

From: Communications Director

Sent: February 18, 2025 10:25 AM

To: Sean O'Meara ; Jonathan McNeice Ray Chisholm Cathy
Duddeck Janet Haslett-Theall ; David Gittings; Allan Elgar; Peter Longo ;Marc Grant ;Jeff
Knoll ;Natalia Lishchyna ; Tom Adams ;Nav Nanda ;Scott Xie ; Mayor Rob Burton ; Town
Clerks ;Jessica Warren ; Vicki Tytaneck ;

Subject: [EXTERNAL] Midtown OPA Meeting - Reject Staff Recommendation in report dated
February 4, 2025

Good Morning,

The staff report outlines the recommendation in the Conclusion as, "Adoption and approval of the recommended OPA will allow the Town and development community to work together to achieve the goals and objectives of the Livable Oakville Plan."

We encourage you to vote against this recommendation or delay the vote until such time that the issues outlined in our correspondence dated January 24, 2025, attached and previously delivered are dealt with.

In addition, we encourage Mayor Burton to not use his strong mayor powers should the opportunity arise to accept the proposed OPA, which would be consistent with his past comments about these powers outlined in the attached PowerPoint from a presentation on April 22, 2024.

Sincerely,

Board of Directors

Oakville Community Association (OCA)



January 24, 2025

REMAINING ISSUES WITH MIDTOWN OPA

Dear Mayor Burton and Members of Oakville Council:

RE: Midtown and the Proposed OPA

In advance of the Planning and Development Council meeting on February 18, 2025, we submit the following for consideration:

Building Heights

The proposed draft OPA will only indirectly limit the height of buildings in Midtown by incorporating a maximum 6 FSI, but this respectively will not address the concerns of many Oakville residents who do not want to see tall towers for many reasons, including the fear that tall towers will lead to the destruction of the fabric of the Town of Oakville.

Schedule L4 reflects building threshold heights of up to 20 storeys, which is acceptable, but the additional wording states, "Additional height beyond the threshold may be permitted through a development permit or through a rezoning application." It is likely additional height will be approved in order to receive development charges.

The OPA should include clear wording with a maximum height for buildings in terms of storeys to reduce the chances that the Town will no longer be livable, and to prevent excessive density far beyond the Provincial requirements.

From a legal perspective, it should be recognized, without the OPA containing a clear maximum for buildings in terms of storeys, this will create future issues during Appeals at the Ontario Land Tribunal. It will be difficult defending a related Appeal without a clear maximum contained in the OPA.

Finally, without a maximum number for storeys in the OPA a developer could build a very tall skinny building that still adheres to the maximum FSI, but this building would not fit the fabric of Oakville, resulting in a development not being accepted its residents.

Traffic and Transportation

The Staff Report dated January 9, 2025, as presented at the Planning and Development Council Meeting on January 20, 2025, hereinafter referred to as “Staff Report”, confirms that, “The transportation network is generally informed by the Midtown Oakville Transportation and Stormwater Class Environmental Assessment, 2014.”

In addition, the staff report states, “Through the Midtown Implementation Program, a Midtown Transportation Plan will be completed to inform the ultimate configuration of future rights-of-way (ROW) for all mobility uses (transit, active transportation, vehicles, and pedestrians).”

Policy 20.5.2 (a)(v) of the proposed OPA “recognizes that the ultimate provision and configuration of the total network is subject to studies, which among other matters will consider and ensure that the network contributes positively to the environment and the mobility network. Should studies determine otherwise, the Town will need to consider SUBJECT: Proposed Midtown Oakville and Community Planning Permit System Official Plan Amendment alternatives and make amendments to the Plan if needed.”

An updated transportation study should be completed, assessed and incorporated into the proposed OPA prior to a vote being undertaken in order that a) the total transportation infrastructure is known to the Town and present and future developers; and b) no future development will create traffic chaos to the Town’s transportation system.

Cost of Infrastructure

On page 20 of the Staff Report, the report touches on the funding and cost of redevelopment, and that 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 will be, which the tax payors will be responsible for, and this is concerning because it appears that this amount will be

higher based on the percentage being stated above. The need for additional costs to pay for an upgraded transportation system to prevent transportation chaos above the \$330 million already estimated is also not known.

Section 20.2 – Objectives of the proposed OPA states "As Midtown develops, the Town will, through public actions and in the process of reviewing planning applications, use the following objectives to guide decisions."

Sections 20.2.2 of the proposed OPA discusses objectives relating to infrastructure as follows:

(f) "coordinating public investment, infrastructure and civic facilities to support future growth in accordance with Town master plans."

(g) "ensuring future population and job growth as accommodated through efficient use of infrastructure and capital planning."

Section 20.2.3 (d) states, "ensuring future population and job growth is accommodated through efficient use of infrastructure and capital planning on an ongoing basis."

We are concerned that the wording in the proposed OPA appears to link the infrastructure required to meet the Midtown objectives with ongoing review of planning applications. We are not comfortable with infrastructure needs for Midtown being decided as the applications are being received and reviewed due to recent announcements in Oakville. In particular, the implementation of a tax of approximately \$200.00 per household relating to the Rainwater Management Plan. Evidence is that stormwater management infrastructure was not properly identified and estimated over 20 years ago. This plan estimates that \$732 million will be required to upgrade the Town's storm sewer pipes, culverts, creeks, shorelines, ponds, ditches and harbours over the next 30 years.

The infrastructure for Midtown needs to be confirmed now and built in advance of any development with a significant contribution from the Province plus additional amounts on top of development charges from the developers such was the case when the Smith Triller Viaduct was initially planned in 1984 and completed in 1993. The total cost of the Smith Triller Viaduct was approximately \$33 million, and the Province covered approximately 70% of the cost with three developers contributing \$1 million each in addition to the development charges.

If the Midtown related infrastructure is planned and built now then Oakville and more particularly the Oakville residents will not be on the hook for additional taxes related to bad planning for infrastructure at Midtown, as they are for the bad or non-existent stormwater management planning that has now led to playing catch up with the Rainwater Management Plan.

Provincial Density Target

The growth target for Midtown of 200 residents and jobs per hectare by 2031 was established by the Province and reconfirmed by the Region.

The Staff Report dated January 9, 2025, states, “The forecast for Midtown (at 29,900 residents and jobs) is set to 2051” and that “The long-term Midtown projection (estimated at nearly 54,550 residents and jobs)”, which translates into 288 and 524 residents and jobs respectively.

A Midtown with the Provincial growth target of 200 residents and jobs or approximately 20,000 would provide for more flexibility and allow for Midtown to be mirrored after a city such as Copenhagen, Denmark. A Midtown could be built similar to the neighbourhood of Nørrebro in Copenhagen, that has a density of 19,231 residents per square kilometre and achieves high density with low rise buildings. The development could become a destination with a focal point and not just a concrete jungle comprised of high-rise towers such as in Manhattan.



Nørrebro District

We encourage you to vote against approving the Midtown OPA or delay the vote until such time that these issues are addressed, and solutions implemented into the OPA.

Sincerely,

Board of Directors

Board of Directors
Oakville Community Association (OCA)

Cc MPP Stephen Crawford
MPP Effie Triantafilopoulos

Our Vision

The Oakville Community Association wants to contribute to creating an engaged, safe, caring, and vibrant community where all residents enjoy a positive quality of life



PLANNING AND DEVELOPMENT COUNCIL APRIL 22, 2024

MIDTOWN PROPOSED OFFICAL PLAN AMENDMENT

IMPACT OF STRONG MAYOR POWERS ON MIDTOWN OPA

The “strong mayor”
plan hands
one person
too much power.



MAYOR BURTON GRANTED STRONG MAYOR POWERS EFFECTIVE JULY 1, 2023

The legislation gives the mayor veto powers over bylaws that conflict with provincial priorities such as building housing.

Strong mayor powers offer tools to help heads of council cut red tape and speed up the delivery of key shared municipal-provincial priorities such as housing, transit and infrastructure in their municipalities.

WHAT ARE STRONG MAYOR POWERS?

Strong mayor powers and duties include:

- **Choosing to appoint the municipality's chief administrative officer**
- **Hiring certain municipal department heads, and establishing and re-organizing departments**
- **Creating committees of council, assigning their functions and appointing the chairs and vice-chairs of committees of council**
- **Proposing the municipal budget, which would be subject to council amendments and a separate head of council veto and council override process**
- **Vetoing certain by-laws if the head of council is of the opinion that all or part of the by-law could potentially interfere with a provincial priority**
- **Bringing forward matters for council consideration if the head of council is of the opinion that considering the matter could potentially advance a provincial priority**

WHAT CAN MAYOR BURTON DO WITH THESE POWERS?

Those powers allow him to veto majority council decisions that he thinks conflict with provincial priorities, such as increasing housing supply or building infrastructure unless $2/3$ of town councillors vote against his veto.

RESULT: The majority of council which would be 8 members could vote against the Midtown Official Plan Amendment, but Mayor Burton could veto this, and that veto would stick unless 10 members ($2/3$) disagreed with the veto.

MOTION TO OPPOSE STRONG MAYOR POWERS

January 30, 2023

Council voted unanimously during its Monday, Jan. 30 meeting to officially oppose Bill 3, the Strong Mayors, Building Homes Act, 2022, and Bill 39, the Better Municipal Governance Act, 2022.

Council, including Burton, voted unanimously to oppose the province's Strong Mayors legislation.

Burton made his thoughts clear on strong mayor powers back at a meeting on Jan. 30, 2023 when he joined Town Council in a unanimous vote on a motion to oppose the legislation that was then granted to the mayor of the cities of Toronto and Ottawa.

THE MEDIA REPORTS

OAKVILLENEWS.ORG

'Affront to democracy': Strong mayor powers abandon principle of majority rule

Kim Arnott
Jun 19, 2023 12:00 AM
Updated Jun 19, 2023 3:23 AM

Mayor vague about his intended use of strong mayor powers

Kim Arnott
Jul 13, 2023 10:00 AM

DEMOCRACY | POLITICS

Strong mayor powers in Ontario are a gross violation of democratic principles

Sacrificing local democracy to shift political responsibility for the housing crisis to mayors sets a dangerous precedent.

By [Jack Lewis](#), [Maurit Frank](#)
December 16, 2022

THE OAKVILLE BEAVER

Oakville mayor and council say province can keep Strong Mayor Powers

OAKVILLE
The Beaver • By [David Lee](#) [David Lee](#) [David Lee](#)
Monday, February 21, 2022 • 2 min to read

'Not democracy': Strong-mayor powers now in effect in Oakville

Burton not taking new authority lightly

OAKVILLE
The Beaver • By [David Lee](#) [David Lee](#) [David Lee](#)
Monday, July 17, 2023 • 2 min to read

INHALTON

in-HALTON **ORANGE CITY** |

As for new strong powers, Oakville mayor says 'there's no I in team'

Oakville | Halton | Latest News | Politics

By [Gene Pereira](#)
Published June 19, 2023 at 1:27 pm

QUOTES OF COUNCIL MEMBERS Reported in the Media

“Any time that five members of council can control the other ten members of council, we have a problem.” - Councillor Elgar

“It’s kind of like it’s not democracy anymore, a true democracy...It’s not one vote for every head. It’s weighted.” - Councillor Elgar

“The new rules would allow five of Oakville's 15 council members to decide on a budget or land use plan for the town.” – Councillor Haslett-Theall

“It doesn't lead to better democracies that way and never has through history.” – Councillor O’Meara

“Frankly, the mayor wasn't elected by the people of Oakville to have powers to veto us as elected representatives.” – Councillor Haslett-Theall

“The new powers are an affront to democracy that take away the rights of the community to have their representatives stand up for their values and expectations.” – Councillor Knoll

“It’s great news our Council voted unanimously against this anti-democratic move...Our mayor was extremely vocal against it.” – Councillor O’Meara

COMMENTS OF MAYOR BURTON

“I will continue to serve as a mayor that wants to be known for collaboration and team work,” said Burton on Jan. 30. “There is simply no other way to accomplish anything for our residents. I am guided by an old proverb, ‘If you want to go fast, go alone. But if you want to go far, go together.’ I have striven that we go together.” – InHalton – July 10, 2023

“That’s why I continue to say I cannot imagine ever needing to use strong mayor voting and veto powers.” September 2023 State of the Town Address

“There is no ‘I’ in team and there’s no possible way we can enjoy the successions and accomplishments in Oakville and Halton that we have achieved without approaching our work as ‘Team Oakville,’” he said. “Our strong councils have done a lot for an officially weak council, weak mayor system.” InHalton – June 19, 2023

OCA ENCOURAGES:

- **To listen to the residents and Residents' Association and discount the work done by the Consultants on the OPA as they did not listen to the residents or members of Council.**
- **Let democracy work as it was intended.**
- **Mayor Burton to not use his Strong Mayor Powers should the opportunity arise to receive or accept the proposed OPA, which would be consistent with the precedent set to date of not using these powers.**
- **Do not allow one individual to decide the fate of Midtown and ultimately the fate of Oakville's future.**

CONCLUSION

- **Strong Mayor Powers should not be used as it relates to Midtown and in fact Oakville should have officially turned down the powers like Newmarket, New Tecumseth, Norfolk County and Haldimand County did.**

Toronto

4 Ontario municipalities turn down strong mayor powers

Some mayors concerned about provincial housing targets attached to new powers

[Allison Jones](#) · The Canadian Press · Posted: Nov 10, 2023 12:13 PM EST | Last Updated: November 10, 2023



Sincerely,

OCA Board of Directors