

January 17, 2025

Sent Via Email to: midtown@oakville.ca.

**Re: *Planning & Urban Design Comments*
Midtown Oakville Growth Area Review - Draft Official Plan Amendment
(December 2024)
*Planning and Development Council Meeting January 20, 2025, Item 6.2***

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 applications¹ for their lands within Midtown, as discussed in our previous submissions. The four applications are also part of Infrastructure Ontario’s Transit-Oriented Communities program. Distrikt has been an active participant in the Midtown Oakville Growth Area Review process since March 2021, and we continue to thank Town Planning Staff and the Official Plan Amendment (“OPA”) Team for the opportunity to provide comments on the emerging policy directions and overarching Town 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 at its meeting on January 20, 2025. The latest iteration of the draft OPA was released for public comment in December 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 submissions filed on April 22, 2024, and October 29, 2024, in particular, those related to the use of height and density maximums, and tower separation. We have also included our comments regarding the minimum non-residential gross floor area requirement for lands designated *Urban Core*, and the proposed requirement for landowners to become party to a landowners cost sharing agreement as a determinant of application completeness.

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) continues to require the maximum density to not be exceeded. This

¹ 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.

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). As previously noted, the policy language in the latest draft OPA continues to differ from the policy approach taken in previous April 2024 draft, which 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 to allow for the optimization of the lands in proximity 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.**

Furthermore, with respect to the minimum tower separation distance, the latest draft OPA continues to state 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)). As highlighted in our previous letter, 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 deemed acceptable and applied to tall buildings in other transit nodes within the Greater Toronto and Hamilton Area. This in turn helps support the optimization of land in accordance with overarching Provincial policy directions.**

With respect to the minimum non-residential gross floor area requirement, Policy 20.4.2(b)(i) provides that for lands designated *Urban Core*, 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. Policy 20.4.2(b)(ii) adds that the minimum non-residential requirement may be modified on a case-by case basis, without an amendment to this Plan, provided a Non-Residential Needs Analysis demonstrates that an alternative amount of non-residential use within the applicable Precinct can support the long-term employment objectives of this Plan.

While we acknowledge that in the latest draft OPA, Town Staff have reduced the minimum requirement from 18 percent to 12 percent, and have retained Policy 20.4.2(b)(ii) to allow for potential reductions, we are concerned that the application of a uniform rate across all lands designated *Urban Core* does not account for site-specific characteristics, such as location, and size, and the types of non-residential uses that could be accommodated on

each site. Moreover, the inclusion of Policy 20.4.2(b)(ii) in the draft OPA will provide the Town with the assurance that the proposed supply of non-residential uses is appropriate. Based on these considerations, ***we request that Town Staff and the OPA Team consider the elimination of Policy 20.4.2(b)(i) and consider the use of Non-Residential Needs Analysis as a tool to secure appropriate proportions of non-residential uses in new developments within the Urban Core.***

Finally, Policy 20.6.4(b) provides that the Town shall determine whether the applicant is required to participate in a landowner group. It adds that if required, the development application shall not be deemed complete until the subject landowners has become a party to the relevant landowner's cost sharing agreements. While we appreciate that it is important to agree on cost sharing to deliver the required infrastructure to accommodate the development of Midtown, this requirement as a determinant of application completeness may result in increased timelines that can significantly slow down the development process. **We request that Town Staff and the OPA Team consider removing this requirement.**

We again 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 Grinyer 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*
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