Trafalgar Road BRT). Further to this, we request that Town Staff and the OPA Team consider leveraging other policies within the draft (such as those in Section 20.3 associated with Midtown’s precincts) to articulate Midtown’s framework for growth.**

In addition, the minimum tower separation distance required between tall buildings has increased from what had been set out in the April 2024 draft OPA, which required a minimum of 30 metres between tower faces. The latest draft OPA states that the distance between the facing walls of towers shall generally be a minimum of 30 metres at the tower base and expand to a minimum of 35 metres above the 25th storey, as applicable (Policy 20.5.1(g)(vi)). While we appreciate the use of the term “generally” within the draft policy, **we request Town Staff and the OPA Team consider reducing the separation distance to 25 metres, a standard that is applied to tall buildings in other transit nodes within the Greater Toronto and Hamilton Area.**

We thank Town Staff for the opportunity to comment on this most recent version of the draft Midtown Official Plan Amendment, and respectfully request that Town Staff and the OPA Team consider our comments, as summarized in this letter, as well as those previously submitted on behalf of Distrikt Developments.

If you have any questions regarding this letter, please do not hesitate to contact the undersigned or Tyler Ginyer of our office. We would be happy to meet with Town Planning Staff and the OPA Team to discuss our comments.

Respectfully submitted,

**Bousfields Inc.**



Claire Ricker, MCIP, RPP

cc: *Sasha Lauzon, Distrikt Developments*  
*Marcus Boekelman, Distrikt Developments*  
*Geoff Abma, Senior Planner Town of Oakville*

**From:** Sue Reid  
**Sent:** Wednesday, November 13, 2024 6:37 PM  
**To:** Town Clerks  
**Subject:** [EXTERNAL] Midtown

We moved to Oakville in 1970. We lived at 302 King St. The house no longer exists . Now it appears that the Town of Oakville will no longer exist. There is an alternative, listen !

Sue Reid

The Granary



**From:** Dustin Leitch

**Sent:** Thursday, November 14, 2024 13:34

**To:** Mayor Rob Burton <Mayor@oakville.ca>

**Subject:** [EXTERNAL] Congestion flaws with the proposed Oakville plan.

Dear Mayor Burton,

I think it's naive to think building 7000 units in on area that's already congested won't grid that area to more gridlock

The Oakville Transit-Oriented Communities (TOC) Traffic Impact Study identifies various anticipated impacts and improvements but does contain some key limitations and potential flaws that may affect the area's traffic conditions. Here's an analysis of significant points and concerns:

#### Key Flaws

1. **Insufficient Detailed Traffic Forecasting:** While the study includes a projection for 2038, it lacks incremental forecasting between now and that year. This may underrepresent traffic conditions in the near-to-mid term as the area builds out gradually. Without these interim forecasts, understanding peak congestion points and necessary adjustments during construction phases is difficult. The Construction of this project will no doubt restrict lanes significantly creating 12 to 15 years of havoc for the community.
2. **Reliance on Existing and Planned Transit Use:** The study assumes that the nearby Oakville GO Station and other transit options will alleviate traffic significantly. However, it does not account fully for factors

like actual transit uptake rates or how seasonal and economic changes might affect commuter behavior, potentially leading to underestimated car usage. It would be prudent for the city to look at past transit uptake rates versus current to decide if this plan is even realistic.

3. Parking Reduction Assumptions: By proposing reduced parking ratios based on Bill 185's allowance for transit-rich areas, the study assumes that fewer people will need personal vehicles. However, without alternative transport measures fully in place, this could result in a parking shortage, potentially pushing overflow parking into nearby residential areas and increasing local traffic. Further to this restricting guest parking for 7000 units assumes that these people will not have visitors. Would it not be sensible to look at how many visitors large visit buildings like this get on average in area such as Mississauga. The square one area traffic is an absolute nightmare, and you are proposing. More buildings in a tighter area.

4. Active Transportation Integration: The plan emphasizes active transportation (biking and walking), yet current infrastructure for these modes is limited. The effectiveness of these measures is questionable if improvements to sidewalks and bike lanes do not keep pace with the development timeline. This also fails to mention that we live in Canada, where it's snowy in these methods of transportation are mostly difficult and often improbable in that weather.

Most likely outcomes:

1. Increased Congestion on Key Roads: Despite plans for widened lanes on Trafalgar Road and new ramps on the QEW, the projected traffic from nearly 7,000 new residential units, retail spaces, and offices could strain these areas, especially around peak times. Roads like Cross Avenue, Trafalgar Road, and Argus Road are likely to experience significant congestion as development progresses.

2. Potential Bottlenecks at GO Station: The study plans for increased public transit usage but also highlights increased vehicle flow to and from Oakville GO Station. The added traffic, combined with high-turnover commuter traffic, may result in bottlenecks during peak hours if the proposed street adjustments do not effectively manage these flows. The Oakville Go LOT is currently full every single day, Shall we assume other people and other areas of the city are not going to need the GO station?

3. Mitigation Measures and Timing Concerns: While the report suggests mitigation measures, it does not establish clear timelines for these changes. If these measures are delayed or implemented inconsistently, they may not alleviate congestion effectively as traffic grows in tandem with the TOC development. The report also fails to mention where these have actually been successful previously, so I think we can consider these hopes and dreams rather than realistic mitigation measures.

Overall, this plan is ripe with flaws, It would be more prudent to develop a much smaller scale area monitor impact before building this behemoth.

Sincerely, a concern citizen

Dustin Leitch

**From:** Michael Young  
**Sent:** Sunday, November 17, 2024 1:15 PM  
**To:** Mayor Rob Burton; Jonathan McNeice; Sean O'Meara; Ray Chisholm; Cathy Duddeck; David Gittings; Janet Haslett-Theall  
**Cc:** Town Clerks  
**Subject:** [EXTERNAL] Mid-Town Oakville TOC

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Mayor, Councillors:

I have glanced at the [www.oakvilletoc.com](http://www.oakvilletoc.com) website, and one thing that may be easily overlooked, but stood out to me, were the four Pedestrian Wind Study Letters. These require significant scrutiny and offer an opportunity to challenge the livability of the proposed cluster of buildings, and their surroundings.

First I would suggest you look at the basic assumptions for the speed of the wind model adopted. The speed of the wind assumptions are based on a regular experience at Billy Bishop Airport. Even so the first report indicates “uncomfortable or even unsafe wind conditions were predicted around the exposed building corners and between the proposed towers at both the ground and amenity levels.” The wind levels used for the report take no account of exceptional conditions that might occur. For example, Hurricane Hazel had sustained winds at 110kph gusting to 120 kph. With climate change, we are about due for another Hazel and a regular occurrence thereafter. It does not take much imagination to know how this will impact the occupants of these buildings.

Most importantly the letters only consider the four developments **separately** and do not take into consideration the collective effect on the wind patterns. It would not be unreasonable to ask for a report on the collective effect of all the buildings on the wind patterns. The reports suggest the need for wind-tunnel studies at some point. I believe the design and layout of area not be accepted without the wind-tunnel tests are complete and proven acceptable. Additionally, I also believe there will be an impact of tunneled cross winds on the QEW that could be a hazard to traffic, when the wind is from the south.

The ground level wind patterns may well have a significant impact on the ground plantings, community facilities and street furniture outside of the specific four sites included in the studies, and will fall under Oakville’s aegis. The wind parameters will be needed to ensure a livable space is designed to withstand the impact of the wind surrounding these developments. The sketches that the Town has been promoting of happy citizens enjoying the open spaces in the mid-town may only be true on a sunny day when there is no wind.

Further, I note the legal disclaimer at the end of each of the wind study letters, which requires some attention and possible navigation.

One other aspect of the wind that is not mentioned is the movement at the top of the tall buildings. The amplitude and frequency of the sway of the buildings at the top can affect some residents, and once they have taken occupancy any complaints would be leveled at the Town. The interplay of the wind turbulence by and on each of the buildings (the Tacoma Narrows Bridge effect) should also be taken into account. I am aware of this issue through involvement of remediating the sway on a 50+ storey office block in downtown Toronto, which involved the use of baffles in a passive fire suppression (sprinklers) water tank at the top of the building to alleviate the sickening sway. The sway issue may be covered under building code requirements (I’m no longer up-to-date on the BC) fully but it is worth asking the question.

I would further add that solid assurances should be sought about the structural capacity of all the fenestration and balcony arrangements to withstand the increasing wind speeds being encountered, and likely to be experienced over the life of the building, due to climate change. (Again, possibly fully covered under the BC)

Michael Young

**From:** Michael Young  
**Sent:** Tuesday, November 19, 2024 11:42 AM  
**To:** Mayor Rob Burton; Jonathan McNeice; Sean O'Meara; Ray Chisholm; Cathy Duddeck; David Gittings; Janet Haslett-Theall  
**Cc:** Town Clerks  
**Subject:** [EXTERNAL] Mid-Town Groundwater considerations

Mayor, Councillors,

It is possible you have been alerted to the significance of the ground water considerations contained in the TOC report. I hope so.

If not, you may wish to consider the fact that Oakville and the Region have considerable leverage with the developers concerning the need for the present design to continuously discharge 69,000 L/Day into a sewer from just one building (I only looked at the first report). Remember there are eleven buildings. Think sump-pump for the eight levels below ground. The Town's sewer does not allow such discharge and Region are unlikely to approve connection to its sewers. (Although they may come under considerable pressure/incentives to do so.)

- n) If the groundwater encountered is discharged to the Region of Halton sanitary and combined sewer, no treatment will be required. A treatment is required prior to discharge to the Town of Oakville storm sewer; and,
- o) Although the water quality meets the limits of Region of Halton sanitary and combined sewer, the Region typically does not typically allow groundwater discharge to the Regional sewer system. Alternative discharge method or negotiation with the Town of Oakville will be required.

As is often the case in such matters as the overall Mid-Town development the devil is in the details. In this case, it will be the Developers' devil. The reference in the para above to "alternative discharge method" includes the technical ability to totally avoid the requirement for this sump-pump requirement. The alternative technical solution is mentioned in the report. I would further emphasise this is just one building.

If the groundwater encountered during long-term dewatering is discharged to the Region of Halton sanitary and combined sewer, no treatment will be required. A treatment is required prior to discharge to the Town of Oakville storm sewer.

In the event that the long-term foundation drainage is not allowed to discharge into the City's sewer system, the proposed building may be designed and supported by "tanked" water-proofed continuous raft foundation without permanent dewatering (i.e., avoiding permanent perimeter and under-floor drainage system).

To me the "Tanked water-proofed continuous raft foundation" is a far superior approach for a number of reasons: no demand nor possible changes to, with all that involves, the sewer system; no treatment for the elevated level of manganese; no energy consumption to keep the pumps going (much more ecologically friendly); no costs associated with ongoing maintenance for the tenants; and no likelihood of pump or electrical failure and the catastrophic impacts on the building, the costs of which may have to be carried by condominium owners, or landlords who would pass the costs onto the tenants. The passive raft approach is elegant and reliable, providing a good job is done on the water-proofing.

I am not entirely sure about the overall structural implications of the raft foundation. It is most likely they are more expensive for the developer to build but, more importantly, it may well change the supporting internal structural

configuration and require extensive redesign of the supporting internal structural configuration and, therefore, the overall architectural concept. I could be wrong on this but it is worth checking out with structural specialists.

You can see where I am going with this: the Town has considerable leverage in any negotiations. The Town and Region are unlikely to want to change their present by-laws to accommodate this development. In fact I would suggest the Town/Region be resolute and obdurate in its position and force the reasonable and well known raft foundation technical solution. I can imagine the developers, and possibly the Province, will throw a lot of money at the Town and region to retain the proposed design. I would hope you would resist. Again, I remind you I have only looked at one building, and whatever you do will create a precedent for all the buildings, and their cumulative effect.

If all the above is not familiar to you, I would suggest your advisors are possibly out of their depth (excuse the pun) and need some help.

Michael Young

**From:** Michael Young  
**Sent:** Friday, November 22, 2024 4:12 PM  
**To:** Mayor Rob Burton; Jonathan McNeice; Sean O'Meara; Ray Chisholm; Cathy Duddeck; David Gittings; Janet Haslett-Theall  
**Cc:** Town Clerks  
**Subject:** [EXTERNAL] Mid-Town Earth removal -getting a handle of the scale of the contractors' traffic disruption, and dungeon parking.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mayor, Councillors:

I did some **rough**, back of an envelope, arithmetic. Without precise building dimensions I scaled the sizes of the basement parking using a 3 metre width parking spaces as rough guide, and some extrapolation. If anything I may have underestimated the areas and made no allowance for soil removal beyond the perimeter walls . This simple exercise is to give an order of the size of the undertaking for all four sites in the Provincial Proposal. One you may not have considered.

My other assumption is that 15cubic yard (11.5 cu. m) trucks are being used to remove the soil to make space for the foundations and for the parking.

**My conclusion is that about 110,000 dump truck removal journeys will be necessary during the excavation phase just for the four TOC sites under examination at the moment.** I'm sure their presence will be (sorely) felt by the community, especially along the routes to the dumping locations (Where. BTW?).

Then, of course, there follows the transport of the deliveries of back-fill, building materials, and all the outfitting necessary to turn the structural skeleton into a livable building. That's another study.

Please feel free to check my arithmetic.

Simply FYI. Perspective is always important in these matters. Have you considered that all the buildings will be having the parking go down further than the above-ground six-story car park located just south of the GO station. If as an owner/tenant you are unlucky enough to be allocated the most remote parking spots on P7 you could be driving well over one-half a kilometer underground to reach it from the street, down 20 to 25 meters (~65 ft) below ground level. Not great selling points.

Michael Young

**From:**  
**Sent:** Monday, November 25, 2024 11:17 AM  
**To:**  
**Cc:** Town Clerks  
**Subject:** [EXTERNAL] CALL TO ACTION ON MIDTOWN TOC

I agree we do not want towering buildings not good for the environment and what if the power goes out and people have to use the stairs not good for seniors and anyone that has walking disabilities  
And condominiums are not cheap ; and there is no quick fixes there it takes a long time to build

Oakville does not need more taxes we pay a substantial amount already

Oakville does a good job handling there own affairs and there is no need to have outsiders dictate what to do

why do we have to over crowd the area can not new comers go to other parts of the province ?

Totally against this ridiculous proposal over crowding the area and we have to pay the cost to do such a thing makes no sense

Dorothy



**From:** Michael Young  
**Sent:** Wednesday, November 27, 2024 12:45 PM  
**To:** Mayor Rob Burton; Tom Adams; Janet Haslett-Theall  
**Cc:** Town Clerks  
**Subject:** [EXTERNAL] Mid-Town TOC Development

Mayor, Councilors,

After a discussion with Tom Adams I have submitted my thoughts to the TOC project directly through their comments window on their website. See below.

For you information, and do what you will with it, I attach below the text of my submission, which is a reformatted repeat of material I have already sent to you, plus some other thoughts that TOC may not like.

Michael Young

### **Here today, Gone tomorrow**

There are many community considerations to consider. I offer a few.

- The developments leave this large concentration of humanity with inadequate community resources on site. Studies of groups without adequate resources show significant stress to individuals and the consequential behaviours that are anti-social and self-destructive. You have forgotten the lessons that can be learned from the significant social disruption of Regents Park and Lawrence Heights developments in Toronto. The TOC development may well prove to be a magnet for the development of gangs, drugs and sex work.
- Apart from the passing inconvenience of the 100,000 dump truck journeys needed to excavate the car parking, and the subsequent construction traffic, the placement of all the cars in and around the GO station and Trafalgar Road will strangle North/South traffic flow such that it will cut off the direct route of North-Eastern neighbourhoods from one of the most appealing reasons for living in Oakville, access to the Lake.
- The distribution of two-thirds of the apartments being one-bedroom and studio suits, and the remaining units seemingly for families, raises the interesting question as to whether this mix will give rise to giving the children of the families a living in these vertical communities a reasonable chance to bond together with like-minded families. Placing children in the overwhelming presence of a fluid, continuously changing community seems to be the recipe for developmental behavioural challenges in the children. Where are the sociological studies that examine this potential disaster.
- I could not find in the report any mention of the scaling of demographic need. I suspect family affordable housing is a major need, so the project would be better orientated towards family suites than those for individuals or couples, with an emphasis on three-bedroom suites.

What will you leave behind?

- Eleven tall buildings. Each one swaying in the wind with residents feeling motion sickness in the upper floors. The sway amplitude and resonant frequency is unaddressed in the report.
- Unknown wind tunnels whipping around the building causing the old and infirmed to struggle and fall as they are swept around. The report's assumptions are based on wind patterns taken 25km away, applied to individual buildings but *not the whole complex*, taking no consideration of intra-building turbulence and

not recognizing any serious wind strengths above the common experience. Also, the report does not address the possibility to cause significant and dangerous cross wind gusts on the QEW.

- Three seven-story and one six-story underground car parks that will require the users of the lowest level to navigate thirteen hair-pin bends and over seven hundred metres of driving, each way, without ever seeing daylight. There is no indication that the strength of the parking floors will carry the total extra weight of electric cars nor that each parking spot will carry the ecologically consistent aim of having a charging station at each parking spot. Isn't the wider policy intent to have electric fleets within a decade or two? Are these buildings only good for a couple of decades? I can hear you saying, "Sorry, that's Oakville's or the owner/tenants' problem when we are gone".
- If the Town of Oakville does not totally resist the present design for channelling ground water removal (69,000 l/day for ONE building) through its sewer system, or TOC imposes such a condition, then it is probable that the upper level of the ground water table will fall over a wide area that has not been addressed by the technical papers. If the level does fall then there is a likelihood it may affect housing foundations and old, mature tree roots down Trafalgar Road. Additionally, sewer problems and all that involves such as the digging up of streets, are a likely outcome. To avoid this issue, the project(s), if it goes ahead, should be firm to insist on floating raft foundations as the most technically effective and ecologically sound solution with no ground water being redirected to the sewer system.

Finally, you do realize that you are colonialists? Or you are enablers for financial reward. Wear it.

- TOC has the power. Maybe not the army the colonialists used, but misused legal powers.
- You see yourselves as having a divine mission: to provide more housing and reduce its ecological impact. Compare with the bringing of religion, commerce and proper culture of earlier generations of colonialists.
- You have taken over an enclave of an already well-run authority and twist it to your aims.
- You humour your supporters and cheerleaders – the perfumed breath and seductive voice of the developers, rather than, or maybe the same as, the businessmen and traders of old.
- You suppress the local authorities with PDAs, whereas the old colonialists bought the tribal leaders with increased power and arms.
- Then, I suspect, you will use the salve of millions of dollars to cushion the blows, mere rounding errors in the larger scheme of things, rather than bangles and beads to keep the natives happy.
- Once you have exploited its worth to you and your sponsors, you will abandon it saying to Oakville, "Your problem now."

Yes, you tick all the boxes to be colonialists.

All-in-all this project fails on many levels. I suspect that Jane Jacobs would turn in her grave to know about this project.

Whether you like or not, you are acting like the now much despised Colonialists of our history, albeit writ small. You have learned nothing from history and are repeating its mistakes. Recant and turn the development of this site back to the Town of Oakville's control.

Michael Young

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**From:** Josh Tates  
**Sent:** Thursday, November 28, 2024 3:25 PM  
**To:** Town Clerks  
**Subject:** [EXTERNAL] Complaint about Midtown Oakville protest

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whom it may concern,

I had a hotel stay in Oakville from the 24th to the 28th. When I was going back there was a huge protest out my hotel. They were blocking me as I wanted to enter. They seem like poor people in front of a 5 star hotel. I hope you guys look into the midtown Oakville debate because the way they were trying to get there point across was not appropriate.....I could see them protesting in downtown but don't understand why in front of the high end hotel area?

Thanks for your time.

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**From:** Michael Young  
**Sent:** Friday, November 29, 2024 3:53 PM  
**To:** Mayor Rob Burton; Janet Haslett-Theall; Tom Adams  
**Cc:** Town Clerks  
**Subject:** [EXTERNAL] TOC – technical issues

Mayor, Councillors:

Below is another missive to the TOC. Tom made me aware that technical issues usually follow in the wake of planning and proposal presentations, but in the case I think it is worth poking the bear again, but at a technical level.

In case you do not choose to read it, the punch line is to suggest the Province might wish to indemnify the structural integrity of the buildings in perpetuity. I know I am whistling in the wind, but I thought it worth a try.

Janet, feel free to pass it on to ILO website if you think it adds anything to the cause.

Mike Young

### **Getting Technical**

The engineering of a building is as important a component of an integrated building design as the layout. I see no reference to the structural design in the report, as if it is taken for granted that of course, the engineers will find a way of “doing it”, whatever the project proposes.

“Oh, boring details” many of you may say, but to me this is a hard reality, and has potentially profound, and significant cost, implications. Please read on.

### **Credentials**

Good news and not so good news on full disclosure: I am a graduate of Imperial College (now University) London, England, in civil engineering with a bias towards structural engineering. Retired, I have not undertaken any hard engineering for many decades, but the engineering principles do not change even though the technologies and materials have improved over the years.

### **Primer**

Dealing with your boss may often cause you “stress and strain”. These terms have different meaning in engineering. The stresses are the internal forces within a component. Stresses manifest themselves between compression (think marshmallows), tension (rope), shear (scissors) and torsion (twisting, wringing).

The strain is the amount of deflection or distortion the stresses cause.

The best-known example of a cantilever is the bracket that holds up a wall shelf in the home. Or, you may think of a tree. In the case of a shelf, a cantilever’s largest stresses are induced in where the brackets anchor to a wall. Too much load on a shelf pulls out the top screws, as some of you may have noticed.

### **Application**

The TOC proposal promotes eleven tower blocks of housing in four projects. The tall towers are all vertical cantilevers. Their anchors are the foundations. The structure at and in the ground must be adequate to keep the buildings stable.

There are four sources of loading on these cantilevered towers:

- Wind load. This is obvious. But it is not just a straight push. Gusting and turbulence can also twist the building and cause strain (deflection) and the turbulence has to avoid the natural vibration frequency of the building (the Tacoma Narrows bridge condition). Multiple closely arranged buildings can give strange turbulence loads.
- The dead load. That is the self-weight of the building. This is a good thing since the supporting columns and walls are all in compression from the weight and this in turn helps prevent the columns' concrete from going into tension providing their cross-section is large enough. Concrete has no strength in tension, hence the use of reinforcing bars. Of course, the beams and further cantilevered balconies must carry their own weight and that of the floor plate structures.
- Live loads, the imported materials, services and furnishings, are carried by the beams and floor plates that transfer this live load into the columns and walls.
- Seismic loads are different. They come up from the ground and shake the foundations and therefore the towers. This is a mild consideration, but a quick search of the internet gives "Toronto experiences low seismic activity. Since 2023, there have been 15 earthquakes near Toronto, with magnitudes up to 3.8".

All these loadings matter because they induce strains – that is, movement, however minute.

Plinth structures, above the car parking and at ground level, cover almost all of the total area of the four sites including the space between the towers. Where the towers meet the plinth level there are significant dead loads from all those stories towering above. The rest of the plinths have much lower dead loads. This differential of dead loads between the high rise and the plinth causes challenges in design. Shear stresses are induced between these different dead loads. With careful structural design these should be accommodated, but even with the best of intentions problems can occur over the life of the building.

The main issue is the natural cracking of the concrete, or any expansion/contraction joints included in the plinth deck. I particularly refer to hairline cracks caused by the strain on the concrete and in some cases the shrinkage of the concrete as it cures and dries. This allows water to penetrate and corrode the reinforcement. On a plinth there is the likelihood of salt being used for ice melting. This makes the corrosion potentially worse.

Such corrosion is not unheard of. The Elliot Lake car park was a sad disaster. The engineers who designed the elevated Gardner expressway did not anticipate the huge costs needed to remediate the concrete work. Even in Oakville the handkerchief sized Town Square is attracting serious budget dollars for its upkeep due to its plinth function over a car park.

Buildings move, albeit imperceptibly at ground level. (The tops of the buildings are likely to have quite discernable sway characteristics.) These small movements at plinth level create fissures, again small enough for water to penetrate and spread through capillary action. The steel reinforcing bars rust and expand, spalling off their covering concrete, unless the bars have been protected by, say, an epoxy coating.

Also, during construction not every batch of concrete poured is perfectly aligned to specifications. Not every poor concrete pour is caught during construction.

There may be answers to all the challenges I identify, but how will they perform over time, when the developers' and contractors' interests are profit driven? Who will be around to pick up the pieces and pay for the repairs, say, twenty years from now?

Yet again. Here today and gone tomorrow.

I'd like to bet any future repairs will not be carried by the Province which is the author of this potential time/money bomb.

Or you could surprise me with the Province indemnifying, in perpetuity, the structural integrity of these developments thrust upon Oakville.

Michael Young

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**From:** Corey Scarfo  
**Sent:** Wednesday, December 4, 2024 12:05 PM  
**To:** Town Clerks  
**Cc:** Mayor Rob Burton; Cathy Duddeck; David Gittings; Janet Haslett-Theall; Ray Chisholm; Marc Grant; Jeff Knoll; Natalia Lishchyna; Tom Adams; Anita.Anand@parl.gc.ca; Stephen.Crawford@pc.ola.org  
**Subject:** [EXTERNAL] Towns Plans for Midtown Oakville

Hello,

I am writing in response to the numerous plans surrounding the planned development within Midtown Oakville. I know there has been a tremendous amount of development within Canada over the years, particularly in and around the GTA and I realize development and growth are key to growing a healthy and vibrant community. I believe growing a sustainable and healthy community is important for all of us that live in Canada and future generations to come. Being born in Oakville and always having lived in Oakville I have many concerns that are also shared by my family members and members of the community regarding the livability and sustainability of the Midtown project.

Firstly, the area being targeted for development is already being heavily utilized as a commercial center with shopping facilities, public service locations, restaurants and other amenities. This complex is key for many people that live in Oakville, from the Service Ontario, Service Center Canada, Home Depot, Dollarama, Value Village, and Tim Horton's, these are all heavily utilized facilities. Development within this area would displace or remove some of these facilities and create a strain on others due to the volume of clients they would face, particularly the Service Ontario and Service Canada which often have extremely long wait times. There is no complex like this in central east Oakville near the QEW that exists anywhere else within our community and it should only be enhanced rather than limited due to high density residential development.

In addition, the traffic congestion created by the lack of adequate roads and other infrastructure creates intense and unbearable traffic during most hours of the day. This is not only localized to Cross Avenue but Argus Road, Cornwall Road, Speers Avenue and most substantially Trafalgar Road including both the East and West side QEW/Trafalgar Road off ramps. During my regular commute home after picking up my son from my parents, who also live in Oakville, I exit onto the West Side Trafalgar Road off ramp from the QEW, during this I am often forced to stop while still on the QEW as the off ramp is backed up and congested all the way to the highway due to the heavy volume of cars already on the off ramp and Trafalgar Road. Something like this is extremely unsafe and the fact that I am forced to do something like this with a child in the car makes this situation all the more unacceptable. Any additional residential development whatsoever will substantially exacerbate this already unsafe situation and create an unbearable situation for many drivers who already rely on Trafalgar Road as a daily part of their route. If I try to avoid the Trafalgar off ramp and QEW and take either Speers Road, Cross Avenue, Rebecca Street or Lakeshore Avenue I am faced with stop and go bumper to bumper traffic that often carries an additional 15-20 minute wait just within this stretch. Due to the lack of infrastructure, large amount of residential land use, and the always busy Oakville Go station, south Trafalgar Road and the surrounding area has unbearable traffic similar to Downtown Toronto. Since Trafalgar Road has already been expanded north of Iroquois Shore there are less issues north of the QEW, however south of the QEW on

Trafalgar Road and the surrounding roads where the Midtown development is being planned, additional road expansion is not possible creating a nightmare situation which will only be exacerbated by additional residential development in any form. Particularly high density residential.

I realize the Federal and Provincial Governments are pushing high levels of residential development however these are at the cost of making life more difficult for local residents and are almost always at residents expense as is clear in the Towns 2025 Budget Plan. If the Town of Oakville is in favour of these developments like the Midtown Oakville development then they are prioritizing Provincial and Federal desires rather than the well being and benefit of all of the Town residents which makes them liable and complicit in making things worse for their own residents. If the Town of Oakville is not in support of these plans then they should focus on making Oakville more livable and sustainable for its current residents and generations to come rather than prioritizing or accepting the agenda of the Provincial or Federal governments. What Oakville and the GTA require are more roads, infrastructure, amenities, and services, rather than additional residential development, especially high density. Over the last several decades development and growth within Oakville has had positive and negative impacts, however projects like this have a clear negative impact for all Town residents that cannot be denied. I am writing so the Town of Oakville will understand the views of myself and many others who live here. Please stop the Midtown Oakville development and focus on making Oakville and the GTA a better and more sustainable community for generations to come.

Regards,  
Corey Scarfo  
Town Resident



**From:** Mayor Rob Burton  
**Sent:** Monday, December 16, 2024 2:36 PM  
**To:** Oakville We Love Oakville; \_Members of Council; Town Clerks  
**Cc:** Jim Goodfellow  
**Subject:** Re: [EXTERNAL] Re: Council Meeting 16 Dec 2024 - We Love Oakville Concerns re. Midtown TOC.

I have not endorsed any TOC plan.

The TOC plan currently before the public appears to be the first iteration of at least two or three iterations that public consultation feedback should inform.

As I understand the TOC process, Council may be asked to endorse a final version from the TOC process. For that reason alone, it is premature to consider endorsing the present TOC proposal or "plan".

I continue to believe, as I said in my Oct 22 state of the town speech, that the TOC process is a better alternative than the OLT process, which is where the Distrikt applications are and would remain without the TOC process.

Sincerely,

**Mayor Rob Burton, BA, MS, C.Dir.**

**Head of Council & CEO**

**Town of Oakville**

o: 905-842-4111

m: 905-330-1500

[www.oakville.ca](http://www.oakville.ca)

*Town Mission: serving the community  
in a responsible, inclusive way,  
dedicated to building environmental,  
social, and economic sustainability*

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---

**From:** Oakville We Love Oakville <[weloveoakville@gmail.com](mailto:weloveoakville@gmail.com)>

**Sent:** Sunday, December 15, 2024 11:56:16 PM

**To:** Mayor Rob Burton <[Mayor@oakville.ca](mailto:Mayor@oakville.ca)>; \_Members of Council <[MembersofCouncil@oakville.ca](mailto:MembersofCouncil@oakville.ca)>; Town Clerks <[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)>

**Cc:** Jim Goodfellow

**Subject:** [EXTERNAL] Re: Council Meeting 16 Dec 2024 - We Love Oakville Concerns re. Midtown TOC.

Our apologies, the previous email did not contain the full letter attachment. Please find that attached herein.

On Sun, Dec 15, 2024 at 11:50 PM Oakville We Love Oakville <[weloveoakville@gmail.com](mailto:weloveoakville@gmail.com)> wrote:

Dear Mayor Burton & Members of Council:

For your information, we attach a letter that We Love Oakville has sent to the Premier, the Minister of Municipal Affairs and Housing, the Minister of Infrastructure Ontario and MPP Crawford that sets forth our concerns and recommendations on the TOC proposal.

Many of our concerns will be familiar to you as they have been raised in various delegations to Council. There is however, one issue that is new, which is of great concern to us, and one that we believe requires your attention.

Our work on this TOC proposal led us to reconfirm a fundamental conclusion - the successful development of Midtown requires comprehensive planning based on an official plan amendment covering all of Midtown.

To illustrate, consider the use of the Floor Space Index (FSI). The TOC proposal is based on “an overall density of 10.8 floor space index (“FSI”)”. On the other hand, schedule L3 in the proposed OPA proposes a maximum FSI range for selected areas between 2 and 6. Infrastructure Ontario has not provided any explanation or rationale on why they accepted an overall density of 10.8 FSI put forward by Distrikt. This means the IO FSI policy is - there are no upper limits on FSI, it’s whatever the market will bear. This is a huge divergence of views on a very fundamental land use planning tool/principle. This clearly illustrates that piecemeal planning will not work.

We cannot have two levels of government with different agendas and priorities, setting different policies, negotiating with different developers and having different expectations and requirements for the hard and soft infrastructure that will be needed. This is not good or even appropriate planning. We need comprehensive development planning for all of Midtown based on an OPA that is focused on liveability and meets provincial requirements.

This is consistent with Minister Calandra’s statement to the AMO conference “We’re not going to micromanage and dictate a one-size-fits-all approach across the province. Municipalities know their communities best – they know where it makes sense to build homes”.

In January, Council plans to hold a statutory meeting on the new OPA and you will be seeking our feedback, including schedule L3 on the maximum FSIs. In preparation for that meeting we need clarification on whether the proposed OPA applies to all of Midtown or to only the lands in Midtown that are not included in the four Distrikt applications. Again, having a no limit FSI policy for 5 hectares and a maximum FSI policy of 2-6 FSI for the remaining 98 hectares illustrates that this piecemeal approach is unworkable and not defensible at the OLT. Lincoln’s statement that “a house divided against itself cannot stand” seems appropriate.

We also bring to your attention a growing public confusion, suspicion and cynicism on where the Mayor and Council stands on this TOC. We have previously expressed our strong opposition to this process, the confidentiality agreement and the total lack of transparency. Unfortunately this ill conceived process has eroded trust and created an environment of suspicion, which is now bearing its fruit.

We understand that the preferred developer now gets 606 more units under the TOC plan that could generate at least \$350 million in additional revenue.

**We Love Oakville is hearing from the Premier's office that the Mayor has endorsed the TOC plan. Our assumption is that this has been done without the approval of Council. We would like to understand if Council has been consulted and/or endorsed the plan.**

Council needs to clearly state:

- It has not endorsed or approved the TOC proposal; and
- The TOC should be integrated into the new OPA so we have a single set of planning policies covering all of Midtown.

Oakville has a proven track record in growth and new housing starts. We have the capabilities to develop a robust transit-oriented and liveable OPA that will meet and exceed the minimum provincial density targets. We have made considerable progress in the past few months.

We Love Oakville is committed to getting an Official Plan Amendment for Midtown approved but it should be applied to 100% of Midtown.

Let's finish the job.

Sincerely,  
Jim Goodfellow & George Niblock  
for We Love Oakville

**From:** Jim Levac <jiml@gsai.ca>  
**Sent:** Tuesday, December 17, 2024 11:54 AM  
**To:** Town Clerks; Gabe Charles  
**Cc:** Mark Bradley; Christine Cote  
**Subject:** [EXTERNAL] Midtown Oakville Draft Official Plan Amendment: Comments from Morguard Corporation, 586 Argus Road  
**Attachments:** Clerks Letter.pdf

Please find enclosed comments on behalf of Morguard Corporation on the proposed Midtown Oakville Draft OPA. We understand comments are being received for the scheduled January 20, 2025 meeting of Planning and Development Council on this matter. Could you kindly confirm receipt of these comments for the January 20<sup>th</sup> meeting. Thank you.

**Jim Levac, MCIP, RPP | Partner**  
700 - 10 Kingsbridge Garden Circle  
Mississauga, ON L5R 3K6  
T: 905-568-8888 x233 | C: 905-580-2854  
[www.g sai.ca](http://www.g sai.ca)



December 17, 2024

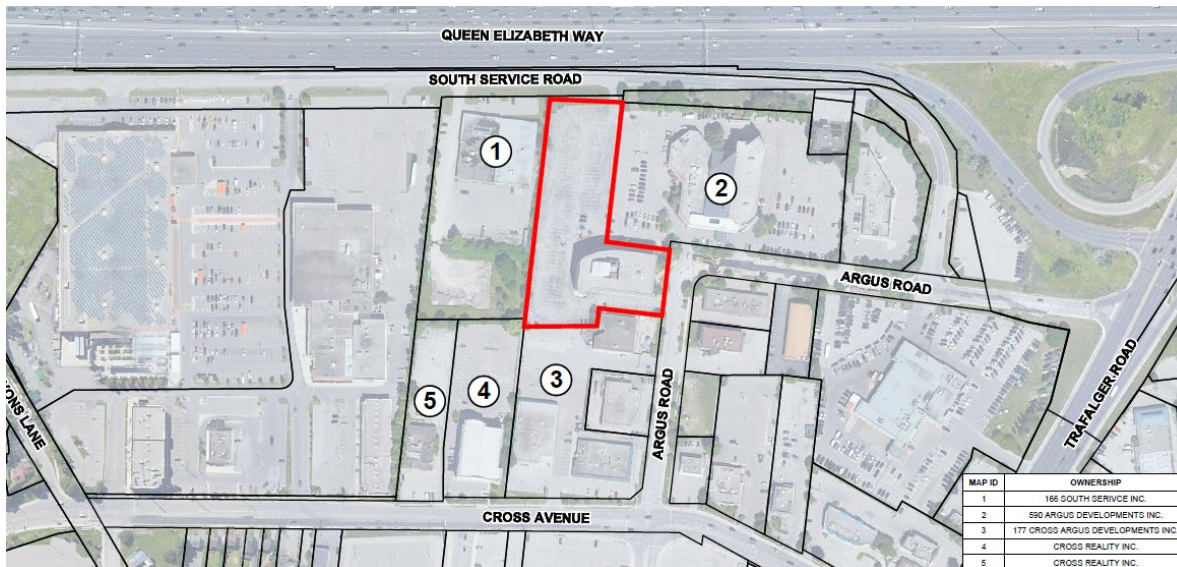
File: 1016-012

Mr. Gabe Charles, MCIP, RPP  
 Director – Planning Services  
 Town of Oakville  
 Planning Services Department  
 1225 Trafalgar Road  
 Oakville ON, L6H 0H3  
 Via Email: [gabe.charles@oakville.ca](mailto:gabe.charles@oakville.ca)

Ms. Vicki Tytaneck,  
 Town Clerk  
 Town of Oakville  
 Corporate Services Department  
 1225 Trafalgar Road  
 Oakville ON, L6H 0H3  
 Via: Email: [townclerk@oakville.ca](mailto:townclerk@oakville.ca)

Re: **Comments on Draft Proposed Midtown Oakville OPA  
 On Behalf of Morguard Argus Limited  
 586 Argus Road, Town of Oakville**

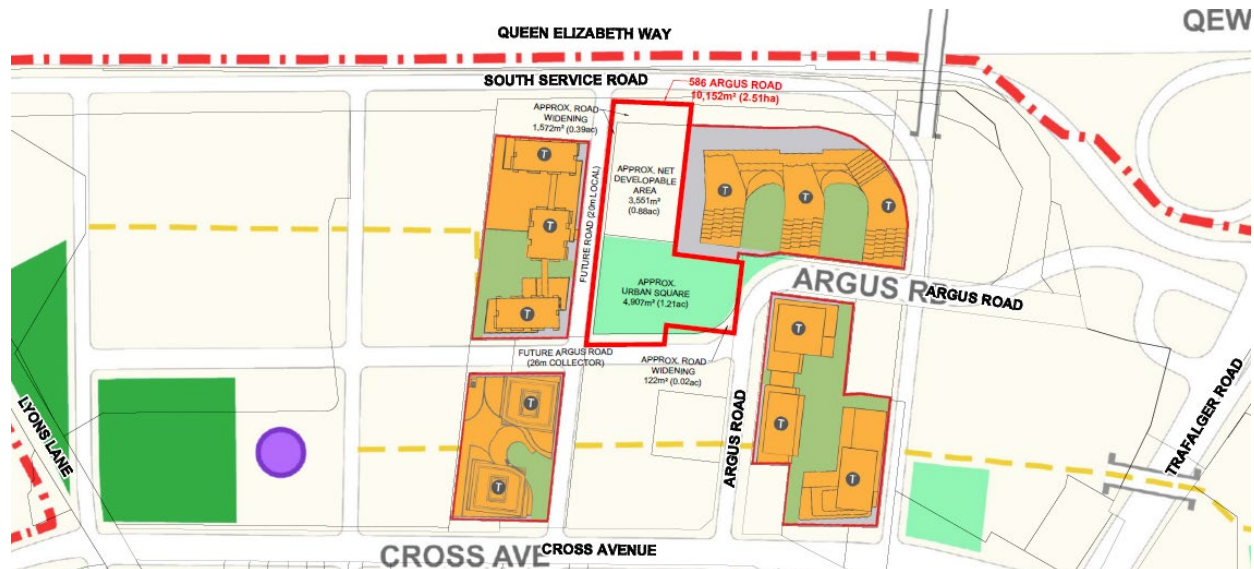
Glen Schnarr & Associates Inc. (GSAI) are planning consultants to Morguard Argus Limited (“Morguard”), the registered owners of 586 Argus Road in the Town of Oakville. The subject lands comprise an area of 2.51 acres with frontages onto Argus Road and South Service Road as shown in red on the aerial map below.



The proposed new Midtown Draft OPA designates the Morguard lands as “Urban Core” on Schedule L1: Land Use Plan having a density range of 3.0 – 6.0 FSI and a height range of 5 - 20 storeys. On June 7, 2024, comments were submitted to the Town of Oakville on the previous version of the Proposed Midtown Oakville OPA. A copy of those comments is attached as Appendix 1. As highlighted in those previous comments, Morguard is aware of the surrounding Distrikt High density applications which are under appeal. Morguard currently accommodates a 5 storey office building on their property at 586 Argus Road with long term lease obligations and, as such, has not filed any rezoning applications to pivot to highrise residential or mixed use redevelopment on this site. Having said this, Morguard recognizes the emerging planned function this areas plays as a Growth Centre given its proximity to a major transit hub.

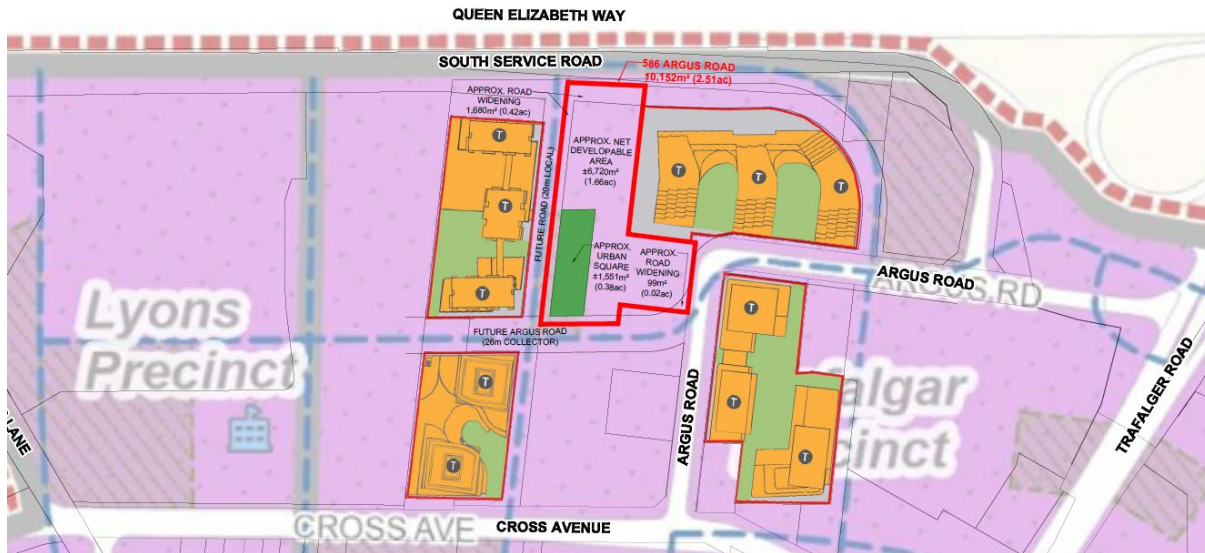
Our previous concerns raised in regards to the June, 2024 Draft OPA related primarily to the proposed distribution of public parkland and the Town’s proposal to site a larger Public Square of approximately 1.21 acres on Morguard’s property, as depicted on Map 1 below. While we saw this as an unequal distribution of proposed parkland, we further noted that there would be little public benefit in the short and long term given Morguard’s current lease obligations and recommended a wider distribution of smaller “parkettes” throughout the study area.

**MAP 1: June, 2024 Midtown Oakville OPA**



We are pleased to observe that the Town did take our comments into consideration and have amended the proposed Draft OPA Land Use Map such that the original proposed “Public Square” has been modified to a smaller (0.38 acre) and more linear “Parkette”, as depicted below on Map 2, forming one of many public parkettes throughout the study area. This allows any future long term residential or mixed-use redevelopment on the Morguard lands to benefit from public road exposure and access on three sides including Argus Road, South Service Road and a future proposed north/south public road on the westerly perimeter of the property.

**MAP 2: December, 2024 Midtown Oakville OPA**



Having reviewed the text of the proposed revised draft Midtown Oakville OPA, Morguard note that the previous June, 2024 landowner agreement/cost sharing policies under Section 20.17.5 have been carried forward in the updated December, 2024 OPA under Section 20.6.4 with only minor changes:

**20.6.4 Landowner's Agreement/Cost Sharing**

- a) *Development, as determined following a pre-submission meeting, shall only be permitted when a landowners' group has been established for Midtown Oakville for the purpose of administering a cost sharing agreement amongst the landowners to ensure that the costs associated with development, including but not limited to the provision of parkland, parking, infrastructure and servicing are distributed in a fair and equitable manner among landowners.*
- b) *Individual development in Midtown Oakville shall not be approved until the subject landowner has become a party to the landowners' cost sharing agreement.*
- c) *Landowners are encouraged to enter into agreements to coordinate the provision of urban format grocery stores within mixed use buildings;*
- d) *Landowners, public agencies, and/or non-profit community service providers are encouraged to enter into partnerships to support the provision, improvement and expansion of public service facilities.*

As noted in our previous June 7, 2024 comments, “the recent flurry of submitted and appealed development applications to the Town by primarily one major landowner have presumed major assumptions when it comes to the phasing of orderly growth and major issues like parking, infrastructure, servicing, parkland and other public service facilities which could have been better coordinated had the proposed Section

*20.17.5 policies been Council adopted. The lack of this type of coordination has put Morguard in an awkward position with pending redevelopment on all sides, but not having any formal participation opportunities in landowner or cost sharing issues that directly impact them.”* The Morguard lands are literally surrounded on all sides by the Distrikt proposal which, in collaboration with Infrastructure Ontario, is now part of a new Transit Oriented Community (TOC) within which substantial increases in height and density are proposed given the locational attributes of these lands. Given this recent provincial initiative we are uncertain as to whether any form of landowner agreement or cost sharing arrangement will still be formalized. Moreover, the Distrikt TOC submission is proposing Urban Core heights as tall as 59 storeys and densities in excess of 10.0 FSI. Will the Town of Oakville formally acknowledge these increased heights and densities within the Urban Core designation and will they be provided to lands that directly abut the various Distrikt phases of redevelopment? As the TOC could have a substantial impact on future redevelopment within the study area, particularly the Urban Core of the Trafalgar Precinct within which Morguard’s lands are located, the Draft Midtown OPA should be clear as to what height and density thresholds will guide future redevelopment as they are currently clearly not aligned.

Again, we appreciate the opportunity to provide feedback on this important planning initiative and trust our comments will be taken into consideration and addressed as the draft Midtown Oakville OPA is further reviewed and comes back to Planning Committee and Council for final approval. Both myself and our client representatives at Morguard would be happy to meet and further discuss our concerns raised in this letter. Please feel free to reach out any time. Thank you.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



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Jim Levac, MCIP, RPP  
Partner

Copy: C. Cote/M. Bradley/M. Ghali, Morguard Corporation



June 7, 2024

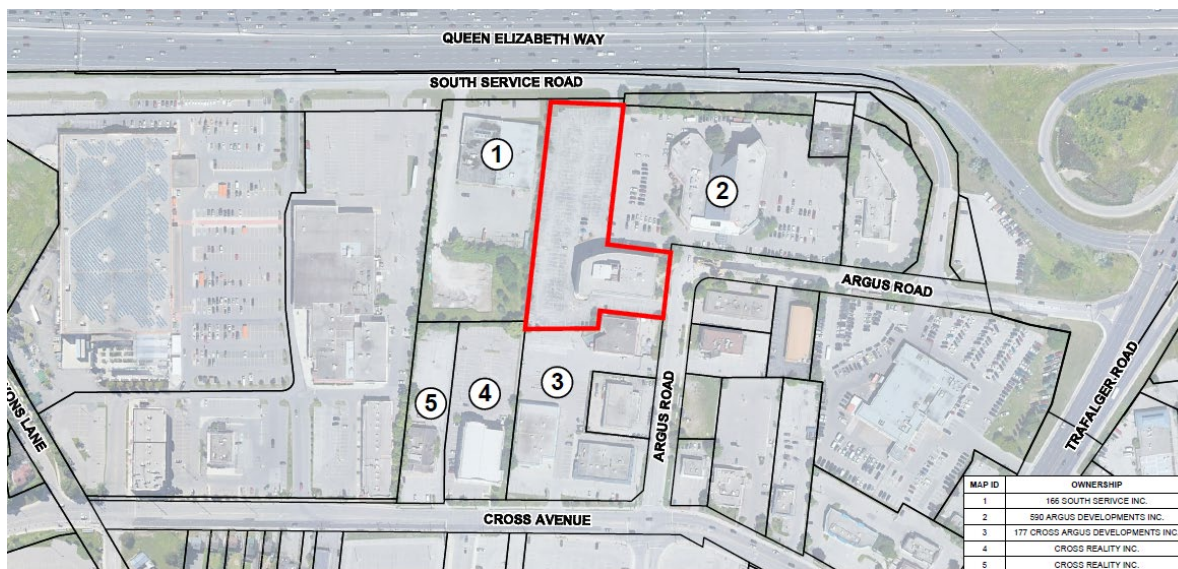
File: 1016-012

Mr. Gabe Charles, MCIP, RPP  
 Director – Planning Services  
 Town of Oakville  
 Planning Services Department  
 1225 Trafalgar Road  
 Oakville ON, L6H 0H3  
 Via Email: [gabe.charles@oakville.ca](mailto:gabe.charles@oakville.ca)

Ms. Vicki Tytaneck,  
 Town Clerk  
 Town of Oakville  
 Corporate Services Department  
 1225 Trafalgar Road  
 Oakville ON, L6H 0H3  
 Via: Email: [vicki.tytaneck@oakville.ca](mailto:vicki.tytaneck@oakville.ca)

Re: **Comments on Draft Proposed Midtown Oakville OPA  
 On Behalf of Morguard Argus Limited  
 586 Argus Road, Town of Oakville**

Glen Schnarr & Associates Inc. (GSAI) are planning consultants to Morguard Argus Limited (“Morguard”), the registered owners of 586 Argus Road in the Town of Oakville. The subject lands comprise an area of 2.51 acres with frontages onto Argus Road and South Service Road as shown in red on the aerial map below.



Morguard is well aware of the current applications being processed around them on the properties identified as Map ID # 1, 2, 4 and 5. Morguard’s property is occupied by a 5 storey office buildings and, as an asset

Manager, they have long term obligations to honour existing lease agreements into the future for a minimum period of ten years. As such, Morguard have not advanced any rezoning applications, nor were they ever made aware of or approached by surrounding landowners or the Town of Oakville to participate in any form of Landowner Group discussions.

While Morguard did not oppose any of the surrounding rezoning applications, they have been monitoring the progress of the proposed new Draft Midtown Oakville OPA. In general, Morguard support this initiative as this site is a designated Growth Centre and Protected MTSA and has many positive locational attributes, given its proximity to a major transit hub, to support high density and mixed use redevelopment. We simply believe that the proper growth management policies that promote and support the development of this important Growth Centre should ideally have been in place first before major redevelopment applications were deemed complete and circulated. As it stands, these multiple applications have been appealed to the Ontario Land Tribunal for a final decision not just on their proposed heights and densities, but presumably on whether they were made prematurely.

Having reviewed the text of the proposed draft Midtown Oakville OPA, Morguard take no major issue with the majority of those policies proposed. Of particular relevance to the creation and phasing of development within the Growth Centre to accommodate orderly growth are those policies found under Section 20.17.5 which read as follows:

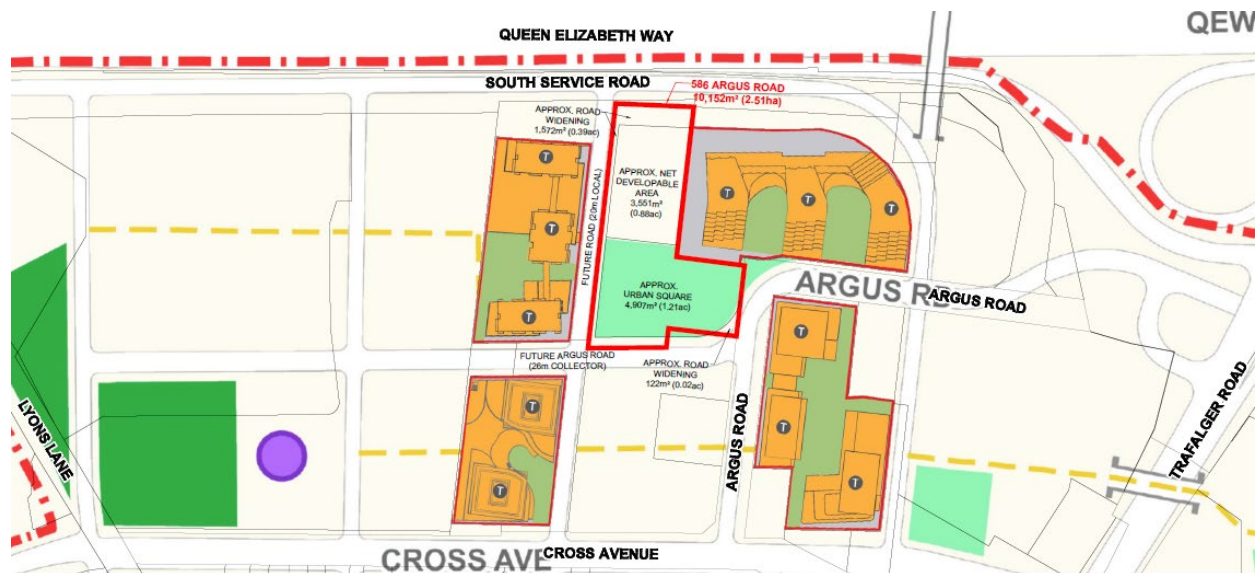
**20.17.5 Landowner's Agreement/Cost Sharing**

- a) *Development shall only be permitted when a landowners' group has been established for Midtown Oakville for the purpose of administering a cost sharing agreement amongst the landowners to ensure that the costs associated with development, including but not limited to the provision of parkland, parking, infrastructure and servicing are distributed in a fair and equitable manner among landowners.*
- b) *Individual development in Midtown Oakville shall not be approved until the subject landowner has become a party to the landowners' cost sharing agreement.*
- c) *Landowners are encouraged to enter into agreements to coordinate the provision of urban format grocery stores within mixed use buildings, and the delivery of public road infrastructure and parks.*
- d) *Landowners, public agencies, and/or non-profit community service providers are encouraged to enter into partnerships to support the provision, improvement and expansion of public service facilities.*

The recent flurry of submitted and appealed development applications to the Town by primarily one major landowner have presumed major assumptions when it comes to the phasing of orderly growth and major issues like parking, infrastructure, servicing, parkland and other public service facilities which could have been better coordinated had the proposed Section 20.17.5 policies been Council adopted. The lack of this type of coordination has put Morguard in an awkward position with pending redevelopment on all sides, but not having any formal participation opportunities in landowner or cost sharing issues that directly impact them. Having said that, we don't see this as being "too late" if the intention of the Town of Oakville,

as expressed through proposed Policy 20.17.5 was to always require this type of coordination as the policies assert and potential defend them where necessary.

An example of how this directly impacts Morguard can be visually depicted below. This graphic also depicts the proposed redevelopment applications that surround the site. Morguard currently own a centrally located property with two road frontages of 2.51 acres. As per Schedule L3, Midtown Oakville, Open Space, the proposed Urban Square public open space feature of approximately 1.21 acres is shown to be sited entirely on Morguard's property. In addition, new roadways and widenings to South Service Road take up another 0.42 acres of Morguard's site. Based on our approximate measurements taken from the Town's mapping and available online information regarding the surrounding development applications, the Morguard property's net developable area could be significantly impacted. What was once a 2.51 acre property with two access points will now have an a remaining net developable area of 0.88 acres with a single peripheral access onto a service road.



In our view this does not represent an equitable absorption of public open space and infrastructure that could have more properly been coordinated through landowner and cost sharing agreements. Morguard have more than a proportional share of public open space on their site alone which is neither equitable nor will allow for the usership of public open space for quite some time. We recommend the Town re-evaluate this and propose a more equitable solution. This could involve the distribution of smaller urban parkettes throughout the planning area. Given the timing of any potential redevelopment of the Morguard site, we see very little public interest being served with the location of one Urban Square on a single landowner's property with the knowledge that this property's redevelopment potential is a minimum of 10 years out, while other large scale high density and mixed use proposals are being considered today with no public parkland proposed in the immediate time frame. If there is a pressing need now for the Town to secure public open space that is programmable and accessible to support projected population growth in the immediate area, these sites should be secured proportionally through the current redevelopment applications rather than deferred through cash-in-lieu or permitting POPs space which may not achieve the desired end result.

We note the following policy excerpts from Liveable Oakville that support the planning and protection for new public parkland and open space in new communities where future growth is anticipated:

**3.5 *Parks, Open Space and Cemetery areas include publicly accessible land and locations for recreational opportunities and physical linkages that enhance the Town's character and quality of life , as well s contributing to sustainability.***

**7.1.2b) *The Town shall ensure community uses are well placed in relation to their service area with sufficient access.***

These policies are further reinforced by recent recommendations to staff at the June 3, 2024 Special Council Meeting wherein staff were directed to report further on a finding ways within the Midtown OPA to phase parkland concurrent with building occupancy.

We trust our comments will be taken into consideration and addressed as the draft Midtown Oakville OPA is further reviewed and comes back to Planning Committee and Council for further discussion and approval. Both myself and our client representatives at Morguard would be happy to meet and further discuss our concerns raised in this letter. Please feel free to reach out any time and thank you for the opportunity to comment of this important Town initiated planning initiative.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



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Jim Levac, MCIP, RPP  
Partner

Copy: C. Cote/M. Bradley/M. Ghali, Morguard Corporation

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**From:** Matthew Petre  
**Sent:** Wednesday, January 1, 2025 7:38 PM  
**To:** Town Clerks  
**Subject:** [EXTERNAL] Midtown Oakville official plan amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello

Reaching out in advance of the upcoming community meeting as I am greatly concerned to hear about some of the proposed density and plans being put forward.

As residents with a young family who live close to the area it is worrisome that this will ruin everything that is good about Oakville.

Traffic is already getting quite busy during peak times and excessive development without the required supporting infrastructure will turn this area into what parts of Mississauga and Vaughan have become.

In order to purchase our home in Oakville we paid a real premium versus other parts of the GTA but with that comes an expectation of quality of life and access to schools, municipal, community and retail services.

Development in the area makes sense given the transit proximity but lower density (6-8 stories max) makes much more sense than some of the proposals that have been put forward. This only works assuming that corresponding parks, green spaces and arterial roads are updated to support. This should come at the cost of developers not on the backs of current taxpayers.

Also smartly planned communities with units that can support families 2 and 3 bedroom options is necessary.

What is evident with many of the condo developments already across the town is that small retail spaces that seem to only attract nail salons, barber shops, small convenience stores is not an approach to build a thriving community.

Space sufficient for grocery stores, schools, and other larger retailers, corporate offices, restaurants helps to enable a community to develop and thrive.

Thank you for your consideration,  
Matt Petre

Sent from my iPhone

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**From:** Adrian Chee <achee@sglplanning.ca>  
**Sent:** Tuesday, January 7, 2025 2:46 PM  
**To:** Town Clerks; Midtown  
**Cc:** Paul Lowes; Stephen Waque; Gabe Charles; Sybelle Von Kursell  
**Subject:** [EXTERNAL] Comments re Midtown Oakville Draft OPA (Sept 2024) - 570 Trafalgar Road  
**Attachments:** Comments re Midtown Oakville Draft Official Plan Amendment January 2025.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello,

SGL Planning and Design Inc. represents Oak-Lane Park Investments Inc., the owners of 570 Trafalgar Road in Midtown Oakville and we would like to provide our comments regarding the September 2024 draft of the Midtown Oakville Official Plan Amendment.

Please see attached for our commenting letter and confirm receipt.

Thank you,  
Adrian



**Adrian Chee, BES**  
Junior Planner  
1547 Bloor Street West  
Toronto, ON M6P 1A5  
TEL: 416-923-6630  
Subway: Dundas West



January 7, 2025

Our Project: OL.OA

VIA EMAIL – [townclerk@oakville.ca](mailto:townclerk@oakville.ca)  
[midtown@oakville.ca](mailto:midtown@oakville.ca)

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

SGL Planning & Design Inc. represents Oak-Lane Park Investments Inc., the owners of 570 Trafalgar Road (the 'subject site') within the Midtown Oakville Trafalgar Precinct Area. We have been participating in the Midtown Oakville Secondary Plan process for the past several years and have provided numerous submissions on behalf of our client. We appreciate the time and effort that Staff have dedicated to this project, and we also appreciate the opportunity to provide feedback on the revised Draft Official Plan Amendment for Midtown Oakville.

We have reviewed the September 2024 Draft Official Plan Amendment which envisions a total of 20,000 people and jobs by 2031 within Midtown Oakville and have concerns with the following:

**1. As of right heights**

Although we appreciate the ability for additional heights beyond the as of right building height thresholds subject to the provision of community benefits, the bonusing provision allows for no additional floor space to offset the cost of the community benefits. Should a landowner wish to pursue bonusing for additional heights, they would simply obtain the same floor area for their proposed development but with a different building/tower configuration. The result would be more expensive housing costs to the homeowner to offset the cost of the community benefits. In our opinion, that is not in the public interest.

**2. Tower separation**

In order to meet the overall density targets of provincial plans, the Halton Official Plan and the Livable Oakville Plan, a mix of low to high rise developments are required to be located within Midtown Oakville. Limiting the as of right heights to 20 storeys across the entirety of Midtown Oakville does not create an attractive, distinct built form nor does it provide a distinct skyline with varying building heights. Applying a 30 metre tower separation at the tower base and a 35 metre tower separation above the 25<sup>th</sup> storey is excessive especially when the typical standard in the GTA is 25 metres. This does not represent an efficient use of land and resources, and it also does not represent good community planning.

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**3. Tower floor plate size**

We agree with the flexibility that is offered by not prescribing tower floor plate sizes and based on conversations with Town Staff, our understanding is that tower floor plates could be limited to 40 metre corner to corner on a diagonal which results in a maximum floor plate of approximately 800 square metres which is relatively small. Having a 35 metre tower separation for a floor plate of approximately 800 square metres is unreasonable and the intent of maintaining adequate separation between towers to reduce shadowing, create an attractive public realm and mitigate resultant wind can still be achieved with a reduced separation distance. As mentioned previously, applying a 35 metre tower separation does not represent good planning.

**4. Non-residential uses**

We appreciate the inclusion of bonusing policies for providing office uses in mixed use developments and we support the flexibility that is offered to provide an alternative amount of non-residential use subject to a Non-Residential Needs Analysis demonstrating it can support the long-term employment objectives of Midtown Oakville. However, in our opinion, requiring 18 percent of the total proposed gross floor area to be provided as non-residential uses is excessive in a market where office space demand is limited. We would recommend that ground floor non-residential space be required on specific streets and additional non-residential space be bonused through a 1 to 2 ratio of non-residential to residential floor area above the maximum FSI requirement; i.e., the provision of 1 sq. m. of office space allows for a bonus of 2 sq. m. of residential space.

**5. On-going Transit-Oriented Community in Midtown**

We acknowledge that the province is in the process of implementing a TOC program for a significant portion of the lands within the Trafalgar Precinct to be governed by the proposed Midtown OPA. The policy framework and vision of the TOC program is dramatically different from the proposed Midtown OPA. There should be greater reconciliation between the two planning frameworks with greater reflection of heights appropriate for a Transit-Oriented Community.

Yours very truly,

**SGL PLANNING & DESIGN INC.**



Paul Lowes, MES, MCIP, RPP  
*Principal*

c.c. Stephen Waque  
Gabe Charles  
Sybelle Von Kursell



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**From:** Hbrace  
**Sent:** Sunday, January 12, 2025 3:47 PM  
**To:** Town Clerks  
**Subject:** [EXTERNAL] Midtown Growth and Density

Dear Clerk,

Please delete my email of yesterday if you received it. I had a notice that it didn't go through, but if it did, I would prefer it be replaced with the following for delivery to Members of Council.

My name is Louella Brace and I live in Oakville. I believe we all agree that density around transit hubs is desirable and we have spent !9 years developing a good plan with abundant public input, one of the many reasons why we keep re-electing our present Mayor.

What we are not happy about is that the Province has overruled the density , making Midtown in Oakville more dense than in downtown Toronto, described by one national newspaper as "giant empty gravestones." This points out how important it is to get growth and density right in the first place.

To sum up, everyone agrees that growth around Major Transit stations makes sense. That said, It is the level of density in Midtown that concerns us. We want the area to be a livable, complete community ... not tens of thousands rental units owned by speculators.

Respectfully submitted,

Louella Brace  
Colonial Crescent

Sent from my iPad

**From:** Communications Director

**Sent:** Tuesday, January 14, 2025 4:23 PM

**To:** \_Members of Council ; \_Members of Council ; Vicki Tytaneck ; Town Clerks

**Subject:** [EXTERNAL] OCA Letter re Planning and Development Council Meeting on January 20, 2025

Good Afternoon,

Please find attached correspondence dated January 14, 2025 with our remarks about the Midtown related Staff Report.

Sincerely,

Board of Directors

Oakville Community Association (OCA)



**January 14, 2025**

## **OFFENSIVE AND OBNOXIOUS STAFF REPORT**

The Vision of the Oakville Community Association (OCA) is to contribute to creating an engaged, safe, caring, and vibrant community where all residents enjoy a positive quality of life.

The Staff Report to be presented at the Planning and Development Council meeting on January 20, 2025, with the subject "Proposed Midtown Oakville and Community Planning Permit System Official Plan Amendment" contradicts our vision as it is offensive and obnoxious, including the recommendation from staff.

On page 19, the comments are particularly offensive, including as follows:

"When applying a height and density maximum, it further reduces the opportunity for innovative architectural design and a range of built form types resulting in a monotonous build out of the area."

It is obvious that the Director of Planning loves Manhattan's architectural design, which is contradictory to the numerous presentations from residents regarding Midtown. This statement is unacceptable when cities such as Copenhagen, Barcelona and Paris are recognized for their architectural merits with low rise buildings, and when our community have been clear about its strong opposition to high rise developments.

On page 20, the report touches on the funding and cost of redevelopment, and the cost of the proposed infrastructure will be shared between the Town, Region, Province and landowners. More specifically, in addition to Development Charges (at 46%), infrastructure improvements will be funded through Town taxes (at 4%), Halton Region (at 6%), the Province (at 28%), and private development (at 16%).

A previous analysis provided confirmed a cost estimate of \$770 million for hard and soft infrastructure in which the Town would be responsible for \$450 million relating to town roads and active transportation, park development and emergency services. The earlier financial report indicated 82% was supported by development charges, 3.7% by taxes

and 14.3% supported by other government funding. The staff report does not indicate what the total cost in which the tax payors will be responsible, and this is concerning because it appears that this amount will be higher based on the now higher percentage being put forward.

On page 21, the report states that,

“In terms of individual development proposals, checks and balances are in place with financial and insurance institutions, as well as government agencies such as Tarion, to ensure that development is successful, and consumers are protected. While there have been instances reported in the news where projects have gone into receivership, at higher rates than before, the circumstances for those unfortunate situations are unique to each project and are not attributable to a municipality’s official plan.”

The main issue with the protection offered by Tarion is that it is limited to \$400,000.00 for freehold homes and \$300,000.00 for condominium units resulting in potential significant risk to the buyers.

In addition, there is a great number of condominium developments in liquidation across the GTA, but regardless of this fact the planning staff and developers keep pushing high rise condominiums for Midtown, which is a dangerous proposition due to the recent down trends and the fact that the condominium market is dreadful. There needs to be an attractive vision of low and mid rise developments which have a chance of selling in this post COVID market.

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**From:** Stephanie Matveeva <stephaniem@gsai.ca>  
**Sent:** Thursday, January 16, 2025 12:48 PM  
**To:** Kate Cockburn  
**Cc:** Stephanie Matveeva; Jim Levac; Mark Bradley; Christine Cote; Gabe Charles; Town Clerks  
**Subject:** [EXTERNAL] Midtown Oakville Distrikt Applications Comment Letter  
**Attachments:** 586 Argus Rd - Midtown Oakville Distrikt Letter.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon Kate, I hope this finds you well. On behalf of the Owner of the lands municipally known as 586 Argus Road, in the Town of Oakville, we are pleased to provide the attached Letter of Concern regarding the ongoing applications for the lands municipally known as 590 Argus Road and 166 South Service Road. Please do not hesitate to contact our office if there are any questions or concerns.

Thank you and have a nice day.

Best,  
Stephanie

**Steph Matveeva, MCIP, RPP | Associate**  
700 - 10 Kingsbridge Garden Circle  
Mississauga, ON L5R 3K6  
**T:** 905-568-8888 x 231 | **C:** 416-456-5182



January 16, 2025

GSAI File: 1016 – 012

(Via Email)

Ms. Kate Cockburn  
Senior Planner  
Town of Oakville  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

**RE: Distrikt Developments – Letter of Concern  
Morguard Argus Limited  
586 Argus Road, Town of Oakville**

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Glen Schnarr & Associates Inc. ('GSAI') are the planning consultants to Morguard Argus Limited, the registered Owner (the 'Owner') of the lands municipally known as 586 Argus Road, in the Town of Oakville (the 'Subject Lands' or the 'Site'). The Subject Lands are located on the west side of Argus Road, south of South Service Road.

On behalf of the Owner and further to the formal development applications filed for the immediate adjacent lands and the active Transit Oriented Communities ('TOC') Programme Application under review by Infrastructure Ontario, we are pleased to provide this Comment Letter in relation to the ongoing development applications for Distrikt Development's assembly located on the lands municipally known as 166 South Service Road and 590 Argus Road ('the 'Distrikt Lands').

GSAI has been actively participating in the local initiatives, including the ongoing Midtown Oakville Growth Area Review ('Midtown Review') and the concurrent Town Official Plan Review processes. We understand that, when complete, the Midtown Review will culminate in a Town-initiated Official Plan Amendment ('OPA') that will modify policy permissions for lands across the Midtown Oakville community, including the Subject Lands and the Distrikt Lands.

We have reviewed the current development application materials for the Distrikt Lands, which are made available under Town File Numbers Z.1614.81, OPA 1614.81, 24T-23001/1614, OPA 1614.79, Z.1614.79 and 24T-2206/1614, the Oakville TOC Program Application materials as well as the December 2024 draft Midtown Oakville Official Plan Amendment, and offer the following comments.

Overall, the Distrikt Lands are proposed for compact, high-density, mixed-use development through the introduction of various built forms of varying size and heights, organized around public realm enhancements such as Privately Owned, Publicly Accessible Spaces (‘POPS’). More specifically, it is our understanding that the Distrikt Lands are to be developed as presented in the Concept Plan presented below.



The above noted Concept Plan is also inconsistent with the block-wide vision identified in the Oakville TOC Program Application being advanced and reviewed by Infrastructure Ontario. This block-level Concept Plan is provided below.

**Area Plan - Built Form**



As an adjacent landowner, our Client is concerned with the development concept proposed given the proposed heights of 44 to 59 storeys and a resultant density of more than 11 Floor Space Index ('FSI') is a significant departure from the development vision established by the ongoing Midtown Oakville Growth Area Review and draft Official Plan Amendment. We are concerned that should the Distrikt Lands receive approval for the level of development contemplated, this may result in inconsistent application of maximum permitted development permissions being applied to lands throughout the Midtown Oakville community and across the Trafalgar District of the Midtown Oakville community in particular. Additionally, should the Distrikt Lands be approved, this may result in surrounding lands being underutilized or adversely impacting the ability to support achievement of the Midtown Oakville development vision given transportation, servicing and microclimatic constraints.

We are also concerned with the presumed mid-rise built form on the Subject Lands. Given the Subject Lands' locational attributes of being centrally located within the Midtown Oakville community, being within the Trafalgar Precinct which is intended to accommodate the greatest height and density and being within close proximity of existing transit services, including the Oakville GO Station, a mid-rise built form is restrictive and is a biased assumption. Furthermore, the assumption of mid-rise built forms in the immediate surrounding area would result in lower development standards, such as setback distances, tower separation distances, provision for



appropriate transition and more being applied to the Distrikt Lands. We request that the Subject Lands, the Distrikt Lands and the surrounding area be considered as a whole and that assumptions be made that tall built forms can be accommodated elsewhere throughout the Midtown Oakville community and across the evolving Trafalgar Precinct.

As further demonstrated in the above Area Context Plan, we are concerned with the proposed public realm and parkland strategy contemplated. More specifically, the Distrikt Lands or Oakville TOC Lands are being planned to provide landscaped open spaces and parkland in the form of Privately Owned, Publicly Accessible Spaces ('POPS'). Unencumbered public parkland is to be provided on adjacent lands, including the Subject Lands. This strategy is not only inconsistent with the evolving policy directions provided by the draft Midtown Oakville Official Plan Amendment, it will also result in the current and future residents of the Midtown Oakville being underserved. The provision of POPS does not enable a sufficient amount of parkland to be provided to support the needs of the planned community. Furthermore, POPS areas do not afford sufficient programming opportunities to adequately serve the needs of community members. Additionally, reliance on public parkland to be provided by others will result in community residents being underserved for an extended period of time given parkland will only be required at the time of a development application, which will not occur on our Client's lands in the near and medium-term periods. We request that the inadequate provision of parkland on the Oakville TOC Lands be revised.

Another concern is the proposed Area Plan's proposed road network. As contemplated and illustrated, the Oakville TOC Lands are to benefit from a refined fine-grain public road network. This proposed road network includes the provision of a new public road along the Subject Lands' western and southern property lines. Should the public roads be provided in the manner and alignment indicated, this will have adverse impacts on the Subject Lands as land would be required. The proposed roads would also negatively and adversely impact the existing structure, existing conditions and existing site circulation patterns on the Subject Lands. Since our Client will not be redeveloping their property, the required road dedications will not be secured through the development process. The proposed road network will therefore not be achieved for a considerable period of time.

A further concern is the draft Midtown Oakville Official Plan Amendment policy requirement that a landowner group be established. We are concerned with the policy requirement that a landowner group be established given no coordination has occurred to date. Furthermore, a policy requirement stating that a landowner group be established is premature given the policy requirement for such a group and the entering into legal agreement(s) for the purpose of cost sharing does not adequately consider the status of landowners, is premature given the Midtown Oakville Official Plan Amendment represents evolving policy and given there are active technical reviews of development applications occurring throughout the Midtown Oakville community. A

landowner group and a policy requiring its creation is premature, unnecessarily restrictive and should be removed.

A final concern is the placement of structures in close proximity to the Subject Lands with reduced setbacks. Reduced setbacks are concerning, may adversely impact the existing structure, the existing site circulation patterns and may adversely impact the microclimatic conditions experienced on the Subject Lands. Furthermore, reduced setbacks would be contrary to the evolving Midtown Oakville design guidelines and would not facilitate an appropriate and desirable transition to the existing and planned surrounding context. We request that increased setbacks be required to ensure an adequate setback can be maintained on both the Subject Lands and the Distrikt Lands, while also enabling adequate tower setbacks are provided between structures on the Subject Lands and the Distrikt Lands and an appropriate transition to the surrounding area is accommodated.

In summary, we are concerned with the proposed development of the Distrikt Lands. While we support the long-term development and evolution of the Midtown Oakville community, we request that as an adjacent landowner, revisions be required for the Distrikt Lands. We thank you for the opportunity to provide comments and wish to be included in the future Midtown Oakville Growth Area Review initiative and the continued evaluation of the Distrikt Lands applications. We ask that you notify us of any future updates, meetings, staff reports and Decisions. Please feel free to contact the undersigned if you have any questions.

Yours very truly,

**GLEN SCHNARR & ASSOCIATES INC.**



Jim Levac, MCIP, RPP  
Partner



Stephanie Matveeva, MCIP, RPP  
Associate

cc. Owner

Town Clerk

Gabe Charles, Town of Oakville

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**From:** Stephanie Matveeva <stephaniem@gsai.ca>  
**Sent:** Thursday, January 16, 2025 12:43 PM  
**To:** Town Clerks  
**Cc:** Stephanie Matveeva  
**Subject:** [EXTERNAL] Midtown Oakville Official Plan Amendment Comment Letter  
**Attachments:** 586 Argus Rd - Midtown Oakville Comment Letter.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon, on behalf of the Owner of the lands municipally known as 586 Argus Road, please find attached a Comment Letter in relation to Item 6.2 of the January 20, 2025 Planning and Development Council agenda. We kindly ask that a copy of this Comment Letter be provided to Mayor Burton and members of Council.

Please do not hesitate to contact our office if there are any questions or concerns. Thank you and have a great day.

Best,  
Stephanie

**Steph Matveeva, MCIP, RPP | Associate**

700 - 10 Kingsbridge Garden Circle

Mississauga, ON L5R 3K6

**T:** 905-568-8888 x 231 | **C:** 416-456-5182



January 16, 2025

GSAI File: 1016 – 012

*In Memoriam, Founding Partner:*  
**Glen Schnarr**

(Via Email)

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

**RE: Midtown Oakville Growth Area Review Comment Letter  
Morguard Argus Limited  
586 Argus Road, Town of Oakville**

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Glen Schnarr & Associates Inc. ('GSAI') are the planning consultants to Morguard Argus Limited, the registered Owner (the 'Owner') of the lands municipally known as 586 Argus Road, in the Town of Oakville (the 'Subject Lands' or the 'Site'). On behalf of the Owner and further to our previous correspondence, we are pleased to provide this supplemental Comment Letter in relation to the ongoing Midtown Oakville Growth Area Review (the 'Midtown Review').

GSAI has been actively participating in the Midtown Review and the concurrent Town Official Plan Review processes. We understand that, when complete, the Midtown Review will culminate in a Town-initiated Official Plan Amendment ('OPA') that will modify policy permissions for lands across the Midtown Oakville community, including the Subject Lands.

We have reviewed the draft Midtown Oakville Official Plan Amendment ('draft Amendment'), dated December 2024, and offer the following comments.

Overall, the draft Amendment directs that lands across the Midtown Oakville community can be developed to accommodate the long-term development vision for the community. The draft Amendment as currently contemplated does not account for the age of the existing structure on the Subject Lands nor the Owner's desire to not redevelop the Site.

The draft Amendment directs that the greatest heights and densities are to be located within the Midtown Oakville community. Furthermore, within the Midtown Oakville community, the greatest densities are to be directed to lands along the Trafalgar Road corridor, south of the Queen Elizabeth Way (the 'QEW') and the existing rail corridor. The Subject Lands are located on the

west side of Argus Road, south of the QEW and South Service Road, meet this criterion. As such, the Subject Lands are an appropriate and desirable location for development to occur over the long-term planning horizon. We support the concentration of development in the locations contemplated by the draft Amendment.

The draft Amendment continues to present refinements to land use policies. Specifically, the Subject Lands continue to be proposed for re-designation to Urban Core and are identified as being located within the Trafalgar Precinct of the Midtown Oakville community. We support the proposed re-designation of the Subject Lands and its inclusion within the Trafalgar Precinct. We are however concerned with the draft land use policy framework regarding housing and non-residential uses. More specifically, we are concerned with Policy 20.4.1.c.iii) and 20.4.1.d.iii) which state:

*'20.4.1. General*

*c) Housing*

*iii. Multi-unit development shall provide, at a minimum, 35% of units in the form of 2 or more bedrooms.'*

*'20.4.1. General*

*d) Non-residential uses*

*iii. Redevelopment on sites with existing non-residential uses shall provide for the replacement of all existing non-residential gross leasable floor area.'*

Policy 20.4.1.c) iii) as drafted is concerning and requires revision. As drafted, the policy is overly restrictive, greater flexibility is needed. At a minimum, the policy should not require a minimum number of units of a certain size or configuration to be provided. Rather, the provision of family-sized units, which are understood to be two or more bedrooms in size, should be encouraged. In our opinion, the policy must be modified to encourage a reduced percentage (15% or less) of larger, family-sized units based on market trends. As drafted, the requirement for a substantial number of larger dwelling units does not adequately capture current, and possibly future, market demands, trends or the reality of purchase prices being correlated to unit sizes. The requirement for 35% of units to be of a certain type will challenge Provincial, Regional and local policy objectives of delivering a variety of affordable and attainable housing options for current and future residents. It will also challenge the delivery of housing units in appropriate locations in proximity to existing and planned transit networks and support the creation of complete communities, in the midst of a Provincial housing crisis. This policy will create an unnecessarily onerous and burdensome development process if Official Plan Amendments are required if this requirement cannot be met due to current and market trends. This will in turn delay the provision of much needed multi-family housing.

A further concern is Policy 20.4.1.d). iii) as drafted. The intent of the policy, while understandable, is concerning and does not appear to take into consideration market realities and Provincial and local objectives of encouraging development. The policy requirement to replace 100% of existing non-residential gross floor area in any redevelopment is concerning, problematic and should be removed. In our opinion, the policy does not adequately consider the evolving context of communities and market trends and the Provincial policy direction which encourages development in appropriate locations, particularly on lands in proximity to frequent transit services. Furthermore, the policy noted above may hinder the development potential of designated Midtown Oakville Urban Core lands and the lands' ability to support contextually appropriate development that is able to further implement Provincial, Regional and local policy objectives for compact, mixed-use, complete communities and much needed housing. The 1:1 replacement requirement also does not adequately reflect evolving market trends and will limit a landowner's ability to right-size non-residential areas in a development proposal. For the reasons outlined above, we require that the policy be modified. The requirement to replace 100% of non-residential uses should be reviewed in the context of a specific site and not be a blanket requirement that is likely not achievable. As with policy 20.4.1.c.iii), this policy will result in an unnecessarily burdensome and lengthy development process if the policy cannot be achieved and if a Market Needs Assessment becomes necessary for any development application. Additionally, the need for a Market Needs Assessment where non-residential replacement cannot be achieved is contrary to Provincial policy objectives.

Finally, we are concerned with the implementation policies as drafted and in particular the policy requirement that a landowner group be established to ensure cost sharing occurs. The policy requirement (as drafted in Policy 20.6.4.a)) that a landowners' group be established for the purpose of administering a cost sharing agreement(s) is concerning. In our opinion, this policy as drafted is premature and should be removed. While we support that cost sharing arrangements can and should be entered into, a landowners group should have been established prior to policy formation. Requiring landowners to enter into legal arrangements, when some landowners are not participating, after the policy framework has been established is inappropriate and may disproportionately affect some landowners, while others will benefit. This policy should be removed.

In summary, there are concerns with the draft Midtown Oakville Official Plan Amendment as currently drafted. Accordingly, we request that the modifications be made. We thank you for the opportunity to provide comments and ask that you notify us of any future updates, meetings, staff reports and Decisions. Please feel free to contact the undersigned if you have any questions.



Yours very truly,  
**GLEN SCHNARR & ASSOCIATES INC.**

Jim Levac, MCIP, RPP  
Partner

Stephanie Matveeva, MCIP, RPP  
Associate

cc. Owner  
Town Council  
Midtown Oakville Growth Review Team

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**From:** Adrian Chee <achee@sglplanning.ca>  
**Sent:** Thursday, January 16, 2025 3:07 PM  
**To:** Town Clerks; Midtown  
**Cc:** Paul Lowes; Stephen Waque; Gabe Charles; Sybelle Von Kursell  
**Subject:** [EXTERNAL] Comments re Midtown Oakville Draft OPA (December 2024) - 570 Trafalgar Road  
**Attachments:** Comments re Midtown Oakville Draft Official Plan Amendment January 16 2025.pdf

Hello,

SGL represents the owners of 570 Trafalgar Road within Midtown Oakville and we would like to provide our comments regarding the December 2024 Proposed Midtown Official Plan Amendment going to council.

Please see attached for our commenting letter and confirm receipt.

Best,  
Adrian



**Adrian Chee, BES**  
Junior Planner  
1547 Bloor Street West  
Toronto, ON M6P 1A5  
TEL: 416-923-6630  
Subway: Dundas West





January 16, 2025

Our Project: OL.OA

VIA EMAIL – [townclerk@oakville.ca](mailto:townclerk@oakville.ca)  
[midtown@oakville.ca](mailto:midtown@oakville.ca)

**Re: Midtown Oakville Proposed Official Plan Amendment – January 2025**

SGL Planning & Design Inc. represents Oak-Lane Park Investments Inc., the owners of 570 Trafalgar Road (the ‘subject site’) within the Midtown Oakville Trafalgar Precinct Area. We have been participating in the Midtown Oakville Secondary Plan process for the past several years and have provided numerous submissions on behalf of our client. We appreciate the time and effort that Staff have dedicated to this project, and we also appreciate the opportunity to provide feedback on the Proposed Official Plan Amendment for Midtown Oakville.

We previously provided comments on the September 2024 Draft Official Plan Amendment and we would like to reiterate the following comments based on our review of the proposed Official Plan Amendment from December:

**1. Clarity on Community Planning Permit System Policies**

We find proposed Policy 28.15.10(b) confusing. We are not clear what policies are meant by “CPP area specific policies”. Additionally, the second sentence is confusing when read in conjunction with the opening paragraph of 28.15.10 where it refers to exceeding the maximum height and/or density thresholds but sub policy b) states that development shall be lower than the permitted maximum height or density provided in this plan.

**2. As of right heights**

Although we appreciate the ability for additional heights beyond the as of right building height thresholds subject to the provision of community benefits, the bonusing provision allows for no additional floor space to offset the cost of the community benefits. Should a landowner wish to pursue bonusing for additional heights, they would simply obtain the same floor area for their proposed development but with a different building/tower configuration. The result would be more expensive housing costs to the homeowner to offset the cost of the community benefits. In our opinion, that is not in the public interest.

**3. Tower separation**

In order to meet the overall density targets of provincial plans, the Halton Official Plan and the Livable Oakville Plan, a mix of low to high rise developments are required to be

located within Midtown Oakville. Limiting the as of right heights to 20 storeys across the entirety of Midtown Oakville does not create an attractive, distinct built form nor does it provide a distinct skyline with varying building heights. Applying a 30 metre tower separation at the tower base and a 35 metre tower separation above the 25<sup>th</sup> storey is excessive especially when the typical standard in the GTA is 25 metres. This does not represent an efficient use of land and resources, and it also does not represent good community planning.

#### **4. Tower floor plate size**

We agree with the flexibility that is offered by not prescribing tower floor plate sizes and based on conversations with Town Staff, our understanding is that tower floor plates could be limited to 40 metre corner to corner on a diagonal which results in a maximum floor plate of approximately 800 square metres which is relatively small. Having a 35 metre tower separation for a floor plate of approximately 800 square metres is unreasonable and the intent of maintaining adequate separation between towers to reduce shadowing, create an attractive public realm and mitigate resultant wind can still be achieved with a reduced separation distance. As mentioned previously, applying a 35 metre tower separation does not represent good planning.

#### **5. Non-residential uses**

We appreciate the inclusion of bonusing policies for providing office uses in mixed use developments and we support the flexibility that is offered to provide an alternative amount of non-residential use subject to a Non-Residential Needs Analysis demonstrating it can support the long-term employment objectives of Midtown Oakville. We appreciate the reduction in the percentage of total proposed gross floor area to be non-residential uses in the December 2024 proposed Official Plan Amendment however, in our opinion, requiring 12 percent of the total proposed gross floor area to be provided as non-residential uses is still excessive in a market where office space demand is limited. We would recommend that ground floor non-residential space be required on specific streets and additional non-residential space be bonused through a 1 to 2 ratio of non-residential to residential floor area above the maximum FSI requirement; i.e., the provision of 1 sq. m. of office space allows for a bonus of 2 sq. m. of residential space.

#### **6. On-going Transit-Oriented Community in Midtown**

We acknowledge that the province is in the process of implementing a TOC program for a significant portion of the lands within the Trafalgar Precinct to be governed by the proposed Midtown OPA. The policy framework and vision of the TOC program is dramatically different from the proposed Midtown OPA. There should be greater reconciliation between the two planning frameworks with greater reflection of heights appropriate for a Transit-Oriented Community.

---

Yours very truly,  
**SGL PLANNING & DESIGN INC.**



Paul Lowes, MES, MCIP, RPP  
*Principal*

c.c. Stephen Waque  
Gabe Charles  
Sybelle Von Kursell

---

**From:** Marie Wakefield <mwakefield@weirfoulds.com>  
**Sent:** Friday, January 17, 2025 4:06 PM  
**To:** Town Clerks; Vicki Tytaneck  
**Cc:** Denise Baker  
**Subject:** [EXTERNAL] Midtown Oakville OPA - Jan 20th Planning & Development Council Meeting  
**Attachments:** Correspondence to Mayor and Members of Council, Jan 17.25 re Midtown Oakville OPA.pdf

Ms. Tytaneck,  
Please see attached correspondence from Denise Baker filed on behalf of Rose Acquisition Corporation and South Service Holding Corporation.

We kindly request that a copy of same be distributed to the Mayor and Members of Council prior to the January 20<sup>th</sup> Planning & Development Council meeting.

Thank you.

**MARIE WAKEFIELD** | Legal Assistant | T. 647-715-3574 | mwakefield@weirfoulds.com

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**WeirFoulds** LLP

Suite 201, 1320 Cornwall Road, Oakville, Ontario, Canada. L6J 7W5 | T. 416-365-1110 | F. 416-365-1876 | [www.weirfoulds.com](http://www.weirfoulds.com)

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January 17, 2025

*Via E-mail*

Town of Oakville  
Town Hall  
c/o Clerks Dept.  
1225 Trafalgar Road  
Oakville, ON  
L6H 0H3

Attention: Mayor and Members of Council

Dear Mayor Burton and Members of Council:

**RE: January 20<sup>th</sup>, 2025 Planning & Development Council Meeting  
Item 6.2 – Proposed Midtown Oakville & Community Planning Permit System,  
Official Plan Amendment**

---

We are the solicitors for Rose Acquisition Corporation and South Service Holding Corporation (“Client”), the latter of which is the registered owner of the lands located at 420 South Service Road East, in the Town of Oakville (hereinafter referred to as the “Subject Lands”).

We previously wrote to Council on April 22, 2024 to express our thanks to staff with respect to the draft Official Plan Amendment (OPA) for Midtown Oakville which was released on April 2, 2024. We noted in that correspondence that in many areas staff have listened to concerns expressed with respect to previous iterations of the Midtown OPA and, at that time, we were of the opinion that many of our Client’s concerns had been fairly addressed, and that many of the proposed policies have responded appropriately to the role that Midtown Oakville plays both within the Town and the Province’s planning framework.

Since that time our Client submitted an Official Plan Amendment (“OPA”) for the Subject Lands on November 7, 2024, that was deemed complete on November 18, 2024. The

**Denise Baker \***  
Managing Partner  
t. 416-947-5090  
dbaker@weirfoulds.com

File No. 24363.00001

\*Partner through a professional corporation

proposed OPA to the Livable Oakville Plan will redesignate the Subject Lands to a site specific “Urban Core” designation, that allows for the development of the Subject Lands with seven (7) mixed-use buildings, with 16 towers with heights ranging from 30-48 storeys, a 1.87-hectare public park, POPS, and a multimodal transportation network.

Since the April 2024 draft OPA, staff presented a new draft OPA in the fall of 2024 which is a fundamental step back from their recommendations in the April 2, 2024 draft OPA. This is very disappointing to see and results in Midtown, being the Town’s primary strategic growth area, not responding appropriately to the policies of the Province and Town and failing to recognize the importance of Midtown Oakville in making a significant contribution in resolving the ongoing housing crises.

Most importantly, however, is the lack of justification for the significant changes being proposed since the April 2, 2024 draft OPA.

One of the most notable comments in the Staff report dated October 22, 2024 pertains to a updated growth forecasts prepared by Watson which see the growth forecasts increase from the numbers contained in OPA 49, but a decrease from the 2023 Joint Best Planning Estimates.

However, what is interesting with respect to this observation is the finding by the Town’s consultant which was set out by staff as follows:

“Notable observations in Watson’s analysis are trends related to net migration within Oakville. The analysis is showing that population growth in the 20-34 year old and the 55–64 year old cohorts is declining<sup>2</sup>. These are populations that are generally just entering family formation (20 – 34 year olds) or experiencing ‘empty nest’ (55 – 64 year old). While the former cohort is likely renter or first time buyers, the latter cohort are likely to be downsizing their home. As such, both cohorts are prone to be looking for housing that is affordable and more compact than the ground-related housing stock provided in Oakville, and also seeking to live in complete, walkable communities, with reliable access to transit and active transportation facilities, such as Midtown. However, delays in the evolution of such

places, has meant that these cohorts are migrating to other communities outside of Oakville, such as Toronto and Peel Region.

This tells us that the Town should be seeking more density in Midtown to stem this outward migration of young adults and empty nesters, not less. However, the draft OPA released in the Fall seeks to do the exact opposite by limiting, without justification, the number of units that can be constructed within Midtown through its proposed policy approach. This will lead to the continued outmigration of young adults and empty nesters.

Following previous version of Midtown draft OPAs in 2023, April 2024, and October 2024, the Town has now prepared a Proposed Midtown Oakville Official Plan Amendment dated December 2024 (“December 2024 draft OPA”). This letter provides our comments with respect to the December version of the OPA.

## **Density**

As per Policy 20.5.1(e)(ii) of the December 2024 draft OPA, development within Midtown can have a maximum gross density, as permitted on Draft Schedule L3. As per Draft Schedule L3, Midtown Oakville Maximum Density, development on the southern half of the Subject Lands has a maximum density of 3 FSI, and development on the northern half of the Subject Lands has a maximum density of 4 FSI. There were no density maximums in the April 2024 draft OPA.

Midtown Oakville is the Town’s primary strategic growth area that will accommodate significant residential and employment growth in a vibrant, mixed-use, and urban setting. Midtown Oakville must meet a minimum gross density of 200 residents and jobs combined per hectare, which is a combined total of approximately 20,000 residents and jobs by 2031. In order to achieve the minimum density and the character envisioned for the Midtown Oakville PMTSA, higher density development will be required. The densities currently contemplated for the PMTSA through the December 2024 draft OPA do not capture the levels of growth, transit-oriented nature, and minimum densities of development that are required for a successful PMTSA. The densities in the December

2024 draft OPA should be increased to promote planning for land uses and built forms that allow for appropriate growth and intensification to support the Town and the Province in achieving the minimum densities and the nature of development for a PMTSA, contemplated by the Provincial Planning Statement.

## **Height**

As per Policy 20.5.1(f)(i) of the December 2024 draft OPA, “as of right” building height thresholds are shown on Schedule L4. Additional height beyond the threshold may be permitted through a development permit or rezoning application, subject to: (1) not exceeding the maximum density for the site; and (2) community benefits or cash-in lieu of benefits are provided in accordance with Town by-laws. As per Draft Schedule L4, Midtown Oakville Building Height Thresholds, development on the Subject Lands has a building height threshold of 5-12 storeys.

These proposed heights are a significant departure from the heights being recommended in the April 2024 draft OPA, which recommended 35 to 40 storeys on the Subject Lands. There is no justification that has been provided for such an extreme reduction in heights leading to the only conclusion that these heights are artificially low for the purpose to extract “bonusing” as contemplated by the Community Planning Permit System in section 28.15 of the December 2024 draft OPA. This is not good planning and should not be supported.

Similar to the previous comment, in order to achieve the levels of growth, compact urban form, and higher intensity development contemplated for the Midtown Oakville PMTSA, the height of development currently contemplated for the Subject Lands should be increased to at least reinstate the previous recommendation of 35-40 storeys on the Subject Lands.

As it is currently drafted, there is no clarity as to how the policies for building height thresholds will be implemented, particularly the level of additional height that will be



permitted, what types of community benefits are acceptable in exchange for increases in building height, and the scale and weight through which benefits are provided for additional height.

### **Tower Separations**

As per Policy 20.5.1(g)(iv), Tall Buildings of the December 2024 draft OPA:

*“The distance between the facing walls of towers shall generally be a minimum of 30 metres at the tower base and expand to a minimum of 35 metres above the 25th storey, as applicable.”*

The 35-metre tower separation for tall buildings above the 25<sup>th</sup> storey is excessive and unjustified, given that a minimum 30.0-metre tower separation between facing walls of towers is already provided.

### **Non-Residential Use Requirements**

As per Policy 20.4.2(b)(i), Urban Core, of the December 2024 draft OPA:

*“New development shall provide a minimum of 12 percent of the total proposed gross floor area as non-residential uses, such as cultural, community, retail, commercial, and/or office, integrated within a mixed-use building or as a stand-alone building”.*

Given that the current market demand for commercial and office space is increasingly low, with many individuals working from home and doing their shopping online, the minimum requirement for non-residential gross floor area for development in the Urban Core is unjustifiably high and should be reduced. The current minimum requirement for non-residential uses threatens the economic viability of development and, ultimately, the ability for landowners to redevelop lands in Midtown. Reducing the minimum gross floor area for non-residential uses will allow landowners to redevelop their lands in an

economically viable manner that supports the vision for Midtown Oakville as a mixed-use, pedestrian-oriented, urban environment.

### **Hazard Lands**

The December 2024 draft OPA incorporates policy modifications to Section 10.13, Hazard Lands, of the Official Plan that limit new development within or adjacent to hazard lands conceptually shown on Schedule B of the Official Plan. A new Appendix, Appendix 6, will be incorporated into the Official Plan to show the approximate regulation limit of the Conservation Authorities.

Conservation Halton, in partnership with the Town of Oakville and Region of Halton, is currently undertaking a study to update the regulatory flood hazard mapping for the Midtown Oakville Growth Area. The incorporation of policies that regulate flood hazards in the Midtown Area into the December 2024 draft OPA is premature and unjustified, given that the regulation limits of the hazard lands have not been finalized by Conservation Halton.

It would be more appropriate to wait until such a time that Conservation Halton has completed their mapping of the flood hazard lands, to then create appropriate policies to sufficiently protect these lands.

### **Railyard and Rail Corridors**

Policy 8.11.6 of the December 2024 draft OPA requires the registration of an Environmental/Operational Easement in favour of Metrolinx over any lands within 300m of the Metrolinx Rail Corridor. This requirement is contrary to law as it permits Metrolinx to require anything it wants as part of the easement requirement, including the payment of unknown fees to Metrolinx, and, if a landowner doesn't comply, then the Town would not permit the development. This effectively makes Metrolinx the approval authority with

respect to any lands within 300 metres of the Metrolinx Rail Corridor. This policy should be deleted.

### **Development Permit/Community Planning Permit System**

Section 28.15 of the December 2024 draft OPA provides policies that allows the Town to identify community planning permit areas in Midtown and establish By-laws for these areas.

Policy 28.15.8 sets out conditions to be included in the CPP By-law. The proposed conditions, particularly conditions d, e, and f eliminate all certainty to the planning process and have the ability to completely thwart development. Such conditions are not reasonable and defeat the purpose of providing certainty in the development process. It is further submitted that these conditions do not comply with the requirements in O. Reg. 173/16.

Policy 28.15.10 states the following:

*Where the CPP by-law proposes conditions associated with permitting development at heights and/or densities that exceed maximum thresholds set for “as-of-right” development in exchange for community benefits, the CPP by-law shall:*

- a) include provisions regarding the proportional relationship between the quantity or monetary value of the facilities, services and matters that may be required and the height and/or density of development that may be allowed, and*
- b) establish maximum density and/or height thresholds in accordance with CPP area specific policies of this Plan. For the subject sites, such threshold rates must ensure that the minimum density of the site can be exceeded and shall be lower than the permitted maximum height or density provided in this Plan.*

This policy is contradictory in nature. The CPP By-law is intended to allow for increases in height or density, that exceed those proposed through the December 2024 draft OPA in exchange for community benefits. However, 28.15.10(b) states that threshold rates in

the CPP By-law must be lower than the permitted maximum height or density of the December 2024 draft OPA. If the CPP is intended to stream-line development including the provision of community benefits in exchange for increases in height and density beyond the threshold of the Midtown OPA, the policies in the December 2024 draft OPA must be revised to enable these processes to occur.

### **Landowners Group**

Policy 20.6.4(b) of the December 2024 draft OPA states the following:

- b) The Town shall determine, following a pre-submission meeting, whether the applicant is required to participate in a landowner group. And if required, the development application shall not be deemed complete until the subject landowner has become a party to the relevant landowners' cost sharing agreement.*

Development in Midtown Oakville will occur through infill development of select sites over an extended period of time. The establishment of a landowners group for cost sharing of community services is typically used as a tool for greenfield development in situations where all landowners are interested in developing vacant lands in a defined period of time. The unique nature of Midtown, as an area with landowners who wish to redevelop their lands in the short-term and landowners with no interest in redeveloping their lands, limits the effectiveness of a landowner's group as a cost sharing tool. The need for a landowners group in Midtown Oakville needs to be deleted, particularly the need for landowners to join a landowner's group for their application to be deemed complete.

### **Precinct Plan**

As per Figure 1, Precinct Areas, of the December 2024 draft OPA, the Subject Lands are located in the Chartwell Precinct. As described in Policy 20.3.4, the Chartwell Precinct is an area that provides a transition from urban, mixed-use development to less intensive development, and is intended to be developed as a business campus area.

Restricting development in the Chartwell Precinct to less intensive, employment uses, limits the ability for this area to support the minimum housing and population growth

requirements, and the urban character of the Midtown Oakville PMTSA. The policies of the Chartwell Precinct should be modified to prioritize the development of higher intensity residential uses, supported by non-residential and commercial uses, that enable the lands to support the vision for Midtown Oakville as a livable, pedestrian-oriented community.

**Conclusion**

It is unfortunate that the December 2024 draft OPA has been prepared to respond to the backlash of a number of residents of southeast Oakville. The April 2024 draft OPA was, with a few tweaks as previously noted in our earlier correspondence, better reflects good planning for this important strategic growth area in support of provincial and Town objectives. We hope that Council finds its way to send the December 2024 draft OPA back to staff for a reconsideration of the policies to ensure that the objectives for Midtown Oakville are achieved by the Town.

Yours truly,

**WeirFoulds LLP**



Per: Denise Baker  
Managing Partner

DB/mw

21669369.1

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**From:** Bethel Zecharias <bzecharias@westonconsulting.com>  
**Sent:** Friday, January 17, 2025 3:44 PM  
**To:** Town Clerks  
**Cc:** Sybelle Von Kursell; Martin Quarcoopome; Patricia Santino  
**Subject:** [EXTERNAL] 142 Cross Avenue, Oakville - Midtown Oakville Growth Area Review Comments  
**Attachments:** 2025.01.17 - 142 Cross Ave - Midtown OPA Response Letter.pdf

Good Afternoon,

I'm reaching out on behalf on the property owners at 124 Cross Avenue, Oakville. Weston Consulting has reviewed the draft OPA as it relates to impacts on potential redevelopment of the subject property and would like to provide our concerns. We ask that the contents of this letter be considered by Council through the public consultation process and for the statutory public meeting being held on January 20, 2025. Should you have any questions, feel free to reach out.

Thank you,

**BETHEL ZECHARIAS, BURPI  
PLANNER**

OFFICE 905.738.8080 X321  
WWW.WESTONCONSULTING.COM



Planning and Development Department  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

**To:** Sybelle von Kursell, Manager, Midtown Oakville and Special Programs

**Re: Midtown Oakville Proposed Official Plan Amendment  
142 Cross Avenue  
City of Oakville**

Weston Consulting has been retained by the land owners of 142 Cross Avenue in the Town of Oakville (herein referred to as the 'subject property'), to monitor and provide an opinion on the draft Midtown Oakville Official Plan Amendment. Weston Consulting has reviewed the draft OPA as it relates to impacts on potential redevelopment of the subject property and would like to provide our concerns.

### Description of Subject Property

The subject property is currently occupied by a low-rise commercial unit with associated surface-level parking, situated on the east side of Cross Avenue, between Lyons Lane and Trafalgar Road. Notably, the property is in close proximity to the Oakville GO Station approximately 350 metres away, providing close access to public transit and its associated parking area. The surrounding area includes single-detached residential units to the south and a mix of commercial uses with large surface-level parking facilities to the north, east, and west. The property itself spans approximately 0.20 hectares (0.49 acres) and features an approximate frontage of 18.53 metres along Cross Avenue, with convenient access to the surrounding transportation and parking infrastructure.

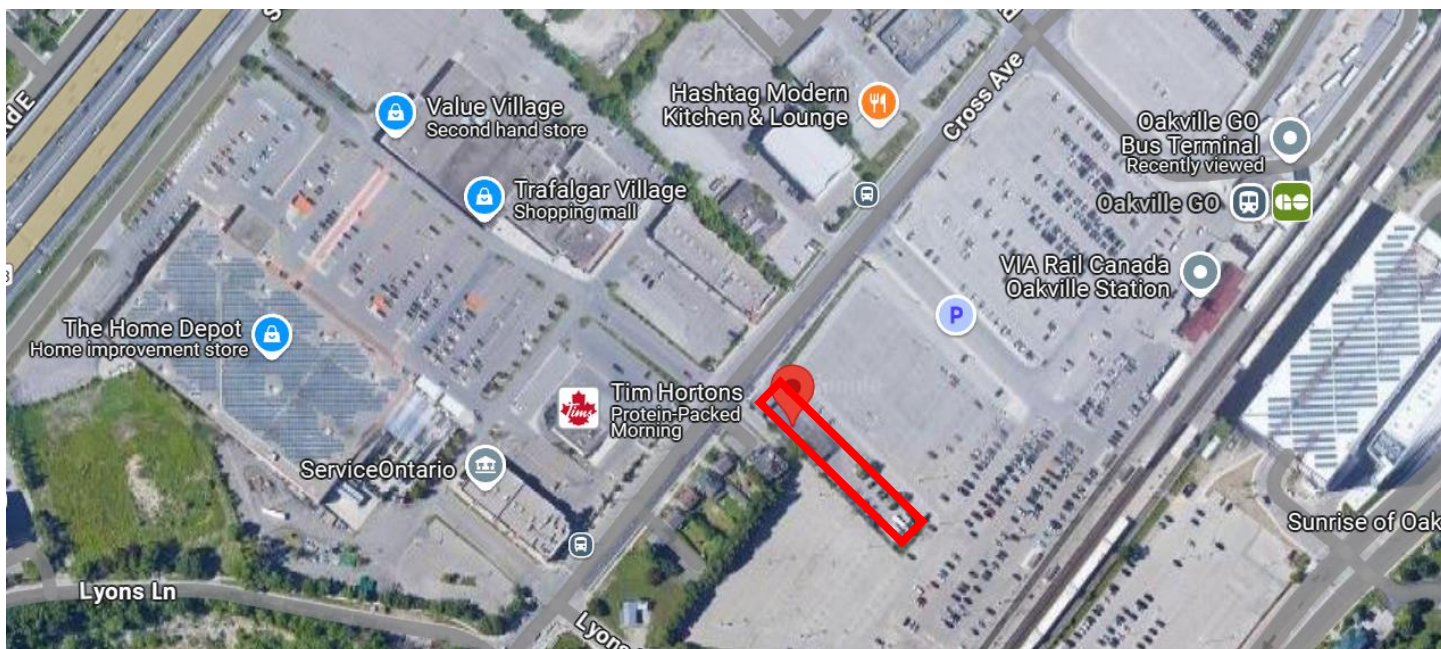


Figure 1: Aerial Photo of Subject Property

## Town of Oakville Official Plan and draft Midtown Oakville Official Plan Amendment

The Town of Oakville – Livable Oakville Official Plan (2021 Office Consolidation) identifies the subject property to be in the Midtown Oakville Growth Area and designates the subject property as *Urban Centre*. The *Urban Centre* designation permits a variety of retail, service commercial, office, and residential uses. Ground-floor commercial uses, including restaurants and commercial schools, are required in mixed-use buildings fronting public streets, with these uses potentially extending to other floors. Additionally, places of entertainment, indoor sports facilities, hotels, office uses, and ancillary residential uses may also be allowed on the ground floor and above. The draft Midtown Oakville Official Plan Amendment is intended to update policies and schedules for Midtown to conform Regional policies and to respond to Provincial direction. Midtown is identified as a strategic growth area where the majority of the Town’s growth is to occur.

The subject property is similarly designated *Urban Core* in the updated draft Midtown Oakville Land Use schedule L1 (see Figure 2 below). In addition to the uses permitted under Part D Sub-Section 12.5.1 listed above, lands designated *Urban Core* must adhere to policies that support employment objectives, transit-oriented development, walkability, and social cohesion. Specifically, new development must allocate at least 12% of the total proposed gross floor area for non-residential uses, such as cultural, community, retail, commercial, and/or office spaces, either integrated within mixed-use buildings or as standalone buildings.



Figure 2: Draft Schedule L1 Midtown Oakville Land Use

The lands are also identified as part of a larger block designated as *Park (Conceptual)* on draft Schedule L6 Active Transportation. The size of this conceptual park block appears to be 1.1 ha (see Figure 3 below).



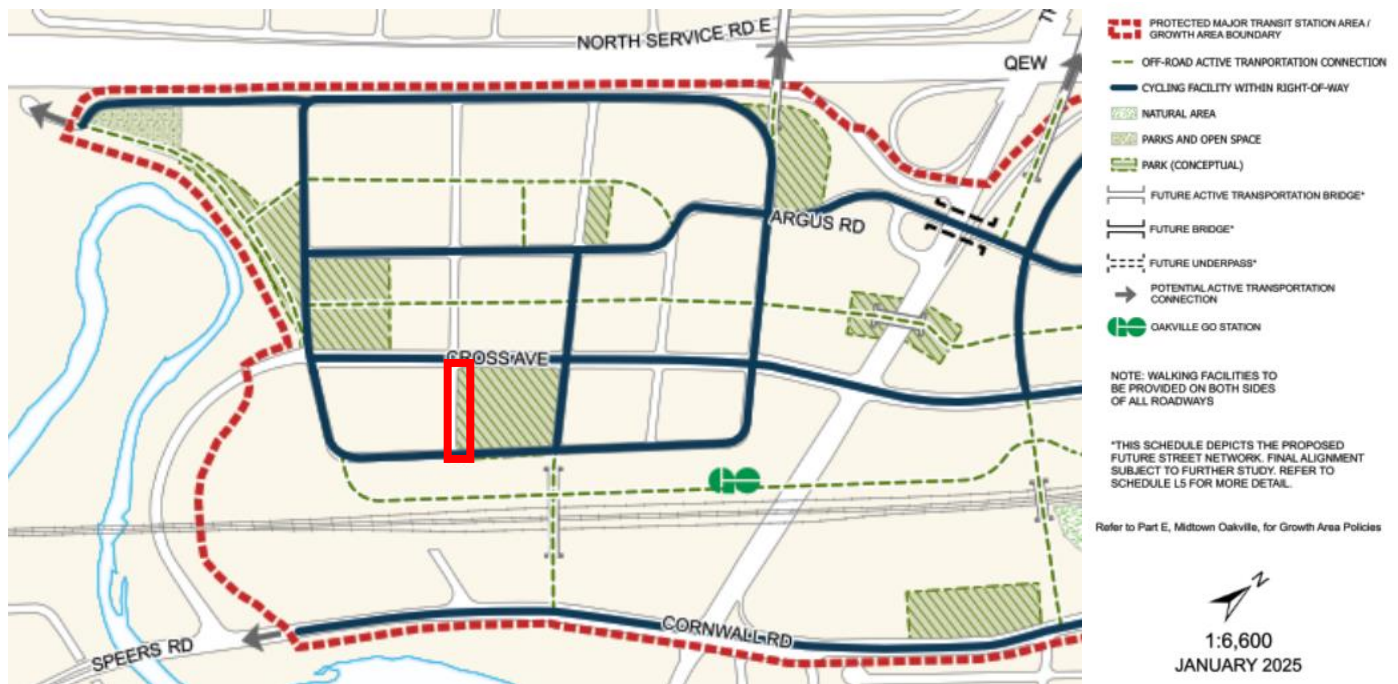


Figure 3: Draft Schedule L6 Midtown Oakville Active Transportation

In addition to the mapping changes outlined in the Draft OPA Land Use schedule and Part D Section 17.1 of the Official Plan, lands designated Parks and Open Space are subject to the following new policies/text:

*Section 20.4 Designation Specific*

20.4.2.d) *Parks and Open Space In addition to Part D Section 17.1 of this Plan, lands designated Parks and Open Space are subject to the following policies:*

*i. Lands designated Parks and Open Space are conceptually shown on Schedule L1 Land Use. The size and configuration of these lands shall be determined via site plan, development permit, consent and/or plan of subdivision approval process(es), without an amendment to this Plan.*

*v. The Town shall work with the applicable school board to determine park configuration and programming where parkland is intended to be co-located with school-sites. Programming of such parkland shall be prioritized for school use during school operating hours.*

**Development Concerns**

While the owners of 142 Cross Avenue do not have concerns with the current/ proposed *Urban Centre* land use designation, there are concerns with the proposed Conceptual Park overlay. While we understand the importance of providing green space and promoting public community uses, there may be an opportunity to better locate a future park.

- Park Use Designation:** The subject property, currently occupied by a low-rise commercial unit with surface-level parking, is situated in a desirable location within the Midtown Oakville Growth Area given its proximity to

the Oakville GO Station. The *Urban Centre* designation offers a unique opportunity to support a vibrant, mixed-use, and sustainable urban district. With its' focus on higher-density development, mixed-use spaces, and connectivity, the designation aligns with Oakville's vision for a sustainable and thriving urban center that can accommodate future population growth while enhancing the quality of life for residents. It is acknowledged that the subject lands cannot accommodate significant development, however there are opportunities to create low/ midrise forms of housing or supportive commercial/ retail uses.

While we acknowledge that the draft Official Plan Amendment (OPA) outlines the Town's intent to collaborate with the relevant school board to determine park configuration and programming in areas where parkland is co-located with nearby school sites, applying this approach to the subject property may be limiting. Restricting the parkland to a single-use function could hinder opportunities for innovative urban design, potentially diminishing the overall livability and attractiveness of the area for both residents and businesses. This is concerning given the property's proximity to the Oakville GO Station and the VIA Rail Corridor.

- Future Road Alignment:** A future 19-metre local is illustrated on Schedule L3 of the current Official Plan, which is shown along the western and southern boundaries of the subject property. This road, now shown as a 20m road on Draft Schedule L5 Midtown Oakville Proposed Transportation Network. The landowner has concerns with this alignment as it. This presents a significant issue as it directly impacts the redevelopment potential of the site. These proposed roads bisect the property, reducing the developable area by nearly 50%. The planned road creates a physical and functional barrier that limits the ability to fully utilize the property for higher-density, mixed-use development, which is aligned with the goals for the Midtown Oakville Growth Area. This road alignment is identified as Future Local Road (*conceptual*) within the 2014 Midtown Oakville Class EA Preliminary Design which leaves the door open for finalization of the alignment.



Figure 4: Draft Schedule L5 Midtown Oakville Proposed Transportation Network

## Summary and Conclusions

The current Urban Centre designation for the property presents a valuable opportunity to create a vibrant, mixed-use district that aligns with Oakville's long-term growth strategy, offering higher-density development and enhanced connectivity. The landowner supports the proposed *Urban Core* land use policies, however there are concerns

regarding the Conceptual Park location and road locations. We believe that the relocation of the *Park* designation to the adjacent Metrolinx parking lot is more appropriate. The majority of the proposed conceptual park block is located on the neighboring Metrolinx lands. To avoid further encumbrance of lands which already have limited development potential given the lot configuration, Staff should explore removing the parkland overlay. Similarly, Staff should explore the shifting of the alignment planned 20 metre local roads to avoid additional encumbrances.

We ask that the contents of this letter be considered by Council through the public consultation process and for the statutory public meeting being held on January 20, 2025. Should you have any questions, please contact the undersigned at extension 266.

Yours Truly,

**Weston Consulting**

Per:



Martin Quarcoopome, BES, MCIP, RPP  
Vice President

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**From:** Tamara Tannis <ttannis@mhbcplan.com>  
**Sent:** Friday, January 17, 2025 9:28 AM  
**To:** Town Clerks  
**Cc:** Oz Kemal  
**Subject:** [EXTERNAL] Submission Letter re January 20, 2025 Council Agenda, Item 6.2 Proposed Midtown Oakville & CPP System OPA  
**Attachments:** 17270 - Submission Letter - Midtown Oakville OPA-2025-01-17.pdf

On behalf of the registered owners of 359 Davis Road, attached please find a Submission Letter regarding the January 20, 2025 Council Agenda Item 6.2, "Proposed Midtown Oakville and Community Planning Permit System Official Plan Amendment."

Thank you for the opportunity to provide comments regarding this matter.  
We would appreciate receiving notification of Council's decision.

**TAMARA TANNIS**, MCP, MCIP, RPP | Associate

**MHBC Planning, Urban Design & Landscape Architecture**

12 James Street North, Unit 301 | Hamilton | ON | L8R 2J9 | T 905 639 8686 x 230 | C 289 962 3710  
[ttannis@mhbcplan.com](mailto:ttannis@mhbcplan.com)

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January 17, 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](mailto: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**

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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 m<sup>2</sup>) 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.

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, and supported, 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.

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. The *Planning Act*, s.16(1) indicates that an official plan shall contain goals, objectives and policies to primarily manage and direct physical change, while s.34(1)1. and 2. States that Zoning By-laws may be passed by Councils to restrict the use of land or restrict the erection, location or use of a building. The *Planning Act*, s.34(1)4. Also states that the Zoning By-law regulates the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined area or areas.

**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*