

COMMITTEE OF ADJUSTMENT

CONSENT REPORT

STATUTORY AUTHORITY: Section 53 of the Planning Act, 1990

APPLICATION: B23/11

RELATED FILE: N/A

DATE OF MEETING: January 22, 2025

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
ST. VLODOMYR CATHEDRAL OF TORONTO	OZ KEMAL MHBC PLANNING 301-12 JAMES ST. N. HAMILTON ON L8R 2J9	1280 DUNDAS STREET WEST CON 1 SDS PT LOT 23

OFFICIAL PLAN DESIGNATION: Parks and Open Space/Private Open Space

WARD: 4

ZONING: Private Open Space SP 122, N, CEM

DISTRICT: West

APPLICATION:

An application has been made for Consent for the creation of a New Lot from the existing lands occupied with St. Volodymyr Cultural Centre and cemetery.

The application is asking to convey the vacant portion of the northern east quadrant of the lands shown as Parts 1, 2 and 3 on the consent severance sketch, being approximately 46,233.00 m² in area with frontage on Fourth Line of 161.30 m (zoning by-law definition) and a depth of approximately 220.00 m. Part 1 of the proposed new lot will be a developing area for the future development of a senior citizens' community.

Parts 2 and 3 comprise the Natural Area on the severed lands which is proposed to convey to the Town.

The retained Part 4 is approximately 223,291.00 m² in area with an approximate frontage on Dundas Street of 61.40 m (street limit) and a depth of 920.00 m.

The said parcels being more particularly described on the attached Severance Sketch, Figure 2 below.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

(Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Long Range and Heritage Planning, Urban Design and Development Engineering)

RECOMMENDATION

1. That Consent Application B23/11 (1423), submitted by MHBC Planning on behalf of Delmanor Oakville Inc. to create a new lot for the purposes of developing a senior citizens community (severed lands) having a lot area of 46,233 m², and lot frontage of 161.3m on Fourth Line, with the remaining lot (retained lands) having a lot area of 223,291 m², and lot frontage of 61.4 m on Dundas Street West, be approved subject to the conditions attached in Appendix "A".

LOCATION

The subject lands are located south of Dundas Street West, west of Fourth Line, and east of Proudfoot Trail. The lands are legally described as Part of Lot 23, Concession 1, South of Dundas Street. An aerial photo of the existing site is provided in Figure 1.



Figure 1: Air Photo – 1280 Dundas Street West

PURPOSE

The subject consent application would sever the subject lands into two lots, being the severed lands of which are currently vacant (Part 1 - northeast lot outlined in yellow below) and retained lands (Part 4 – property outlined in red below), currently occupied by St Volodymyr Cultural Centre and cemetery. Parts 3 and 4 are both designated Natural Area, and to be conveyed to the Town in accordance with land acquisition and parkland dedication policies in Section 28.12 of the Livable Oakville Official Plan. The purpose of the application is to develop a retirement home and assisted living facility on the severed parcel, which will include an eight-storey seniors' residential building and independent living townhouse units within four blocks.

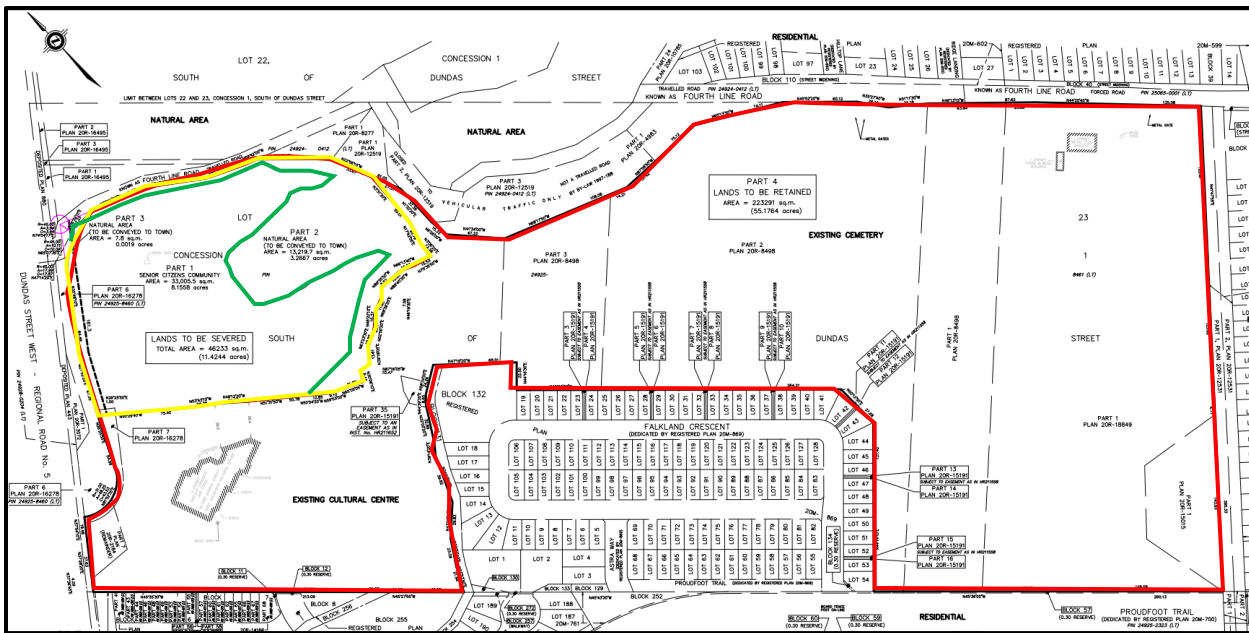


Figure 2: Consent (severance) Sketch

BACKGROUND

The applicant submitted a Zoning By-law Amendment application (file Z.1423.07) in June 2021, followed by a Site Plan application (SP.1423.006/01) in November 2022, which proposed to redevelop 4.62 hectares of the northeasterly portion of the St. Volodymyr's cultural land, located on the south side of Dundas Street West (Part 1). The Zoning By-law Amendment application was appealed in 2022 due to a lack of decision within the required timelines. At that time, staff did not recommend approval, citing concerns related to the following:

- Failure to demonstrate no negative impacts on the surrounding natural heritage system;
- Safety concerns regarding providing appropriate setbacks to the long-term stable top of bank for the Sixteen Mile Creek valley lands;
- Failure to sufficiently demonstrate how radio frequency waves emanating from the CHWO radio station town north of the site do not interfere with general facility operations or create potential negative impacts to assistive devices (ex// motorized scooters, hearing aids, and pacemakers);
- Conformity to the Region of Halton Official Plan; and,
- The adequacy of the site to be serviced by the existing municipal infrastructure.

Subsequently, the Appellant worked to satisfy the foregoing concerns, and as part of a settlement hearing held by the Ontario Land Tribunal (OLT) in April 2023, it was confirmed that these concerns were addressed, and an interim Zoning By-law for the subject lands was approved to permit the development of a seniors' community. The OLT issued its decision on April 25, 2023, with an amended decision following on May 8, 2023. The Tribunal withheld its final order pending the following conditions being met:

- The Tribunal has received and approved the ZBA submitted in a final form, confirmed to be satisfactory to the Appellant and the Town, copied to the other Parties;
- The Tribunal has received written confirmation from the Appellant, copied to the other Parties, that the Appellant and the Region have agreed upon a water servicing solution for the proposed development; and,

The PPS provides for efficient development and land use patterns and appropriate range and mix of land uses. Policies within Chapter 2 direct growth and development to settlement areas, which optimizes the efficient use of land and resources, existing and planned infrastructure, and promotes active transportation.

The proposed severance will uphold the principles of Section 2.1 (4), providing for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents. It is Staff's opinion that the proposed severance is consistent with the PPS.

HALTON REGION OFFICIAL PLAN

The Subject Lands are designated "Urban Area" and 'Regional Natural Heritage System (RNHS)' within the 2009 Halton Region Official Plan (ROP). The RNHS limits traverses the subject lands across the southerly and easterly boundaries up to the centre of the subject lands. As well, the RNHS limits are within the regulated area of 'Conservation Halton'.

Through the OLT settlement, the Natural Area and appropriate buffering was agreed upon in coordination with the application, the Town of Oakville, Region of Halton, and Halton Conservation Authority to ensure the development has no adverse impacts on the existing natural heritage system.

The policies of Urban Area designation support a range of uses and the development of vibrant and healthy mixed-use communities which afford maximum choices for live, work and leisure. The Urban Area policies state that the range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning-By-laws. All development, however, will be subject to the policies of the ROP.

Halton Region staff have reviewed the proposal and have no objection to consent application B23/11 (1423).

LIVABLE OAKVILLE PLAN

The subject lands are designated "Parks and Open Space with site specific exceptions" and "Private Open Space" in the Livable Oakville Plan and mapped on Schedule H – West Land Use.

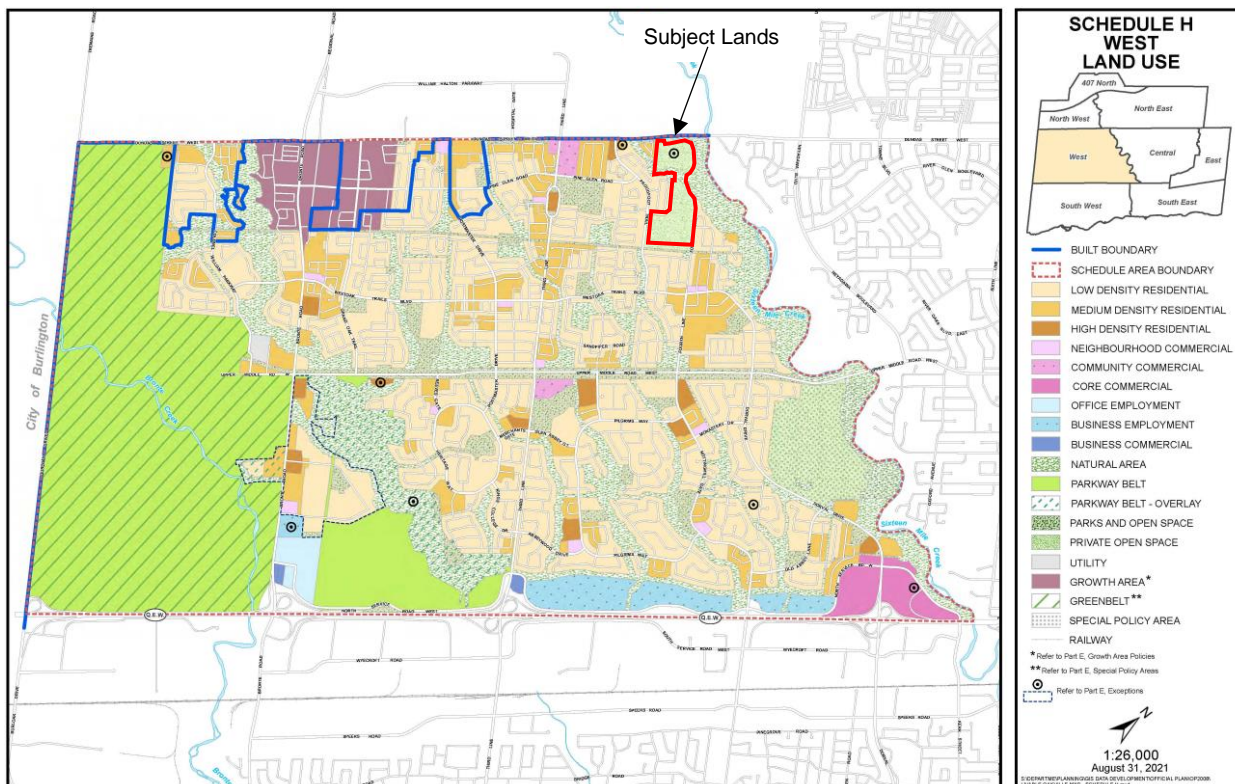


Figure 5: Livable Oakville Plan (Schedule H West Land Use)

Section 28.14.1 of the Livable Oakville Plan allows for the creation of new lots through Consent (severance) applications. Section 28.12.1 recognizes that the "public acquisition of hazard lands, open space lands, and lands designated Natural Area enhances opportunities for the conservation, protection, and stewardship of natural features, as well as the mitigation and management of natural hazards." Additionally, Section 28.12.2 states that the Town shall require the dedication of hazard lands, open space lands, and lands designated as Natural Areas during the development process, as permitted by the *Planning Act* and in line with the policies of this Plan. If public ownership cannot be achieved through conveyance, Section 28.12.3 allows the Town to secure the long-term protection of these lands through alternative means, including easement agreements.

As part of the OLT settlement, all of the Natural Area on the severed lands has been clearly defined and is being conveyed to the Town as part of this consent application. As a condition of approval, the Natural Area on the retained lands will be protected through a deferred conveyance agreement. This agreement sufficiently addresses dedication and conservation of the Natural Area when the retained lands develop / redevelop.

The consent application conforms to the Livable Oakville Plan.

ZONING

The subject lands are currently zoned Private Open Space with Site Specific Provision 122 (O2 sp.122), Natural Area (N) and Cemetery (CEM) and comply with By-law 2014-014, as amended.

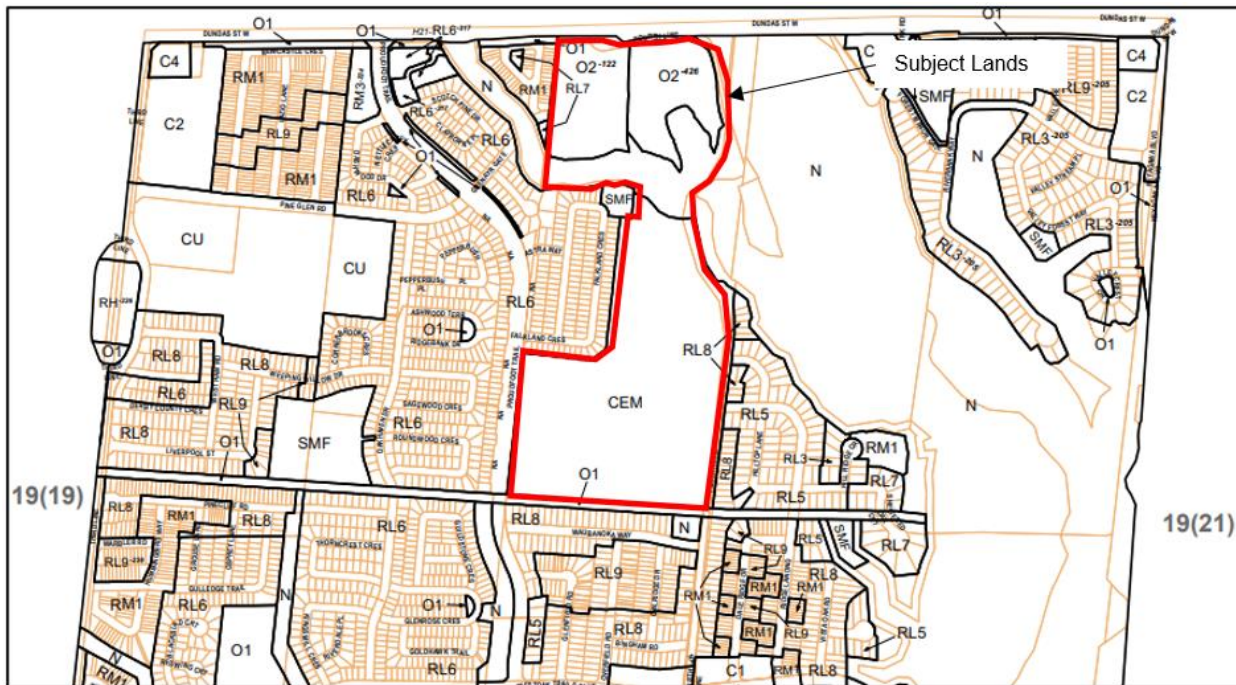


Figure 6: Zoning Map Excerpt

As confirmed through the related site plan application, the proposal complies with the Zoning By-law.

COMMENTS

The proposed consent application seeks to create a new lot for the development of a senior citizens' community on a vacant portion of the St. Volodymyr Cultural Centre. For context, the related Zoning By-law amendment application was appealed to OLT which resulted in an approved Zoning By-law applying to the subject lands. Staff concerns were addressed during this process, and are being implemented through this consent application, including the deferred conveyance agreement to protect the natural area on the retained lands, as well as through the related site plan application.

Staff and Agency comments are included in Appendix "B" of this report.

PUBLIC INPUT

Letters of opposition were received as a result of the public circulation and as such, the proposed Consent is required to be heard by the Committee of Adjustment in order for a decision to be rendered. A summary of the concerns is outlined below:

- Protection of the Natural Areas (Parts 2 & 3 to be conveyed to the Town);
- Loss of Taxable Lands (lands conveyed to the Town);
- Impact on value of abutting properties;
- Future development of the severed lands;
- Compatibility with Zoning By-law;
- Construction management and noise disturbance on abutting properties; and,
- Development of formerly contaminated lands.

While item number 1 has been addressed in this report, it is noted that the use of the severed lands as a senior's community has already been approved by the OLT. Details regarding how the site is designed are being reviewed and assessed through the concurrent site plan application. As part of the site plan application a Construction Management Plan will be required to mitigate construction-related impacts, compliance with the Zoning By-law will be confirmed, and an Environmental Site Assessment will be reviewed to confirm the site is suitable / safe for a sensitive land use.

CONCLUSION

That application B23/11 (1423) conforms to all relevant Provincial and Regional policies, the Livable Oakville Plan and does not conflict with the regulations of the applicable Zoning By-law 2014-014, as amended. It is on this basis, Staff recommends approval of consent application B23/11 (1423) subject to the conditions attached as Appendix "A"

Submitted by:



Riley McKnight,
BURPI
Planner, Current
Planning

Reviewed by:



Paul Barrette,
MCIP, RPP
Manager, Current
Planning
West District

Approved by:



Digitally signed by
Gabriel Charles
Date: 2025.01.16
15:39:14 -05'00'

Gabe Charles,
MCIP, RPP
Director, Planning
Services

APPENDIX A - CONDITIONS OF APPROVAL B23/11 (1423)

1. That the owner/applicant submit a digital copy of the reference plan showing the lands to be conveyed and a registerable legal description of the lands to be conveyed, to the Secretary-Treasurer, prior to the issuance of consent.
2. That the owner/applicant submit to the Secretary-Treasurer a final certification fee payable to the Town of Oakville at the rate prescribed at the time of payment.
3. That the owner/applicant provide proof of payment of any outstanding property taxes at the time of the issuance of consent to the satisfaction of the Town of Oakville Finance Department.
4. That St. Volodymyr Cathedral of Toronto enter into a Deferred Conveyance Agreement with the Town of Oakville for the protection of the Natural Area, to the satisfaction of the Director of Planning & Development and the Legal Department.

5. That the applicant shall enter into a Letter of Undertaking with the Region of Halton to ensure water and wastewater services are appropriately secured through a Servicing Agreement or other means, as identified by the Region, to the satisfaction of the Region of Halton.

Note: It is the expectation that all water and wastewater concerns, as identified by the Region through the development of the subject lands, will be addressed prior to the issuance of Final Site Plan Approval

APPENDIX “B” – STAFF & AGENCY COMMENTS

With respect to B23/03 (1423) the following Departments/Agencies have indicated no comments or concerns with the proposal:

- Building Services – Plan & Code Review
- Building Services – Zoning
- Fire Prevention

Legal Department

The owner/applicant is to pay cash-in-lieu of parkland dedication, in accordance with provisions of Section 53 of the *Planning Act*. The owner / applicant is to contact the Towns Manager of Realty Services following provisional consent being final and no later than 60 days prior to the lapsing date of the conditions associated with such approval to arrange coordination of the necessary appraisal.

Oakville Hydro

We do not have any objection with Notice of Consent Application B23/11 (1423). Please note, Oakville Hydro's existing pipeline, along Fourth Line, appears to be within Part 2 of the survey.

Parks and Open Space

1. Removal of Town trees: #25-28 and #30-31 for feature walls. Please explore alternatives to preserve these trees while still accommodating the feature walls. This should be addressed within the arborist report and details shown on the tree protection/preservation plan based on arborist recommendations.
2. The arborist report should include a more accurate inventory of town trees parallel to Dundas Street West: There are trees missing or incorrectly identified
3. Removal of Private trees: #185,187-188 and Trees #307-310 in outdoor amenity areas. Consider preservation as these trees are in good condition and have no conflict with construction.

4. Replanting plan is to be submitted factoring in 1 replacement trees for every 10cm of by-law regulated (>15cm) removed.
5. Town trees proposed for removal will require appraisal and an amenity value paid to the town if removal granted by the Town.

Halton Region

Due to recent Provincial legislation, as of July 1, 2024, the Halton Region's role in land use planning and development matters is changing. The Region will no longer be responsible for the Regional Official Plan – as this will become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters.

As outlined in the MOU, the Region has an interest in supporting our local municipal partners by providing review and comments on a scope of interests that include:

- Water and Wastewater Infrastructure;
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional right-of-ways;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g. sourcewater protection, public health); and
- Other Regional services that have a land component.

Background:

Regional staff are forwarding comments in response to the requirement of revised conditions of approval. The application has been made for Consent for the creation of a New Lot from the existing lands occupied with St. Volodymyr Cultural Centre and cemetery. The purpose of the application is to convey the vacant portion of the northern east quadrant of the lands shown as Parts 1, 2 and 3 on the severance sketch, being approximately 46,233.00 m² in area with frontage on Dundas Street of 161.30 m (zoning by-law definition) and a depth of approximately 220.00 m. Part 1 of the proposed new lot will be a developing area for the future development of a senior citizens' community. Parts 2 and 3 comprise the Natural Area on the severed lands which is proposed to convey to the Town. The retained Part 4 is approximately 223,291.00 m² in area with an approximate frontage on Dundas Street of 61.40 m (street limit) and a depth of 920.00 m.

The proposed development is being reviewed in conjunction with the associated Zoning By-law Amendment (file Z.1423.07) and Site Plan application (S.P.1423.006/01). Regional staff understand the Zoning By-law Amendment application was appealed to the Ontario Land Tribunal (OLT) (Case No. OLT22-003970) based on neglect or refusal of the Town of Oakville to make a decision on the requested amendment. The OLT approved the Zoning By-law Amendment application in principle and withheld its Final Order pending the following conditions being met:

- The Tribunal has received and approved the ZBA submitted in a final form, confirmed to be satisfactory to the Appellant and the Town, copied to the other Parties;
- The Tribunal has received written confirmation from the Appellant, copied to the other Parties, that the Appellant and the Region have agreed upon a water servicing solution for the Proposed Development; and,
- The Tribunal has received written confirmation from the Appellant, copied to the other Parties, that the Appellant and the Region have agreed upon a wastewater servicing solution for the Proposed Development.

Please note that this letter supersedes the previous letter issued on November 8, 2024. Regional comments per municipal servicing have changed. Regional comments on waste management, transportation, and finance generally remain the same.

Regional staff has no objection to the above-referenced application, subject to the conditions outlined in *Schedule A*.

Water and Wastewater Servicing:

In accordance with the MOU and to ensure water and wastewater services are provided in accordance with Regional requirements, Halton Region provides the following comments.

The following information is a review of the existing services adjacent to the subject lands, and Regional Servicing comments and conditions as they relate to the proposed development:

Watermain:

- A 1200mm dia. watermain is located on Dundas Street West adjacent to the property.

Sanitary Sewer:

- Two 750mm dia. sanitary sewer forcemains are located on Dundas Street West adjacent to the property.

Please note that the property was subject to a previous zoning amendment application (Z.1423.07) and a site plan application (S.P.1423.07).

Within the 2nd submission, Regional staff noted the following:

- A Functional Servicing Study (FSS) prepared by R. V. Anderson Associates Limited, dated September 2020, was submitted previously with the zoning application for this development. A revised FSS (dated December 2021) was submitted previously with the second submission of the zoning application. A Functional Servicing and Stormwater Management Study (dated October 2022) was submitted with the submission of this site plan application.

Within the revised 2nd submission, Regional staff note that the applicant shall enter into a Letter of Undertaking with the Region of Halton to ensure water and wastewater services are appropriately secured through a Servicing Agreement or other means to the satisfaction of the Region of Halton

Regional conditions related to municipal servicing matters on this application are outlined in *Schedule A*.

Waste Management and Transportation Development Review:

Regional Waste Management and Transportation Development Review staff note that comments will be offered through the associated Site Plan application (S.P.1423.006/01).

Finance:

The Owner will be required to pay all applicable Regional Development Charges (DCs) in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, a portion of the Regional DCs for residential units may be payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery Payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website at <https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment> to obtain the most current information which is subject to change.

Conclusion:

In accordance with the MOU and to support Regional and local objectives, to ensure water and wastewater services are provided in accordance with Regional requirements, transportation are provided per Regional requirements, and to ensure an effective Regional infrastructure.

Regional staff have no objection to the proposed application, subject to the conditions outlined in *Schedule A*.

Metrolinx:

Dear Committee of Adjustment,

Metrolinx is in receipt of the Consent application for 1280 Dundas St to sever a portion of the existing lands (Part 1, 2 and 3) to create a new lot for the purposes of developing a senior citizens' community as circulated on January 16, 2025, and to be heard at the Public Hearing on January 22nd, 2025, at 7:00PM. Metrolinx's comments on the subject application are noted below.

- The development is adjacent to Metrolinx's proposed Dundas Bus Rapid Transit alignment (Dundas BRT).

GO/BRT - ADVISORY COMMENTS

- (Info) The Region's road widening program from 4 to 6 lanes already anticipates a future conversion to curbside BRT in the future, and at most, curbside transit-only lanes would be painted in a fashion similar to RapidTO in Toronto.

Should you have any questions or concerns, please contact Farah.Faroque@metrolinx.com.

Best Regards,

Farah Faroque

Project Analyst, Third Party Project Review

Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2S3

T: (437) 900-2291

Conservation Halton:

October 13, 2023

Jasmina Radomirovic, Assistant Secretary-Treasurer
Town of Oakville – Building Services Department
1225 Trafalgar Road
Oakville, ON L6H 0H3



Planning & Watershed Management
905.336.1158 | Fax: 905.336.6688
2596 Britannia Road West
Burlington, Ontario L7P 0G3
conservationhalton.ca

BY E-MAIL ONLY (coarequests@oakville.ca)

To Jasmina Radomirovic:

Re: Consent Application
File Number(s): B23/11 (1423)
1280 Dundas Street West, Oakville
Applicant: MHBC Planning c/o Oz Kemal; Owner: St. Volodymyr Cathedral of Toronto

Conservation Halton (CH) staff has reviewed the above-noted application as per our regulatory responsibilities under Ontario Regulation 162/06 and our provincially delegated responsibilities under Ontario Regulation 686/21 (e.g., represent provincial interests for Sections 3.1.1-3.1.7 of the Provincial Policy Statement (PPS)).

Documents reviewed as part of this submission, received on **September 19, 2023**, are listed in **Appendix A**.

Proposal

Application has been made for Consent for the creation of a new lot from the existing lands occupied with St. Volodymyr Cultural Centre and cemetery. The application is asking to convey vacant portion of the northern east quadrant of the lands shown as Parts 1, 2 and 3 on the severance sketch, being approximately 46,233.00 m² in area with frontage on Dundas Street of 161.30 m (zoning by-law definition) and a depth of approximately 220.00 m. Part 1 of the proposed new lot will be a developing area for the future developing of a senior citizens' community. Parts 2 and 3 comprise the Natural Area on the severed lands which is proposed to convey to the Town. The retained Part 4 is approximately 223,291.00 m² in area with an approximate frontage on Dundas Street of 61.40 m (street limit) and a depth of 920.00 m.

Background

CH staff reviewed materials and provided comment pertaining to the associated Zoning By-law Application (File: 1423.07) which was appealed to the OLT (Case: OLT-22-003970). An interim order was issued by the OLT on April 10, 2023 at a settlement hearing with a final order approving the ZBA on September 11, 2023. An associated Site Plan application (File: 1423.006/01) has also been received and CH provided comment on that file on February 2, 2023.

Ontario Regulation 162/06

CH regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. The subject property is traversed by tributaries of Sixteen Mile Creek and is adjacent to the Sixteen Mile Creek Main Branch, and contains their associated flooding and erosion hazards. CH regulates a distance of 15 m from the greater limit of the erosion and flooding hazards associated with Sixteen Mile Creek and its tributaries for this particular site. Permission is required from CH prior to undertaking any development within CH's regulated area and applications for development are reviewed under CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06* (<https://conservationhalton.ca/policies-and-guidelines>).

CH staff have reviewed the severance sketch (dated August 1, 2023) circulated as part of this application, in addition to technical drawings/reports provided through the ZBA/OLT review. The lands to be conveyed to the Town (Part 2) contain the hazard lands and associated CH regulatory allowance (and are zoned Natural Area). The lands to be severed do not contain CH regulated lands and as such, are consistent with CH Land Use Planning Policy 3.3.2.

Provincial Policy Statement (Sections 3.1.1-3.1.7)

CH reviews applications based on its delegated responsibility to represent the Province on the natural hazard policies of the PPS (3.1.1-3.1.7 inclusive).

The new lot does not contain natural hazards. As such, there is no conflict with the natural hazards policies of the PPS.

Recommendation

CH has no objection to the approval of the application subject to the following condition:

1. That the associated Consent Review Fee (*Consents – Minor* - \$2,445.00, as per the current years fee schedule) be submitted to CH.

Please note that CH has not circulated these comments to the applicant, and we trust that you will provide them as part of your report.

We trust the above is of assistance. Please contact the undersigned with any questions.

Sincerely,



Sean Stewart RPP MCIP
Environmental Planner

Letter (s) in support- 0

Letter(s) in opposition – 5

Dustin Small

Wooden Hill Circle
Oakville, ON L6M 4E3

Jen Ulcar

Secretary-Treasurer of Committee of Adjustment

1225 Trafalgar Road

Oakville, ON L6H 0H3

October 22, 2024

Dear Jen:

I am writing to express my strong opposition to the proposed conveyance of lands described in the letter dated Oct. 18, 2024 referencing File No. B23/11(1423) for subject property 1280 Dundas Street West, which is located within 60 meters of my home. Over the past five years, I have endured significant disruption due to the ongoing construction on the north side of Dundas Street, which has resulted in excessive noise and dust. The extent of these impacts has been so severe that I have been forced to power wash the entire exterior of my house multiple times each year.

Allowing another development of this scale in such close proximity will undoubtedly prolong these disturbances, negatively affecting my quality of life and the well-being of other nearby residents. I believe that further development will bring additional noise, dust, and inconvenience, which is unacceptable given the prolonged disruptions we've already faced.

I urge you to provide a negative decision in respect of this request.

Thank you for your attention to this matter.

Sincerely,

Dustin Small

To whom it may concern:

I received your letter regarding plans for development in our area. I thought that this plan had been put forward a couple of years ago and then shelved. I guess that the appropriate palms have been greased now and appropriate donations made to insure you succeed this time.

Regarding the letter I would estimate that the vast majority of recipients in our area have English as a second language and even if not it would take a Bay Street Surveyor with a lunar microscopic to decipher the letter and attachments. I do wish that you would send notices like this in language that regular folks could read. I do have a degree in engineering and although I was not the top of my class I am not sure I have figured out what you are up to.

My biggest concern relates to the land bordering Proudfoot Trail and Falkland Crescent. What do those two dotted lines mean? Is that property now up for grabs to develop on it whatever the City decides? When we purchased our home some 20 years ago we had to sign off that we had no issue with the soil in the cemetery behind us as it was contaminated. Has that issue gone away? Does the present proposal open the door for further development on the property?

Does the 60 feet mentioned in the letter include this specific property (lot 48); we are a long way from what I assume is the development off Dundas and 4th Line.

Gene d'Entremont

Falkland Crescent; Lot 48

Good morning Jen,

I am submitting written comments regarding File No.: B23/11(1423) (I am referencing the "File No.", because could not find the "application number" in the document sent to me.).


The reason I am submitting comments is due to the attached Consent Severance Sketch being illegible to me. I have attached photos of the documents.

I request that the documents be resent to me legibility so that I am able to read the documents and comment on them.

I am also concerned that the land in question is contaminated. It is my understanding the homes that were previously built on St. Vlodomyr's land (Falkland Crescent) were built on contaminated land.

Best regards,

Ryan Bellamy

 Proudfoot Trail

Re. File No.: B23/11(1423)

Secretary-Treasurer of Committee of Adjustment

Town of Oakville

1225 Trafalgar Road

Oakville, ON L6H 0H3

Dear Secretary-Treasurer,

Re: Objection to Property Splitting Proposal - [1280 Dundas Street West Con 1 SDS PL Lot 23/ File No.: B23/11]

I am writing to express my strong disapproval of the proposal currently under review to split the property belonging to the St. Vlodomyr Cathedral of Toronto and Cemetery adjacent to my home. I believe this proposal, and the resulting zoning changes it would enable, would have a significantly detrimental impact on the surrounding community, including myself and my neighbours.

I understand that the proposed property division is being presented as a precursor to selling part of the land to a developer for a large retirement community, which would include a high-rise tower and numerous townhomes. I am deeply concerned that this proposal could set a dangerous precedent for overdevelopment in the area, potentially undermining the character of the neighbourhood and reducing the quality of life for residents. My specific objections to the proposed land split and development include the following points:

1. Lack of Clarity Regarding the Property Split

The maps provided in the Town's notice are illegible and unclear, leaving me uncertain about exactly what part of the property is being subdivided. Without proper, legible documentation, I am unable to assess the full scope of the proposal and its potential impact on the surrounding area. I believe this lack of transparency is an oversight, and I urge the Town to provide clearer, more detailed maps for public review before proceeding further.

2. Concerns Over Loss of Taxable Land

It appears that part of the land being split will be returned to the Town, which raises a number of concerns. Once land is reverted to the Town, it is no longer taxable, potentially placing a greater burden on existing taxpayers. I do not believe it is in the best interests of the Town or its residents to reduce the taxable land base without clear and compelling justification.

3. Impact on Property Values and Quality of Life

I purchased my home with the understanding that the land behind my property was zoned as cemetery

and open space, ensuring that the area would remain quiet and free of high-density development. The proposal to split the land and develop a high-rise tower and townhomes in close proximity to my home will significantly alter the character of the area and compromise my quiet enjoyment of my property. Increased traffic, noise, and the general disruption of a construction project of this scale would negatively impact my quality of life, as well as that of other residents in the area.

4. **Long-Term Concerns About Further Development**

I am also concerned about the future of the Ukrainian cultural center itself. If this property split is approved, there is a very real risk that the cultural center, along with its adjacent land, could eventually be sold to developers for further high-density residential or commercial projects. This would not only exacerbate the issues mentioned above but could also erode the cultural and historical significance of the site, which is an important community resource for the Ukrainian-Canadian population in Oakville.

5. **Incompatibility with Town's Zoning Plan**

The current zoning of the property is not consistent with the type of high-rise development proposed by the developer. The Town's Official Plan, as I understand it, does not permit high-rise towers or residential buildings on this land, which was specifically designated for cemetery and open space purposes. Approving this property split and subsequent rezoning would be a significant deviation from the Town's long-term planning vision, and I believe it is essential to maintain zoning integrity in this area.

In conclusion, I respectfully urge the Committee of Adjustment to reject the proposal to split the property. This action would pave the way for high-density development that is not in keeping with the current zoning or the character of the surrounding neighbourhood. I am deeply concerned about the negative impacts this project will have on the local community, and I believe the Town must prioritize the preservation of its existing open space and the protection of residential quality of life.

Thank you for considering my concerns. I trust the Committee will give these issues the careful attention they deserve.

Sincerely,
Andrew Ion

To Whom It May Concern,

I am writing with questions concerning the application made by St. Vlodomyr Cathedral of Toronto for consent to the Town of Oakville about the lands/property at 1280 Dundas Street West.

My question is regarding Parts 2 and 3 that are proposed to be conveyed to the Town. Can you please confirm whether either of these Natural Areas are protected or whether the Town could in future decide to develop either parts of these lands, including reopening the road that would reconnect Fourth Line all the way through to Part 4.

Can you also please confirm where the proposed senior citizen's community entrance would be?

Is it possible to get a digital map that is expandable and therefor easier to see? The map you mailed is too small to read and understand exactly what is being proposed.

Regards,

Nikki and Tony Mutch

Sharon Coyne
Sharon Coyne
Assistant Secretary-Treasurer