

February 14, 2025

Our Project: OL.OA

VIA EMAIL – townclerk@oakville.ca
midtown@oakville.ca

Re: Midtown Oakville and Community Planning Permit System Recommended Official Plan Amendment – February 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.

Although we appreciate the time and effort that Staff have dedicated to this project, and the opportunity to provide feedback on the Recommended Official Plan Amendment for Midtown Oakville, we are disappointed to see that our concerns with regards to as-of-right heights, tower separations, tower floor plate size and percentage of non-residential uses raised in our most recent letter dated January 16, 2025 (re-attached to this letter as Appendix A) have not been addressed in the recommended Official Plan Amendment.

Yours very truly,
SGL PLANNING & DESIGN INC.



Paul Lowes, MES, MCIP, RPP
Principal

c.c. Stephen Waque
Gabe Charles
Sybelle Von Kursell

Appendix A



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Toronto, Ontario M6P 1A5
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✉ info@sglplanning.ca

January 16, 2025

Our Project: OL.OA

VIA EMAIL – townclerk@oakville.ca
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 25th 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.

Appendix A



page 3

Yours very truly,
SGL PLANNING & DESIGN INC.

A handwritten signature in black ink, appearing to read 'Paul Lowes', is written over a light gray rectangular background.

Paul Lowes, MES, MCIP, RPP
Principal

c.c. Stephen Waque
Gabe Charles
Sybelle Von Kursell

February 12, 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**

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 dated June 7, 2024, December 17, 2024 and January 16, 2025, we are pleased to provide this Comment Letter in relation to the ongoing Midtown Oakville Growth Area Review (the 'Midtown Review'), which we understand will be considered by the Planning and Development Council on February 18, 2025.

As Staff and Council are aware, the Owner and GSAI have been actively participating in the Midtown Review and the concurrent Town Official Plan Review processes. We understand that the Midtown Review has culminated in a Town-initiated Official Plan Amendment No. 70 ('OPA 70') 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 February 2025. We appreciate the efforts Staff have made to address our concerns, but based on our review of the draft Amendment and further to our previous comments, two (2) aspects remain a concern. These are further described below.

1. Housing

OPA 70 presents a refined policy framework for lands across the Midtown Oakville community. This includes area-specific housing policy established by Policy 20.4.1.c. We remain concerned with Policy 20.4.1.c.iii which states that "Multi-unit development shall provide, at a minimum, 35% of the units with two or more bedrooms". This policy as drafted is problematic and we again request that this policy be modified. While we understand the intent and objective of the policy, the policy as drafted is restrictive and in practice will challenge the delivery of much needed housing units in appropriate locations, in the midst of a Provincial housing crisis. Additionally, requiring larger, family-sized units does not always reflect market trends or the reality that housing options for families will require a selection of housing units and price points. We continue to request that the policy be modified to encourage a reduced percentage (25% or less) of family-sized units or remove this policy to remove a barrier to the delivery of much needed housing units in appropriate locations across the Midtown Oakville community.

2 Parkland

The draft Amendment continues to direct that a network of parkland is to be provided across the Midtown Oakville community as a whole in order to serve current and future residents. As context, OPA 70 by way of Schedule L6, Midtown Oakville Active Transportation, identifies the Subject Lands as an appropriate location for a new public park and an off-road active transportation connection. While we acknowledge that the park is labelled as 'Park (Conceptual)' on Schedule L6, we remain concerned with the policy direction that a new public park is intended to be accommodated on the Subject Lands given there are no plans to redevelop the Site. In our opinion, a more suitable location would be on an adjacent property so that the park can remain internal to the Trafalgar District precinct but are also the subject of active development applications. Furthermore, placement of the park in the manner described would enable support for complete community objectives, including supporting the envisioned active transportation network and would also enable the delivery of much needed public parkland much earlier given the timing of redevelopment of the Subject Lands may be past the 2051 planning horizon.

Summary

In summary, we are supportive of many aspects of the Midtown Oakville Official Plan Amendment as currently drafted, but are also concerned with the above-noted aspects. Accordingly, we request that specific modifications be made. We thank you for the opportunity to provide comments and ask that you notify us of Council's Decision. 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

From: Nicholas Hutchins
Sent: Monday, February 10, 2025 12:18 PM
To: Nawar Mahfooth; Franca Piazza
Cc:

Subject: Midtown Oakville and Town-wide - File No. 42.15.59 - Ward No. 1 to 7
Attachments: To Revitalise Oakville's Downtowns, The New Town Hall Should Be Built Downtown And Twinned With A New Two Stage Theater Complex!.pdf; 2016 Traffic Relief for the Midtown Area 30 January 2024.pdf

Hi All,

FYI: I don't know if you would be interested in the enclosed, but when I was Ward 3 Town Councillor in 2016, I wrote the enclosed two white papers. The first is for when the present

Town Hall is demolished for a road accessing the new bridge over the QEW. The new Town Hall should, in my opinion, be built to encourage people to go downtown. Unless one is interested in having a town hall in the middle of a mall like Mississauga, cities worldwide have their town halls downtown, so the town halls remain visited and relevant.

Downtown Oakville and Kerr Street are always having stores go bust because of the high rents and limited foot traffic. By locating the new Town Hall downtown by 16 Mile Creek, out to the present footprint of the old swimming pool (it is grandfathered, so Conservation Halton should not object), the Town Hall could remain 5 stories and low-key, but there would still be plenty of capacity for Oakville's growth with plenty of underground parking available during busy times. In addition, next to the underground parking, with the riverbank slope, it would be easy to have two adjacent 1000-seat theatres adjacent to the Town Hall, which with the town hall, would attract more people downtown at all times of day, increasing the foot traffic and helping the stores. If properly designed, this new Oakville Town Hall could also have restaurants, cafes, etc., built-in as part of a Town Hall all overlooking 16 Mile Creek.

My business sells in-pavement lights to improve road and airfield safety, so it deals with traffic issues. The second white paper was my recommendation to reduce traffic congestion around Midtown. Although they have had them before, when I heard that Midtown could have more than 50,000 people, I updated and presented the traffic recommendations to the Town again in January 2024.

I left office in 2018, so Oakville has had both of these white papers for a while.

I was also part of the TCRA committee for 16+ years, both before and after my ward 3 Council times, I have participated in numerous Town meetings and even contacted the Midtown designers and engineers about the traffic issues. In my opinion, with the proposed density, traffic is a huge issue, and so is open space for the residents. For the open space, at the very least, there must be more non-vehicle connectivity (walk and bicycle paths) between all the disparate small open park areas around Midtown. With some +50,000 people, such concentrations of people must have built-in easy-access open parks.

I hope this is of interest and helps.

All the best,

Nick



TO PROVIDE AN ENGINE OF GROWTH, REVITALIZING AND PROVIDING LONG TERM STABILITY AND HEALTH TO OAKVILLE'S DOWNTOWNS, THE NEW TOWN HALL, WITH A TWO STAGE THEATER COMPLEX, SHOULD BE BUILT ON CENTENNIAL SQUARE.

ABSTRACT;

The Provincially mandated, Midtown intensification, requires a new north / south QEW bridge. An access road to new bridge will go through the present Town Hall, so **Oakville will be needing a new Town Hall!!**

White Paper on Revitalising the Downtown, by Building the New Town Hall and a New Two Theater Complex on Centennial Square.

Councillor Nick Hutchins
2016

To Revitalise Oakville’s Downtown, The New Town Hall Must Be Built Downtown, And Twinned With A New Two Stage Theater Complex!

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If the amalgamation of Oakville with the rest of Halton occurs, then the revitalization of the Downtown will become much more difficult. To dramatically increase Downtown’s foot traffic, the Downtown needs ongoing, all day, economic activity and evening public presence, so Midtown’s +12,000 residents will become even more critically important to its revitalization.

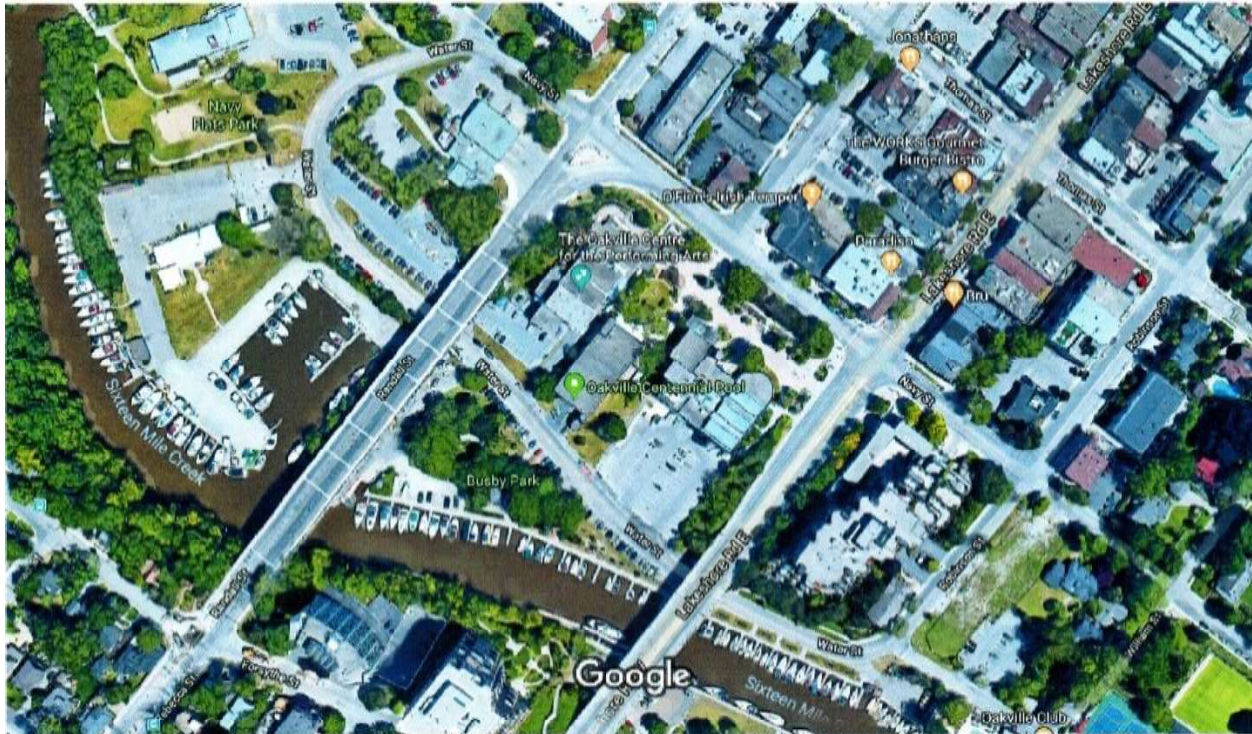
To Revitalise Oakville's Downtown; Why The New Town Hall Should Be Built Downtown And Twinned With A New Two Stage Theater Complex!

Executive Summary: The Province has mandated the intensification of the Midtown development area on the north parking lots of the Go Station as “A Places to Grow” area. Here, some +12,000 or more people will be living in new condominium complexes there and to the east of Trafalgar Road, there is to be some 8,000 – 10,000 new jobs on the employment lands.

The Midtown complex and the employment lands people are vital for Oakville's Downtown's revitalization.

To accommodate this intensification, approximately +\$165 million in new infrastructure will needed to be built. A key part of this will be a new North / South bridge built across the QEW from the Iroquois Shore area, across the QEW to a new Cross Avenue, located east of Trafalgar. **One of the new access roads (White Oaks Blvd.) leading directly to this new bridge will be going right through the present Town Hall.** As a result, **Oakville will need a New Town Hall prior to this bridge's construction.**

Centennial Square from the south.



Water Street will be closed between the two bridges and a new open-air amphitheatre is being built on Busby Park. I suggest, as part of a new Town Hall / Two Theater Complex, with restaurants, that a large patio be placed there overlooking 16 Mile Creek. Should this be done, Oakville Residents would have regained access to sit and enjoy the river, a key Resident demand in all of Oakville's many, many surveys over the years.

Therefore, within the next 10 - 20 years, Oakville will need a New Town Hall. **This provides a huge opportunity to revitalize and help the Downtown, as well as completing Oakville's desire for a New 750 seat and 350 seat Theater Complex, as part of the Downtown Cultural Hub.** Such a year-round, day, and evening, economic engine for the Downtown, would also add underground parking to the area to serve the open-air amphitheatre.

Reasons Why Downtown Oakville Is Having Difficulties and why, if it is To Prosper, Something Must Be Done Both the Short and Long Term.

- Many stores are negatively impacted by high local private rents;
- **There is significant and growing economic impact due to online shopping;**
- All the major malls around Downtown Oakville from Sherway Gardens to Maplegrove Mall in Burlington are upgrading their facilities in the hope of fighting the trend towards online buying and attracting more traffic / buyers. This makes it harder to attract visitors to the Downtown;
- According to JC Williams Study Group, (Town's web site <https://www.oakville.ca/assets/general%20-%20town%20hall/dtplan-economicstudy-14jun26.pdf>), the diversity and mix of the Downtown stores is not optimal for the changing demographics;
- The time many stores are open and / or closed is not optimised for local commuter buyers, who are gone in the mornings and are not back before 6:00pm., as many stores are closed by then.
- The population living in and around Downtown is too small and there is limited office space to have sufficient numbers of shoppers during the day to support all the stores and restaurants, therefore, tourist incomes are a must;
- Downtown Oakville as a tourist destination, mainly benefits coffee shops, restaurants, pubs and the like. And, whilst there are some stores doing well many others **are not**.
- The costs of Downtown accommodations and homes are generally too high for younger professional age / family groups. And, those that can afford to live there are often away for winter vacations or summer cottages;
- There are almost no day and more importantly nighttime attractions for the older teenage, young adults, or young professional age groups, as such Toronto, Burlington, or Hamilton attracts spending from these groups;
- There is limited all year-round public access to 16 Mile Creek and Lake Ontario, a key missing element here is that there are no facilities to dine or enjoy a drink near the water. (**Note:** This is one of the key demands from Oakville citizens in all the Oakville surveys);
- Parking is **NOT** free and is **NOT** readily available in peak demand times; Downtown parking is problematical and is an issue both in the quantity of available parking spots at certain times and the present complexity of inputting licence plate numbers at designated parking areas. (**Note:** Whilst the licence plate input is great for the tech. savvy customers as it allows smart phones to remotely add parking time or book parking spots, for many others, this is a huge cause of aggravation);
- Oakville's cultural centers need upgrading or renovating as they are approaching the end of life or are too small for the growing Town of +200,000 <https://www.oakville.ca/townhall/downtown-cultural-hub.html> ;
- The old hospital, used to be only 5 minutes from the Downtown for shopping or restaurants. It has now moved, so all the business from both visitors and workers there has vanished. (**Note:** the

Brampton BIA estimated, that when their similar sized hospital moved from their Downtown, that the Downtown Brampton stores and restaurants lost some \$19 million dollars a year in income);

- There will be major disruptions happening in 2019 to 2021, when Lakeshore Road East is to be sequentially dug up for much needed infrastructure renewal;
- Access to the Downtown in rush hours from the QEW is difficult because of the traffic congestion around the QEW area;
- Access to the Downtown from the QEW will become even more difficult during the Midtown Construction. The timing of this is dependent on major infrastructure being built **prior to the condominium developments or access to the Downtown will be severely impacted from the North and the QEW;**

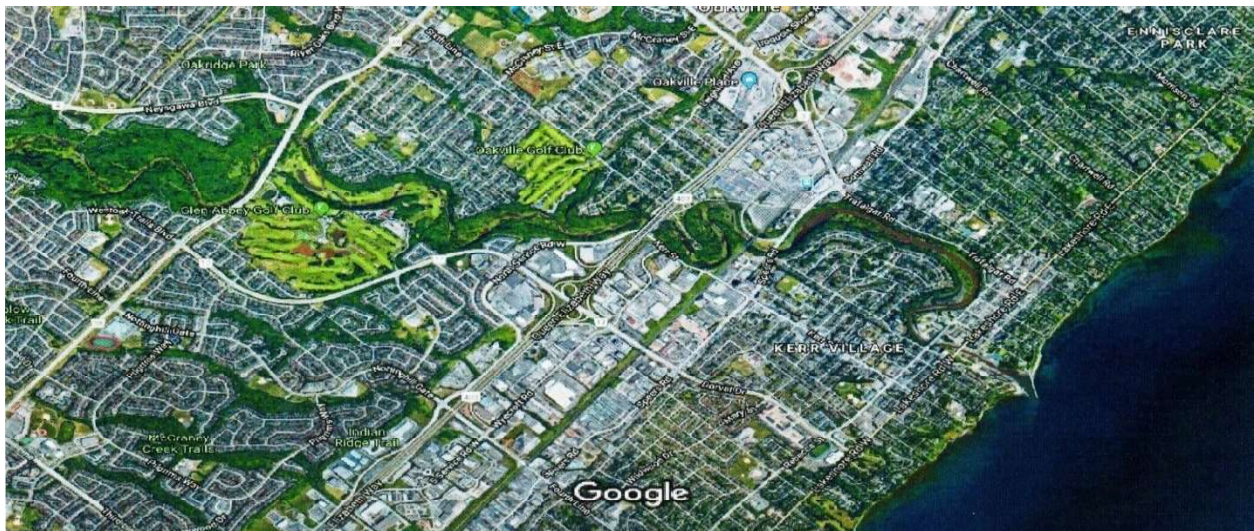
Council and the Downtown BIA and others are working hard on these issues to try to mitigate and minimize their impacts, however, systemic problems like; online shopping; the privately controlled high rents; Provincial mandates such as Midtown; the economy; and other factors are beyond the Town's control.

A major factor that the Town does control is the ability to site the New Town Hall Downtown and build the two new theatres and projects within the Cultural Hub Study: These can significantly help to counteract the above negative trends for the Downtown.

If Oakville is to have a New Town Hall, prior to the development of Midtown when the new bridge across the QEW starts to be built, then one of the main positive impacts that the Town can achieve is to provide for a new economic engine for the Downtown, by moving the New Town Hall there.

We need Our New Town Hall Be Built with a New Two Stage Town Theatre Complex all within Centennial Square, since Centennial Square is the only Oakville owned site able to accomplish this. (For those in doubt, please contact me). The New Town Hall built Downtown is;

- restoring where it was historically located.
- Coupled with a new two theatre Community Theater Complex, with restaurants / pubs hopefully facing 16 Mile Creek, would make a huge economic difference towards the future of the Downtown.
- This combined economic influence would, operating all year round both day and in evenings, draw people to the Downtown from everywhere and would be engines of growth, development and foot-traffic towards the Downtown's revitalization.



Why Should the New Town Hall with a New Two Stage Theater Complex Be Located in Centennial Square?

- As an economic engine, the Town Hall there will be advertising the Downtown all year round to visitors, drawing visitors to the downtown area, revitalizing and helping both the Downtown and the Kerr Street Village downtown;
- Since all Town business and meetings would be conducted Downtown, anyone living in Oakville will continue to identify with the Downtown, as “their Downtown”, “Oakville is Downtown and their Downtown is Oakville!”; (**Note:** Both the recent and all previous Oakville wide surveys, demonstrate that all Wards want more cultural events in the Downtown and look to the Downtown as the heart of Oakville.)
- **There would be more traffic and people Downtown (foot-traffic) during the day and evenings throughout the week. People like to visit and be seen in busy places, so having the New Town Hall with the New Two Stage Theatre Complex Downtown, will markedly increase the economic activity of the Downtown area throughout the day and evenings, invigorating it.**
- Centennial Square being a spectacular piece of public land overlooking 16 Mile Creek, would be efficiently used, both day and night, all year round for the public. In addition, having a large patio/s overlooking 16 Mile Creek, where the public could relax would help. With great design, restaurants and pubs could easily be accommodated on the site, allowing Oakville to access the river, with restaurant / entertainment facilities, a key demand from the citizens of Oakville;
- Water Street and Busby Park will be a new open-air amphitheater, so having a New Theater complex and New Town Hall overlooking it, with all the parking right next door makes sense;
- Significantly improved Downtown parking would be available. According to an architect I consulted, provided one was able to build out to the same distance as Centennial Pool, with three (3) levels of underground parking, the Centennial Square site would accommodate some 800-850 vehicles. (**Please Note:** Oakville’s projected population, once it is built out within 15 - 20 years time, will be in the neighbourhood of 350,000, so we will need more parking for Town activities. The present Town Hall parking area has accommodation for about 450 vehicles);
- A combined Downtown complex would provide Oakville and the Downtown area many more options for holding public cultural events in even more spectacular style, with plenty of parking and Church Street or lakeshore Road East would be available for any additional parades;
- There would be synergies for the Town to utilise the larger theatre / meeting spaces for contentious public issues, since these larger spaces, especially the +750-seat theater, could accommodate many more people than the present or even an expanded Town Council chamber.

(**Please Note:** Again, the Town’s present population is around 200,000 and will in the next 20 years grow to in excess of +350,000, when Oakville will be built out with no more open areas to expand into. The present Town’s Council chamber is already too small and limited for any major Oakville public contentious issues. Public overflows that cannot fit into the council Chamber have to be accommodated in exterior meeting areas with TV screens. This is not ideal or helpful for those wishing to directly participate and address Council from these exterior rooms).

A New Town Hall, twinned with two much larger stage theater facilities next door, could help Council accommodate the public in one area when contentious issues generate large numbers of residents wanting to participate directly with Council.

- **There should be No rush hour issues with traffic.** Vehicle access to this new Downtown Town Hall and Theater complex would be much easier, as the whole complex would be away from the usual rush hour traffic along the QEW and there are two immediate bridges to move people to and from the west across 16 Mile Creek.

Rush Hour from the West; those accessing the complex would use; the Lakeshore Road West, Rebecca; or the QEW, Dorval to Rebecca / Randal or Lakeshore Road West.

Rush Hour from the North; those accessing the complex could use; any street from the north;

Rush Hour from the East; those accessing the complex would use; the QEW to any of the north south roads; or Lakeshore Road East, etc. to arrive at the Downtown area.



The point here is that, **in rush hours from any direction**, there would always be all sorts of options to reach the Downtown's Centennial Square.

- As before, a large south facing patio here with restaurants and places to site and eat whilst watching the river, is something that Oakville has, that Burlington and other towns don't have, so Oakville should capitalise on this, **to entice people / foot traffic Downtown all day long.**
- **The whole area would become a huge economic, social, cultural magnet for Oakville's the Downtown areas, Kerr Street Village and Lakeshore, as well as positioning the New Town Hall and Theater complex in an easily accessible area, away from the rush hour areas.**

How to Pay for the New Downtown Town Hall and Theatre Complex.

As both the New Town Hall and a new two stage Theater Complex are facilities for the whole of Oakville, there are many ways to pay for such a complex and the Town needs to look at them all. However, the few ideas below should help reduce the required capital amounts;

- Oakville is expanding, so a portion of all Oakville's Development Charges (DC) could be used.
- **The Town already owns Centennial Square saving the need to purchase the land, significantly reducing the costs of development there.**
- **Facing south, any restaurants, boutiques, etc., overlooking the river would pay on-going rent to the Town to operate in this area. As such, funds over time would accumulate, adding to the sites attraction, reducing / minimizing its maintenance / operating expense.**
- The area of the old Town Hall, that is not being used for the access road for the new QEW Iroquois Shore Road Bridge, can be sold for high-rise condominiums rightfully increasing the density around the Go Station / mass transit area. The higher the condominiums that are allowed, the greater height bonusing can be achieved, the greater will be the available Development Charge (DC) funding.
- The Town owns the old Town Hall property so could charge itself (DC). I believe that once sold to others, that the Town could again collect DC charges from the new owners for their developments and bonusing heights. These amounts could be used towards the New Centennial Square Town Hall and Theater Complex, again minimizing its costs.
- The Town has lands in the Midtown area which could similarly contribute to the Provinces and Oakville's required intensification and that again can be DC-ed and sold as above, first by the town and then the new owners for significant amounts, and its DCs could then be used.
- To realise these funds in a more timely / productive manner, the Town could borrow funds at today's low interest and have these funds paid down as these and other assets were sold.
- The Town needs additional Downtown parking, with its possible three level 850 underground vehicle parking spaces at Centennial Square, the Town may be able to avoid building more underground parking elsewhere, possibly saving money;
- The ongoing revenue from majority of the 850 vehicle spaces can be used to help pay off debt.
- There could be naming rights for corporations or individuals for the Theater Complex or the two individual stages, the outdoor patio, the outdoor amphitheatre, or underground parking areas there, etc., all of which could bring in significant funds.
- The Town parking lots on Church Street lots 2 and 3 can be sold and apart from further increasing Downtown parking, Development Charges can be used from there.
- The space from the old Fire station on Navy Street can be sold as office space, increasing the number of visitors and foot-traffic Downtown. This area is outside the heritage area, so by right today, can have high-rise development up to 12 stories. Again, sale, the DC, and perhaps a couple of floors of bonusing here can be used to generate funds. **Note:** It would be nice to have a boutique hotel located here, with office space above it to increase pedestrian foot traffic during the day, for all of the stores.



Councillor Nick Hutchins.

Annex. 1:

Where to Put a New Town Hall and Two Stage Theater complex Downtown?

Looking at the largest available property in the Downtown area owned by the Town, by far the largest block of land is Centennial Sq. Park. This is followed by the Fire Station area; the next being the Post Office; and then Lot 2 on Church St. There are no other large areas of land where conceivably a New Town Hall and Two Stage Theater Complex could be located.



The Fire Station area land is approx. half the size of Centennial Sq. Park, whilst the Post Office is perhaps a third the size. Lot 2, even including the now sold CIBC lot, is so much narrower, so is perhaps a third of Centennial Sq. Park in size.

At the Fire Hall: A New Town Hall could be built on the Fire Hall site, since the site is out of the heritage area and by zoning right is allowed to have a building of some 12 stories in height. However, by using this site, the Town would be losing a valuable sale to contribute to the building of a new Town Hall

and Downtown needs foot traffic all day long, so it makes much more sense to build an office block here, perhaps with a boutique hotel.

A condominium built here, would provide similar funds for the New Town Hall and New Theater Complex, however, as with other Downtown condominiums the only people who seem to purchase there are wealth empty nesters, who have cottages in the Muskoka's and houses in Florida for winter in, so are rarely around to contribute to the Downtown's foot-traffic for any length of time. Office space is always attracting people.

The only large enough area in the Downtown for a suitably sized New Town Hall's massing, would be Centennial Square. Its massing there would not be as apparent to the old historic Downtown area, because of the lot size and much of it being built down 16 Mile Creek's bank. A New Town Hall here would only need to be some 4 - 5 stories high, with again, much of the massing essentially hidden, tucked away down the bank of 16 Mile Creek and merged into the Busby Park gardens, Oakville's open air amphitheatre.

In addition, there would be much less traffic entering the Downtown from the west, since the 3 layers of underground parking there, would be easily accessible from either of the 16 Mile Creek bridges, so vehicle traffic wise, it should not impact the old Downtown.

The Centennial Square area is closer and so much more a part of the Downtown compared to the Fire Hall site, so visitors would naturally tend to wander into the Downtown.

Please Note: An architect confirmed, that, if one had three (3) levels of underground parking in the whole area of Centennial Square, (built out to the limit of the present Centennial Pool) that it would hold around 850 vehicles. As such, there would be plenty of parking for the New Town Hall, the New Theater Complex; the open air amphitheatre being located on Busby Park; and the Downtown area. It would also be close enough to help the Lakeshore west area and the Kerr Street Village.

Of all the Towns locations, Centennial Square easily wins in beauty and cities should have something imposing and memorable for everyone to embrace as their Downtown.

Church Street: The Town owns land along Church street, but nothing large enough, unless one builds in up in height to accommodate a Town Hall here, particularly as this area is in the heart of the historic Downtown area. The massing alone would stop anyone from building here.

Decisions Should Taken ASAP: A decision on this should be taken sooner rather than later;

- Where is the New Town Hall to be built, if elsewhere other than the Downtown, will become like Mississauga's, surrounded by condominium towers and declining shopping malls and parking lots. Will it split the present concept of "Downtown Oakville being the downtown" encouraging less people to visit the Downtown, definitely not helping Oakville's Downtowns long term health;
- If in located in Midtown, (the present Town thinking), again it will be surrounded by condominiums, parking lots, and traffic issues? Because of limited space for any parks for the +12000 people living there, its costs will be much higher as there is a need to dig deeper to accommodate underground all the required parking.

Traffic there, both in and out will be difficult during rush hours, with the evening westbound rush hour being by far the worst. (Please see my white paper on Midtowns potential serious traffic issues);

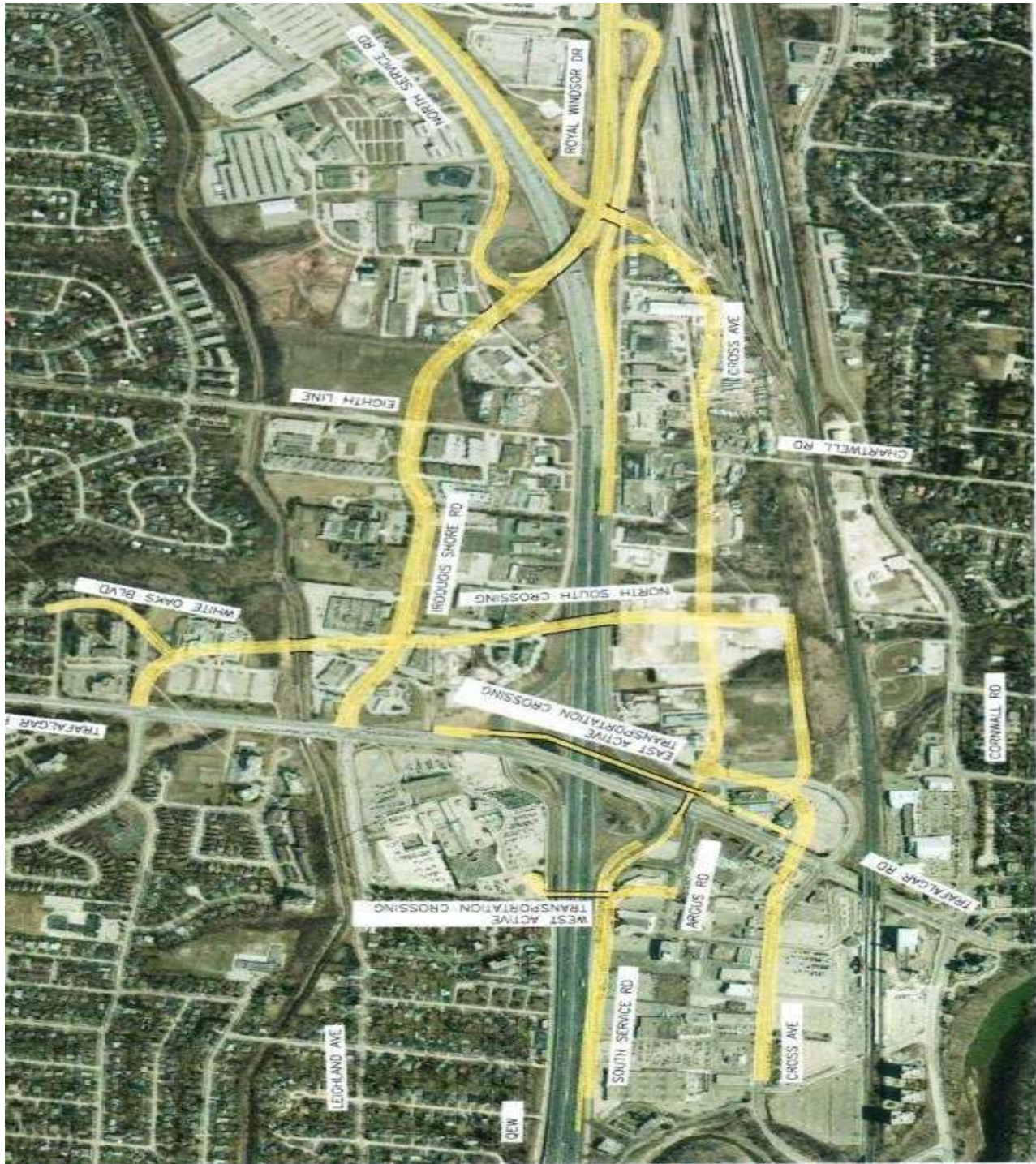
Again, placed there, it will not be contributing to Oakville's Downtown revitalisation and long-term health.

- If the choice is Downtown but not at Centennial Square, what can be done there? The library presumably stays, however, as has been shown, its draw for outside visitors is limited and it closes at night, so it doesn't contribute much to all day foot traffic. And, whilst a new two stage theater complex will draw outsiders, again, it is not open much during the day, so like today's theater, won't help much with daytime foot traffic;
- If, because of the reasons of massing etc., at other Downtown Town sites, Centennial Square is chosen, planning takes time, (it was some +15 years to move the hospital). Therefore, the planning and timing needs to be started now. Depending on the size of the envisioned New Theater Complex and New Town Hall, the Town should be looking at this and making decisions. And, given the urgency of the possible Oakville amalgamation, should be looking at all these alternative scenarios today;
- As has been mentioned, it would be preferable to have the old theater operating, whilst a new larger theater / conference center was being built. I believe that this can be accomplished, provided the Library is moved to say the Post Office. This would then allow the present one be torn down, when Centennial Pool is closed, (after the new South Central Recreation Center opens September 2020). However, if the Library and the old theater stays in operation, I am doubtful that will there be enough space to put in a New Town Hall there as well?
- Midtown with +12,000 and to a lesser extent the 8000 -10,000 new jobs on the employment lands being so critical to Oakville's Downtown long term health, for both Lakeshore Road and the Kerr Street Village, should be accelerated as much as possible.
- Design is always the key to optimising site location and again takes time, especially when the residents of Oakville will want to have their say in the design selection, so an international competition should be started ASAP.
- Council has unanimously already decided not to sell any part of Centennial Square, (when I was on Council), **so it is available.**

The Central Decision is; does the Town want a New Town Hall located Downtown, and, if so, given the constraints on all the other downtown properties that the Town owns, that the Town will move sooner rather than later to establish this and where they want the New Town hall to be.

Nick Hutchins

Annex 2. A Larger Map of the Proposed Midtown Infrastructure a Key Requirement for Oakville's Downtown Revitalization.



Note: The present Town Hall will have an extension of White Oaks Blvd. curving south, right through the old Town Hall for the New North / South crossing of the QEW, **thus there is a requirement for a New Town Hall.**

Midtown Traffic Issues and Possibly, How to Solve Them.

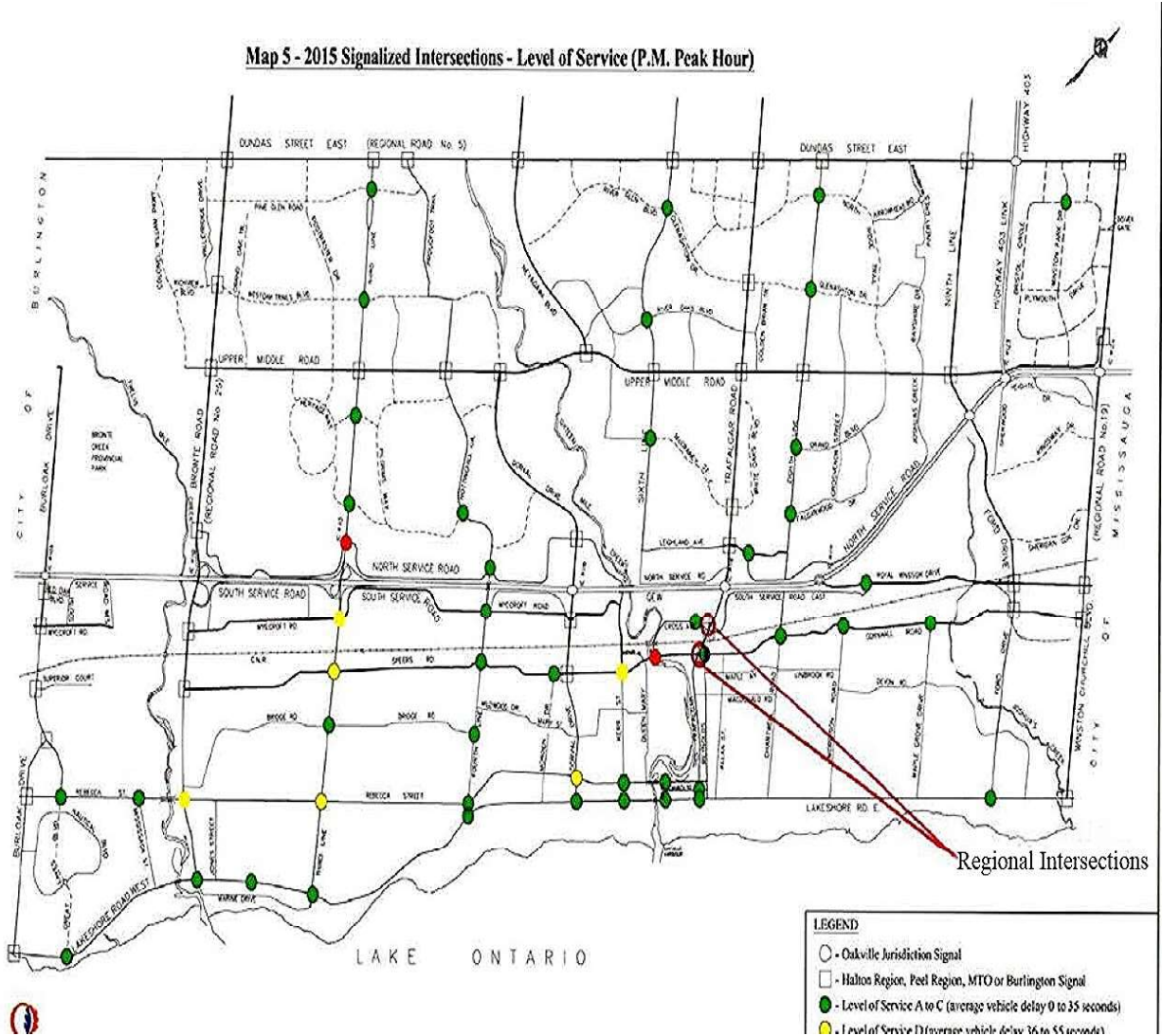
General Area Picture of the 16 Mile Creek QEW Bridge.



1. Town Map of Worst Intersections in 2015.

Note: There are Regional Intersections, therefore, this map

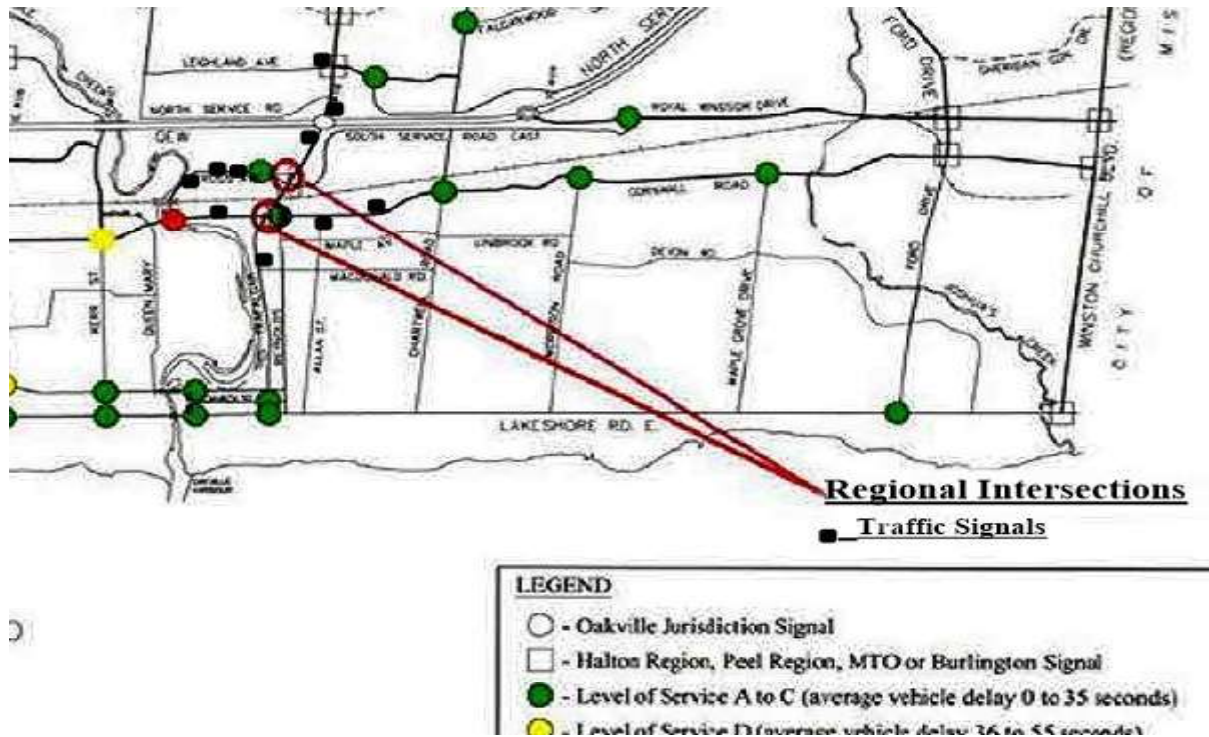
Does NOT Include Trafalgar / Cornwall or Trafalgar / Cross Avenue.



Colored Map of Midtown Area as Per 2016:

- **Indicate Roads**
- **The number of signalised intersections.**
- **Zoom into area around Midtown.**

Key Intersections in and Around the Midtown Area:



No Wonder There Is Already Huge Traffic Congestion Around Midtown;

Traveling west from Chartwell to Kerr Street, there are 7 x signalized intersections in about 1.5km (1,500m).

Traveling North from the Trafalgar/Cornwall intersection to the west bound QEW exit on Trafalgar, there are 3 x signalized intersections in about 0.5km (500m).

And when Midtown is built out with some 50,000 – 60,000 thousand more people, there will be even more traffic and the whole area will become impossible to travel through.

According to Dr. Mike Spack **Theoretical maximum saturation flow rate per lane** (*this will allow you to do quick calculations in your head to check reasonableness at big events*)

- 1,900 vehicles per hour per lane

Threshold for when you need to add a second (dual) left turn lane at a signalized intersection?

- 300 left turning vehicles from that leg of the intersection in the peak hour.

Size of a footprint that a roundabout can take.

- Single lane diameter: 132 foot.
- Double lane diameter: 165 foot.

Closeness between driveways and intersections (*these are very rough rules of thumb — other regions are less stringent*)

- On a local street: 150 feet
- On a collector street: 660 feet
- On an arterial: 1,320 feet to 2,640 feet (with medians, right-in/right-outs can be 660 feet away).

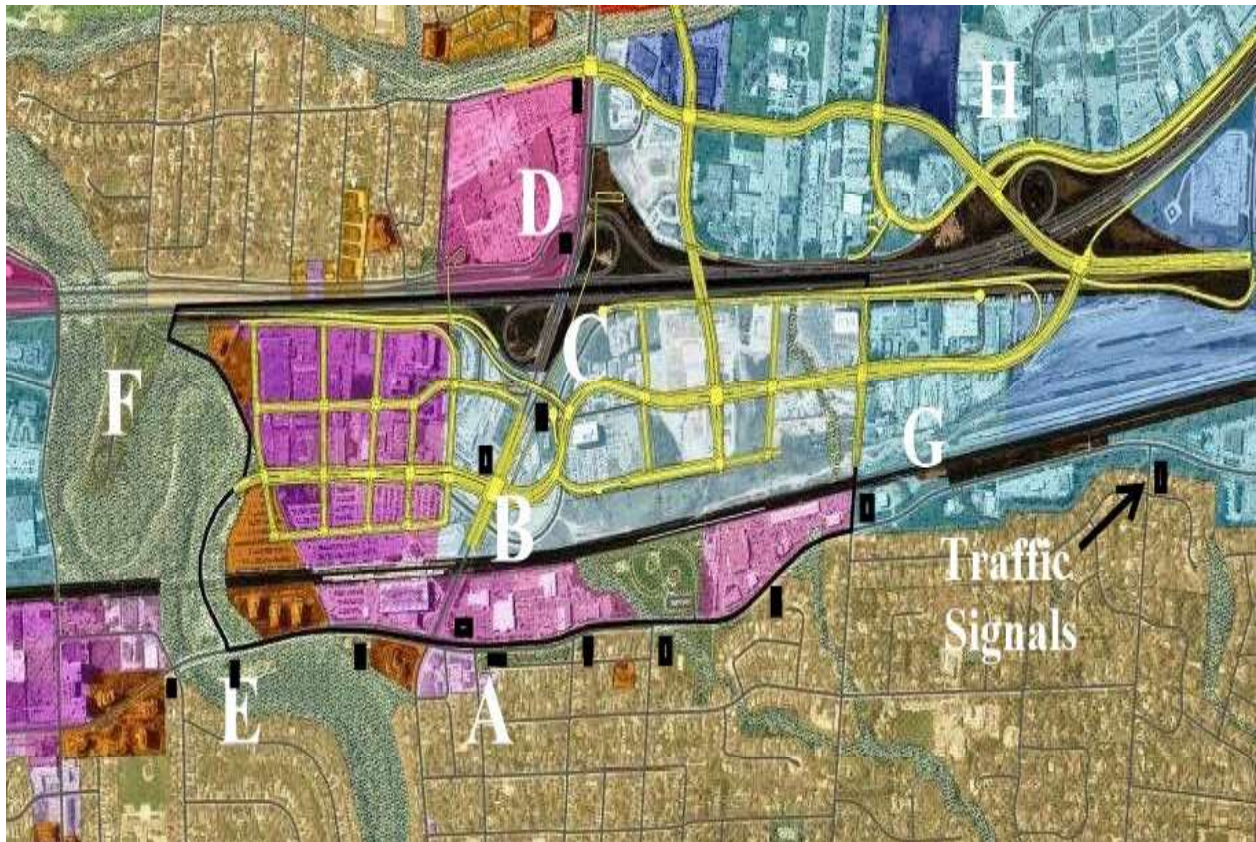


Mike Spack, PE, PTOE

Mike is the founder of Spack Enterprise and creative force and principal writer behind MikeOn Traffic.

He is the recognized industry leader of traffic studies and traffic data collection. He is also the author or numerous Industry leading guides used by transportation professionals around the world and presenter for Traffic Corner Tuesday webinars.

To Solve the Midtown Congestion Several Changes Are Necessary.



The A and B Regional Intersections Are the Worst in Oakville especially during the west bound rush hour.

Intersection “A” is Trafalgar and Cornwall Avenue.

Issues:

- The stacked Metrolinx car park, being on the south side of the tracks on Cornwall creates huge issues, in the evening west bound rush hour since passenger vehicles exiting and trying to north on Trafalgar, **routinely block traffic going west on Cornwall unless it is policed.**
- West bound rush hour traffic on Cornwall is always busy, but if the QEW is blocked for any reason, traffic on Cornwall backs up to Ford Drive. Therefore, GO Station passengers trying to go north on Trafalgar and

blocking the Cornwall intersection will add hours to traffic congestion. **The solution at “A” is a roundabout.**

- (Note: The same roundabout would allow entrance into the future high-rises at the Wholefoods mall, exit would be by traffic light at Reynolds).

Intersection “B” is Trafalgar and Cross Avenue.

Issues:

- It is a signalised 4-way intersection traffic only some 200m north of Trafalgar Cornwall intersection so when the signals are red traffic quickly backs up Trafalgar blocking the Trafalgar Cornwall Intersection. **The solution at “B” is a roundabout.**
- **Note: A roundabout here allows the next intersection “C” the West Bound QEW exit to eliminate the signalised intersection and have exiting vehicles wanting to go north on Trafalgar from this QEW exit first travel south to go around the roundabout then go North.**

Intersection “C” is there to allow traffic to go immediately north on Trafalgar. However, it is again only some 200m north of intersection “B”, so when congested, easily blocks traffic from intersections “A” and “B”.

- **By eliminating north bound traffic here there is no need for an intersection.** Northbound traffic can either turn south on Trafalgar to Cross intersection “B” or can go under Trafalgar(Through the new tunnel, to access Midtown East and the QEW South Service Road, then travel south to access intersection “B” to go North on Trafalgar.
- **Note: By removing all the signalised traffic signals from “A”. “B” and “C” there is much more room for the traffic going north on Trafalgar.**

Intersect “D” remains the same, as it is too small an area for a roundabout here.

Intersection “E” is one of the two worst traffic Intersections in Oakville, as Cross Avenue intersects Cornwall / Speers Road just before the 16 Mile Bridge.

Driving East on Speers Road underneath the Queen Mary Bridge.



Notice the wide concrete separator in the middle of the road. If this is eliminated and a roundabout installed at the Speers Road, Cornwall Road, and Cross intersection another lane going west can be easily installed.

Driving west on Speers Road underneath The Queen Mary Bridge.



Notice the wide concrete separator in the middle of the road. If this is eliminated and a roundabout installed at the Speers Road, Cornwall Road, and Cross intersection another lane going west can be easily installed.



“F” From 2016, “Midtown Is Key to Downtown Revitalization So Needs a New Bridge Connection Via South Service Road to Wycroft Road”

The least Expensive Way of Doing this is to have Ontario government build out the bridge over the unused spare supports. Then, afterwards move the QEW over by two lanes allowing for a new bridge crossing 16 Mile Creek from Midtown’s South Service Road to Wycroft Road vis the Chrysler/ Fiat car dealership land.





It would NOT affect the Pioneer Cemetery and would be the most environmental, quickest, and least expensive way to achieve such a bridge.



Therefore; there is a lot of infrastructure to do before Midtown can be really contemplated.

Nick Hutchins Jan 2024

Appendix A.



Mike Spack, PE, PTOE

Mike is the founder of Spack Enterprise and creative force and principal writer behind MikeOn Traffic.

He is the recognized industry leader of traffic studies and traffic data collection. He is also the author of numerous industry leading guides used by transportation professionals around the world and presenter for Traffic Corner Tuesday webinars.

Numbers Every Traffic Engineer Should Know

By Mike Spack, PE, PTOE December 9, 2011) (*Corrections were made to these numbers as of as of Jan 25, 2018 at 10:00 pm*)

Numbers Every Traffic Engineer Should Know, Traffic Corner Tuesday, Traffic Engineering Standards Traffic Facts

I originally posted this article several years ago. I attend a lot of meetings where I'm seen as the expert on traffic issues, and I get asked questions related to basic standards and general practice. You can always respond that you don't know the answer and you need to look it up, but you look better if you're able to rattle off the numbers from memory. To that end, I have updated the list of questions and answers that every traffic engineer should consider memorizing.

About how much traffic will my development generate? (*round numbers based on ITE Trip Generation Report, 10th Edition*) (*Corrections were made to these numbers as of as of Jan 25, 2018 at 10:00 pm*)

- Single Family Houses (per unit): 10 trips per day, 1 per peak hour
- Apartments/Condos/Townhouses (per unit): 7 trips per day, 0.7 per peak hour
- Office (per 1000 sq ft): 10 trips per day, 1.5 per peak hour
- Retail (per 1000 sq ft): 38 trips per day, 4.2 per peak hour
- Industrial (per 1000 sq ft): 5 trips per day, 0.9 per peak hour

Planning level daily capacity of a road *(Round numbers based on Level of Service D/E thresholds in HCM 6th Edition)*

- 2 lane local street: 1,000 vehicles per day based on livability
- 2 lane (w/ left turn lanes): 18,300 vehicles per day
- 4 lane (w/ left turn lanes): 36,800 vehicles per day
- 6 lane (w/ left turn lanes): 55,300 vehicles per day

Peak hour capacity of an intersection *(Based on Level of Service D/E thresholds in HCM 6th Edition)*

- Stop sign controlled: 35 seconds/vehicle.
- Roundabout controlled: 35 seconds/vehicle
- Traffic Signal controlled: 55 seconds/vehicle

Theoretical maximum saturation flow rate per lane *(this will allow you to do quick calculations in your head to check reasonableness at big events)*

- 1,900 vehicles per hour per lane

Threshold for when you need to add a second (dual) left turn lane at a signalized intersection?

- 300 left turning vehicles from that leg of the intersection in the peak hour.

Width of a commercial driveway *(based on NCHRP Report 659)*

- One lane in only: 14 feet curb to curb
- Two lanes, bi-directional: 24 feet curb to curb
- Three lane, one lane in with median than two lanes out: 40 feet curb to curb
- Minimum industrial driveway: 26 feet curb to curb

Size of a footprint that a roundabout can take.

- Single lane diameter: 132 foot.
- Double lane diameter: 165 foot.

Closeness between driveways and intersections (*these are very rough rules of thumb — other regions are less stringent*)

- On a local street: 150 feet
- On a collector street: 660 feet
- On an arterial: 1,320 feet to 2,640 feet (with medians, right-in/right-outs can be 660 feet away).

Parking needed for functionality (*these are suburban rules of thumb – urban conditions require less, but that’s very situational*)

- Multifamily Residential: 1 per bedroom
- Retail: 4 per 1,000 SF
- Restaurant: 15 per 1,000 SF (varies a lot)

Interested in learning more about the numbers every traffic engineer should know? Check out our Traffic Corner Tuesday webinar replay titled [Numbers Every Traffic Engineer Should Know](#).

From: donald charlebois
Sent: Tuesday, February 4, 2025 9:33 AM
To: Town Clerks
Subject: Mid Town Development

My wife & I have been residents of Oakville since 1985 (almost 40 years) and we totally object to the proposed Diskrit development as it is presently proposed.

This project is totally insane, very little thought has been given by the developer on the traffic issues & congestion, years of disruption in the area during construction, pollution and the needs of the potential residents - library, schools both Public & Catholic etc.

Please add my name to a Town Petition/list opposing this project

Don Charlebois

From: Bob Macdonald
Sent: Saturday, February 1, 2025 5:37 PM
To: Town Clerks
Subject: Mid Town Development

As long time resident in Oakville and homeowner, I and my Wife object to the proposed Diskrit development plan as currently proposed.

Common sense has gone out the window.

Is there a Town Petition to sign as to Opposing this insane project?

Again please file my and my wife's objections to this project.

Thanks

Bob MacDonald
"Seize the Day"

From: Thea Kruyne
Sent: Saturday, January 25, 2025 11:04 AM
To: Town Clerks; Mayor Rob Burton; Janet Haslett-Theall; David Gittings
Subject: [EXTERNAL] MidTown Oakville Opposition to TOC

To Whom it may concern:

I am writing to you that, due to being in Europe and thus in a different time zone, I will not be able to attend the January 27th meeting of Town Council virtually, let alone in person.

I do, however, strongly support the motion put forward by councillors Haslett-Theall and Gittings, to call for Oakville Council to unanimously and unequivocally endorse Oakville Planning Staff's position that Infrastructure Ontario's proposed Oakville Transit Oriented Community would be ruinous, not only to the long-range plan for Midtown, but ruinous to the Province's plan to build more homes faster and on top of that ruinous to the quality-of-life throughout Oakville.

With kind regards,
Thea Kruyne



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

On Jan 21, 2025, at 11:58 AM, david horton wrote:

I believe most people are aware of and concerned about the impact of the proposed high-density development as it impacts traffic congestion and storm water run-off in the proposed mid-town development. It has been my experience that high-density residential buildings create many challenges for our emergency services both at the design stage and throughout the life of the structures.

At the design stage we need to ensure that the Chief Building Official, and the Chief Fire Official (and his designate) review and comment on the building plans ensuring minimum Code Compliance, but also compliance that is "approved". Examples of this would include the location of fire department connections, the design of fire routes, location of fire alarm and communication panels. Provisions for fire fighting, smoke venting, and smoke control measures are among the complex requirements of these buildings. I would suggest that given the rapid growth we are undergoing, we have to ensure our public safety officials have the resources to handle these tasks. What I have observed over the years is that once buildings are constructed there is no going back and no legal recourse to make corrections. We have to accept the deficiencies once we allow them to be constructed.

The other observation is that high-density buildings will present challenges throughout their existence and I can provide some examples.

Fire Department access to high buildings can be a significant problem if municipal roads between large residential buildings do not have provision for curbside parking. In these instances vehicles will be parked (short term) in the street. Modern planners are often of the opinion that parking spaces are a poor allocation of land. The reality is that people are going to order Amazon and Uber and access these buildings via their personal vehicles. The outcome is that Fire Apparatus can be blocked from arriving at the designated entrance to buildings. Firefighters are then faced with the challenge of carrying fire hose and appliances, as well as air supply and extrication tools extended distances to the building before making entry. This results in delayed response time to fire alarms and medical emergencies.

Changes to buildings after construction may also create problems. Unapproved parking control gates are an example. They can be installed on private property within "fire routes" unfortunately sometimes encroaching on the minimum required width. The worst case scenario is fire apparatus colliding with these structures resulting in significant and costly damage.

Feel free to reach out if I can be of any assistance to you as we go through this development process.

From: Michael Reid
Sent: January 20, 2025 11:31 AM
To: _Members of Council ; _Members of Council
Cc: Gabe Charles ; Sybelle Von Kursell ; Jane Clohecy ; Town Clerks
Subject: [EXTERNAL] Input for January 20, 2025 Planning and Development Council Meeting

Good Morning,

In anticipation of the Planning and Development Council meeting on January 20, 2025, and due to a conflict resulting in me not being able to attend, please consider the following important outstanding issue:

The proposed 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."

The OPA should include clear wording with a maximum height for buildings in terms of storeys to reduce the chances that the fabric of Oakville will be destroyed and to limit excessive density far beyond the Provincial requirements.

From a legal perspective, it should be anticipated that without the OPA containing a clear maximum for buildings in terms of storeys that this will cause future issues during Appeals at the Ontario Land Tribunal as 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 adhered to the maximum FSI, and this building would not fit the fabric of Oakville, and residents would not be pleased or accepting.

Sincerely,

Michael Reid

Oakville Resident

Monday, January 20, 2025

Town of Oakville
1225 Trafalgar Road,
Oakville, Ontario
L6H 0H3

Attention:	Town Clerk Sybelle von Kursell, MCIP, RPP Manager, Midtown Oakville and Special Programs Planning and Development Gabe Charles, MCIP, RPP Director, Planning and Development
Re:	Town Initiated Proposed Official Plan Amendment – Midtown Oakville and Community Planning Permit System 2652508 Ontario Inc. 627 Lyons Lane

On behalf of MGM Development (2652508 Ontario Inc.) (Client), Corbett Land Strategies Inc. (CLS) is pleased to submit this letter to the Mayor and Members of the Council containing our response to the Midtown Oakville Proposed Official Plan Amendment (proposed OPA), released on January 8, 2025. This letter is being submitted in advance of the Public Statutory Meeting held on January 20, 2025, to formally introduce the proposed OPA to the community.

This submission relates to the lands legally described as Part Lot 15, Concession 3 South Dundas Street, Town of Oakville, and municipally known as 627 Lyons Lane (the 'Subject Lands'). In accordance with File No. Z1614.76, the Client is actively advancing a Zoning By-law Amendment for the purposes of a high density development on the Subject Lands. The development concept proposed is a 26-storey residential building consisting of below and above grade parking, with access arriving entirely from South Service Road. The Client's well-intentioned advancement of a high-density development has been delayed due to the prohibitive policies outlined in the proposed OPA.

CLS is pleased to advise that the Client has participated in several meetings and discussions with other landowners in the area on the formation of a landowner group. This coordination is in response to the proposed policies of the OPA which require the formation of a landowner group. Given the wide range of property owner timelines and development objectives, it is felt amongst many landowners that the current OPA landowner group policies do not establish an appropriate framework which facilitates the development

of lands on the short-term. The Client is appreciative of the importance of landowner coordination on the delivery of public and community infrastructure, and believes that direction should be contained within the OPA, however greater consideration on the implementation of the current landowner group policies is necessary and whether the current policies, which may prevent an application from being deemed complete, help or harm the realization of the housing and intensification goals of the Town.

Executive Summary

As a Major Transit Station Area (MTSA) and Urban Growth Centre, Midtown Oakville is to accommodate a significant amount of Oakville's overall population growth and development forecasted to 2051. The exercise to plan for that growth has been ongoing for several years, with several iterations of policy being released for public review and comment. However, the most recent provisions and schedules outlined in the proposed OPA are inconsistent with Provincial interests and significantly restrict the development potential of the Subject Lands located at 627 Lyons Lane.

The proposed OPA is dismissive of the growth aspirations of the Provincial Planning Statement, in particular the Ministry of Finance population and employment forecast for the Region of Halton and Oakville to 2051. Current provisions which cap the Floor Space Index at 4 and building height at 20 storeys for the Lyons Precinct are insufficient and will not satisfy the infrastructural needs to accommodate the population projections through to 2051 and beyond. The concerns outlined below will lead to increasing development pressure, as other MTSA's are currently experiencing, and increasing demand for intensification to satisfy Town, Regional or Provincial growth targets.

Overall Comments

As you are aware, the Subject Lands are designated as part of the '*Urban Core*,' of the '*Lyons Precinct*' within the proposed OPA. This area is envisioned to be a mix of various land uses, creating a highly walkable community in Midtown Oakville. It will include a variety of office, civic, cultural, residential, and recreational spaces, along with public areas.

The Midtown Oakville is considered the Town's primary *strategic growth area* and *protected transit station area*, located along the Lakeshore West GO *provincial priority transit corridor*. Within the Provincial Planning Statement (PPS), the Province advises that Major Transit Station Areas (MTSA) are to promote development and intensification and must achieve a minimum density target of 200 jobs and residents combined per hectare as outlined by Section 2.4.2.2.a. of the PPS. Since 2006, Midtown Oakville has explicitly been delineated as a strategic growth area that accommodates intensification and a higher-density mixed uses in a more compact built form.

As it stands, we hold concerns with the proposed OPA, specifically as it relates to Schedules L2, L3, and L4. Below are our comments for consideration.

Density Provisions with Respect to Schedule L2, L3, and L4

Growth Targets:

In a comparative analysis of the Joint Best Planning Estimates and the Region of Halton Official Plan Amendment 49 (ROPA 49), Watson & Associates found that Town of Oakville is expected to grow at an annual rate of 2.3%, which is 1.5 times higher than ROPA 49 estimates. According to the Joint Best Planning

Estimates, the population forecast for the Town of Oakville is estimated at 442,941 people and 212,116 jobs in 2051, compared to the suggested 349,990 residents and 181,120 jobs outlined in ROPA 49.

Furthermore, the Joint Best Planning Estimates suggests that Midtown Oakville is required to be planned for a minimum of 32,468 people and 17,998 jobs (50,466 total) by 2051. This approximates 490 residents and jobs per hectare by 2051. This grossly underestimates the population forecasts presented by Watson & Associates, which estimates 29,900 people and jobs in Midtown by 2051. In a memo presented to Mayor Burton and Members of Council from the Planning, Design and Development Department of Oakville in April 2024, it was acknowledged that the Joint Best Planning Estimates Report remains the most reliable and relevant population estimates for the Region and Town to 2051. We implore that the Town consider the Joint Best Planning Estimates Report when determining the development potential of Midtown Oakville.

Floor Space Index:

The proposed density regulations for Midtown Oakville could significantly limit the area's capacity to provide a variety of housing options, which is a crucial need in our community. The proposed minimum Floor Space Index (FSI) is 1.25 and a maximum of 4 based on the proposed OPA as outlined in Schedules L2 and L3. We argue that setting a density cap at a maximum of 4 FSI, when the April 2024 Draft OPA did not include density provisions is unwarranted and unjustified. Furthermore, it is worth highlighting previous submissions for the Draft OPAs (e.g., Draft OPAs released May 2022 and 2023) included density ranges of 4 to 10 FSI. This demonstrates that the proposed OPA offers the lowest density ranges since the Town initiated the formal Midtown OPA, and based on this, the current FSI provisions do not take full advantage of Midtown's potential, especially given its strategic MTSA location and its proximity to Highway 403.

Building Heights:

A prominent concern with the proposed policies is in respect to the height maximums outlined in Schedule L4 (see Schedule A). In the April 2024 Draft OPA, the maximum height requirement for the Subject Property was 35 storeys (see Schedule A) which has been revised to a building height threshold of 5 to 20 storeys. Similar to the density provision above, the 2022 and 2023 Draft OPAs were significantly more conducive to increased heights.

In a memo to Mayor Burton and Members of Council, the Planning Design and Development department of Oakville presented an Urban Growth Centres Comparators to Midtown Oakville (see Schedule B) to highlight the development intensities that are common throughout other MTSA's within the Greater Toronto and Hamilton Area (GTHA). It is apparent that the proposed OPA does not resemble best planning practices like other municipalities within the area. Therefore, the previous suggested density targets were unequivocally more inclusive and did not limit the development potential in the same ways that the proposed OPA does.

Adding to this frustration is the removal of *bonusing* in Midtown Oakville. Outlined in Section 20.7.2 of the Livable Oakville Official Plan (2009), the Town allowed increases in building height [in areas of Midtown Oakville, see Schedule C] without an Official Plan Amendment, in exchange for the provision of public benefits. Further, the provision of bonusing was established above the maximum height established, which more effectively incentivised a development to include items necessary to improve the surrounding area. All versions of the proposed OPA have removed bonusing provisions as they relate to Midtown Oakville, which directly affects development within the previously eligible Lyons Precinct.

Not only has the Town hindered development potential through the proposed OPA but has subsequently chosen to remove a positive development policy that could help the Town satisfy their projected growth

targets, in a manner which is more conducive to community building. As it stands, the proposed height and density caps, coupled with the removal of lands eligible for bonusing, restrict the growth potential of this Strategic Growth Area and infringe upon non-negotiable growth targets.

Planning Implications:

Designing inclusive policy that accounts for current and future development targets will alleviate the development infractions, Official Plan Amendments (OPA) and Zoning By-law Amendments (ZBA) that will inevitably ensue to accommodate growth within Midtown Oakville. According to Watson & Associates, currently there are 7,021 units that are under appeal at the Ontario Land Tribunal in Midtown Oakville. This is only going to increase if the Town is unable to adequately accommodate the development potential of Midtown. Other examples exist in surrounding Urban Growth Centres where municipalities have received applications that request OPA/ZBA applications greater than the maximum permitted heights or densities. The City of Oshawa received an OPA/ZBA for a 21-storey development within the Urban Growth centre where the maximum permitted height was 8 storeys. Similarly, the City of Markham received an OPA/ZBA application for a 55-storey development within the Urban Growth Centre where the maximum permitted height is 15 storeys. These examples demonstrate the resulting development pressures when intensification is not appropriately planned for within Official Plans.

The Client participated in a pre-consultation meeting on February 10, 2021, in addition to three subsequent meetings with Urban Design staff at the Town of Oakville to enhance the design of the proposed development. The application for ZBA was submitted on September 2, 2021, and deemed complete on October 6, 2021. After a public meeting was held in accordance with the Planning Act on January 4, 2022, the Client resubmitted their proposal in May 2022. As it stands, the proposed OPA significantly restricts the proposed development, and any possible revisions implemented to support development along an MTSA. Outcomes of the restrictions can be that a common course of action amongst all development, will be more amendment applications and appeals to the Ontario Land Tribunal, as developers need permissive policies to achieve the necessary financial goals to ensure the developments are economically feasible. These possible outcomes will delay or prohibit the Towns growth achievements both for the Midtown Area as well as the entirety of the Town.

Park (Conceptual) Overlay

The Midtown OPA has been updated and identifies *Park (conceptual)* (per Schedule L1) along the Subject Lands, southwestern limits. This overlay is a new addition to the Proposed OPA, as the Parks and Open Space area was not implemented on the Subject Lands in the Draft OPAs released in May 2022 and May 2023 (Please see Schedule D). Although it is conceptually identified, we request that the Town of Oakville eliminate this overlay from the Subject Lands. Designing inclusive policy that accounts for current and future development targets will alleviate the development burden placed on the Town to compensate for the insufficient policies within the proposed OPA.

Landowner Group

The proposed draft OPA includes policy which requires the formation of a landowner group to share in the costs associated with the development of community infrastructure. Policies which require the coordination of public services like parkland, school sites and stormwater management are increasingly being established in similar policy exercises to ensure that the infrastructure is located and distributed in a fair and equitable manner. Of late, the proposed policies have been updated to establish that the requirement of the

participation in a landowner group be determined by the Town following the pre-submission and, if determined to require the participation, that the application not be deemed complete until such participation occurs.

While we agree with the need to have landowner coordination, it is recommended that greater flexibility be established within the proposed policies. Overall, the policies should consider the variety of time frames that each individual landowner may have on the development of their respective lands. Given the size and current land use composition of Midtown, many landowners may not wish to advance their lands, creating tremendous burden on other landowners. The current format of the policies will therefore delay the advancement of lands wishing to develop immediately as well as delay the ultimate funding and construction of the identified facilities necessary to ensuring a complete community.

Conclusion

Given the above, we respectfully request the Town of Oakville and Project Team to:

1. Reconsider the density and height proposed on Midtown Oakville. The Town of Oakville should strongly consider greater density and intensification at Midtown Oakville to assist the Province in meeting its housing needs.
2. Implement a minimum 10 FSI the entirety of the Midtown area, recognizing the area as the primary location to achieve density.
3. Return provisions which facilitate the concept of 'bonusing' above the maximum height restriction, instead of "prior to" the maximum restriction.
4. To further enhance the concepts to provide for an appropriate diverse land use mix that best represent a complete community.
5. Establish greater flexibility in the landowner agreement/cost sharing policies.

We hope the following comments will be considered when approving the proposed OPA and look forward to continuing to participate on behalf of our Client. Please do not hesitate to contact the undersigned with questions or if you require clarification regarding our comments and submissions.

Sincerely,

Nick Wood

Nick Wood, MES(PI), MCIP, RPP
Vice President of Development Planning
Corbett Land Strategies Inc.
nick@corbettlandstrategies.ca
(416) 420-5544

Schedule A

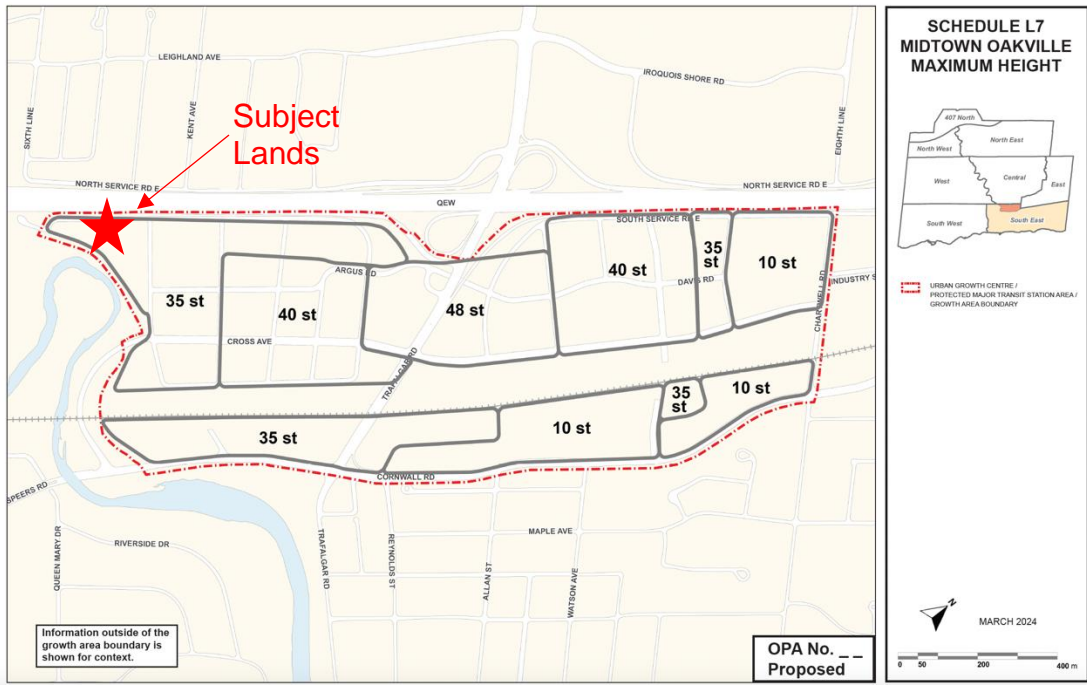


Figure 1 Schedule L7 Draft OPA Released April 2024

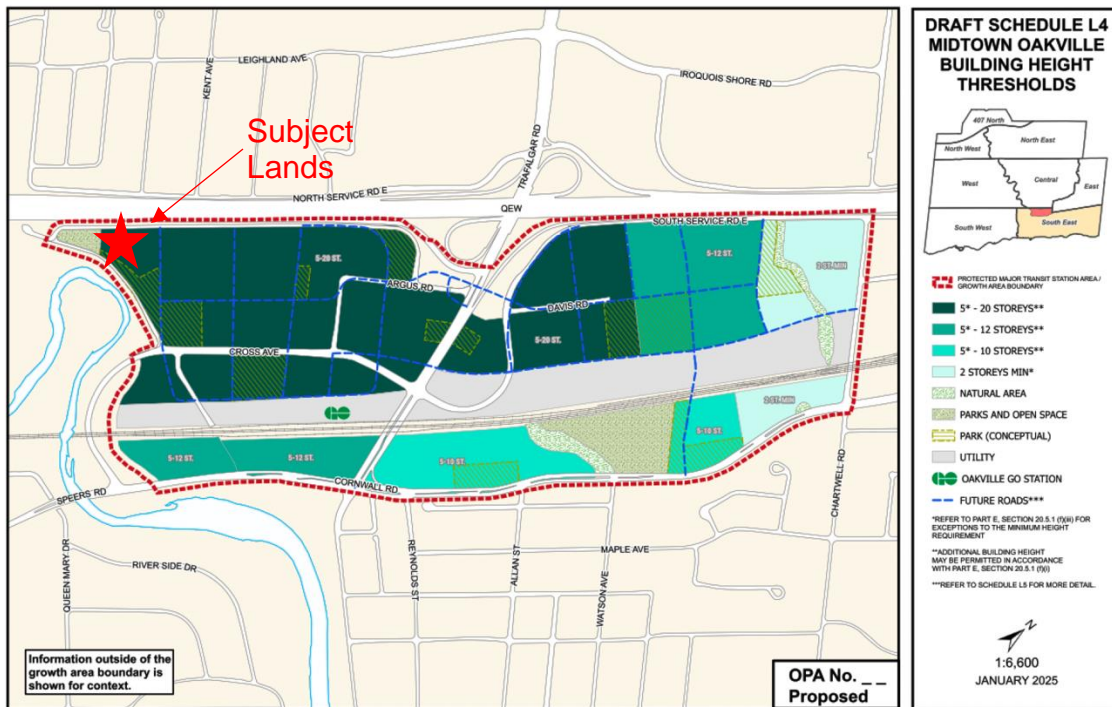


Figure 2 Schedule L4 Proposed OPA Released December 2024

Schedule B

Urban Growth Centre comparators to Midtown Oakville as identified by the Planning, Design and Development Department from the Town of Oakville.

Urban Growth Centre Comparator	Hectares	Gross Planned Density	Height and Density Permissions
Downtown Burlington	86 Ha	284 P+J/Ha	Min Height: 2 storeys Max Height: 30 storeys Min FSI: N/A Max FSI: 4 FSI
Downtown Milton	139 Ha	200 P+J/Ha	Min Height: 4 storeys Max Height: 33 storeys Min FSI: 2.0 FSI Max FSI: 6.0 FSI
Downtown Brampton	93 Ha	580 P+J/Ha	Min Height: 4 storeys Max Height: No maximums Min FSI: No minimums Max FSI: No maximums
Downtown Oshawa	106 Ha	310-350 P+J/Ha	Min Height: 4 storeys Max Height: 25 metres, or 8 storeys Min FSI: N/A Max FSI: 3.0 FSI
Downtown Pickering	67.5 Ha	200 P+J/Ha	Min Height: 3-16 storeys Max Height: 37 storeys Min FSI: 0.75 FSI Max FSI: 5.75 FSI
Downtown Hamilton	105.1 Ha	500 P+J/Ha	Min Height: 2 storeys except for Pedestrian Focus Streets (min 3 storeys) Max Height: 30 storeys Min FSI: 0.75 FSI Max FSI: 5.75 FSI
Downtown Mississauga (City Centre)	37.8 Ha	400 P+J/Ha	Min Height: 3 storeys Max Height: 35 storeys Min FSI: 1.0 FSI (unless in PMTSA) Max FSI: N/A
Downtown Kitchener	N/A	225 P+J/Ha	Min Height: N/A Max Height: 35 storeys Min FSI: 1.0 FSI Max FSI: 3.0 FSI within City Centre, 7.5 FSI for lands within Multi-Modal Transit Hub
Uptown Waterloo	N/A	200 P+J/Ha	Min Height: 2 storeys

			Max Height: 25 storeys Min FSI: N/A Max FSI: N/A
Markham Centre	N/A	250 P+J/Ha	Min Height: 3 storeys Max Height: 15 storeys Min FSI: N/A Max FSI: 3 FSI

Schedule C

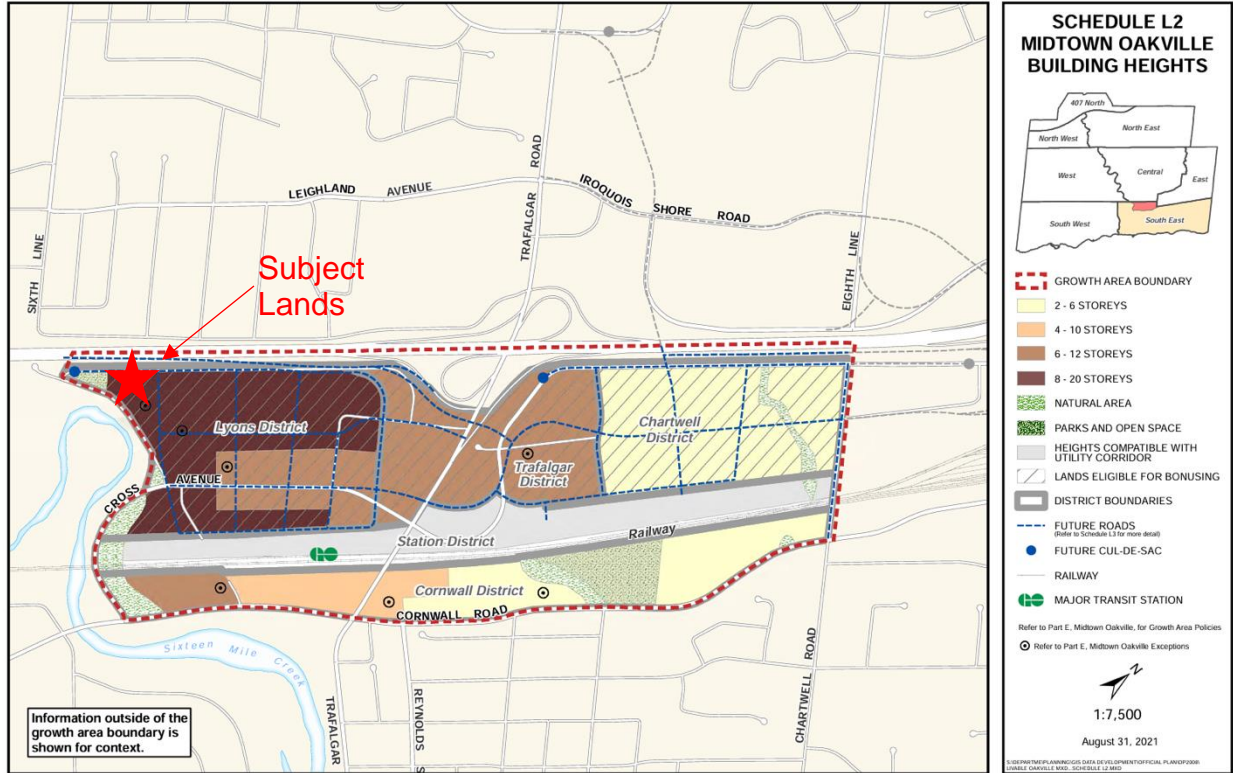


Figure 3 Schedule L2 in Livable Oakville Official Plan 2009

Schedule D

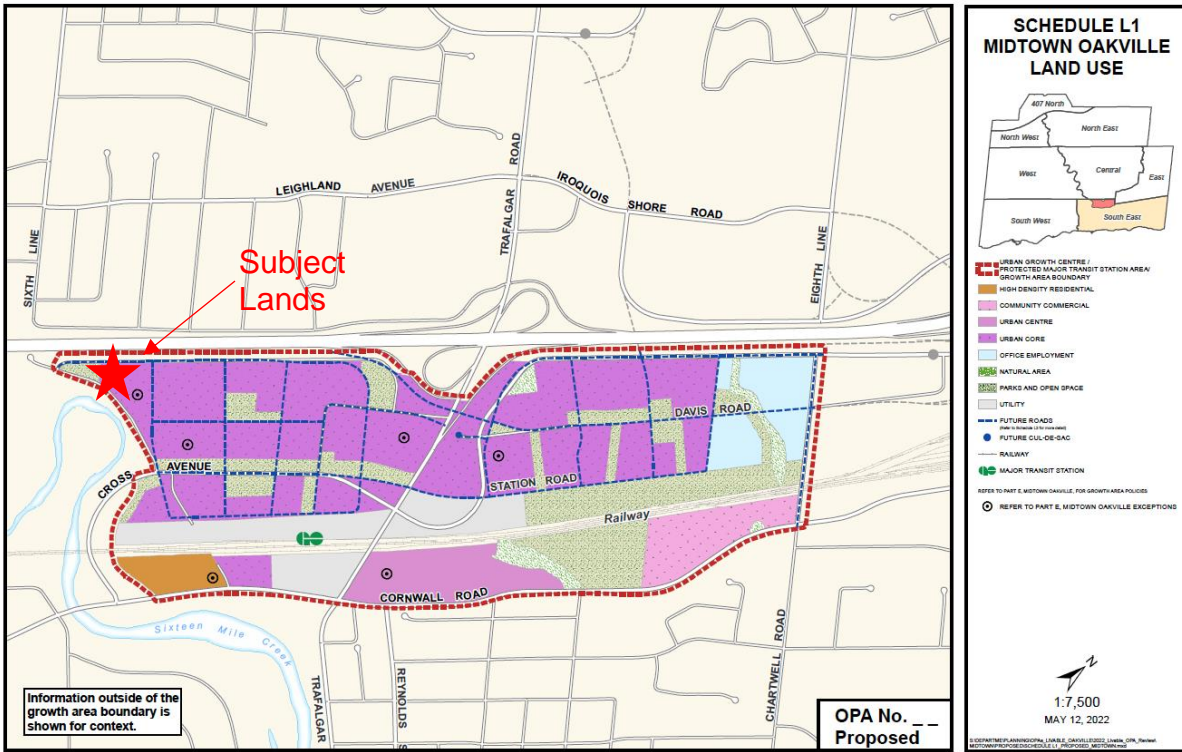


Figure 4 Schedule L1 Draft OPA Released May 2022

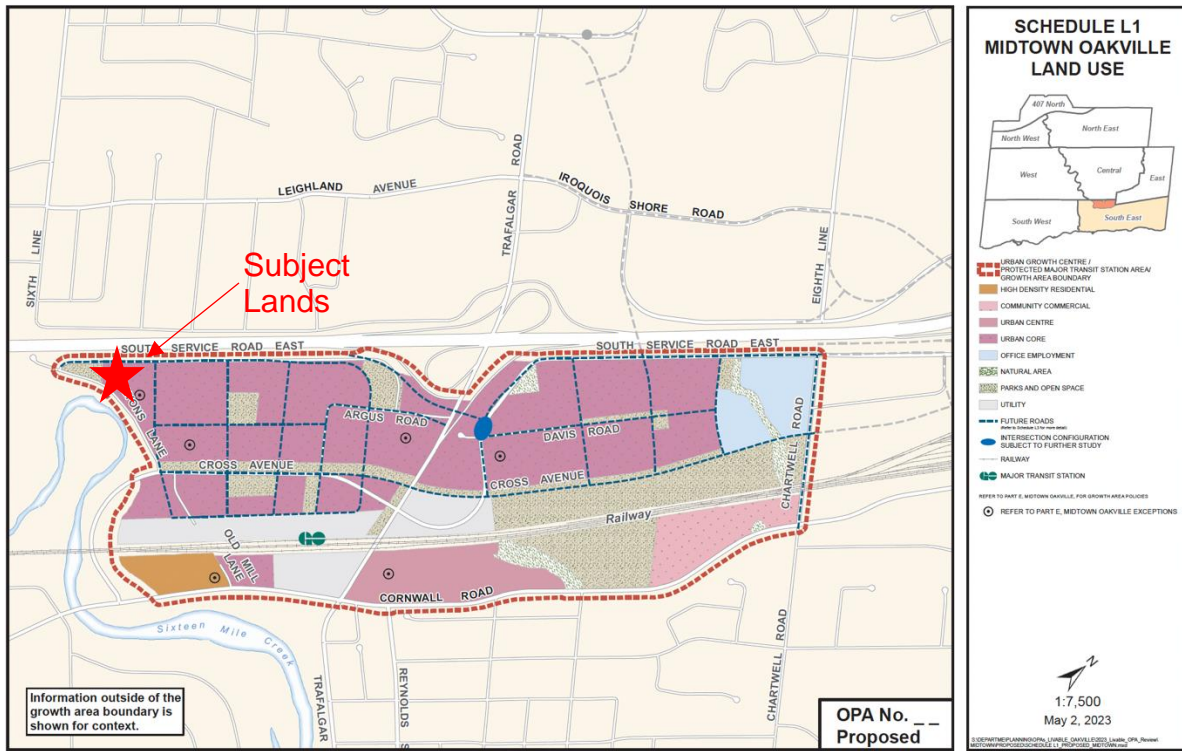


Figure 5 Schedule L1 Draft OPA Released May 2023

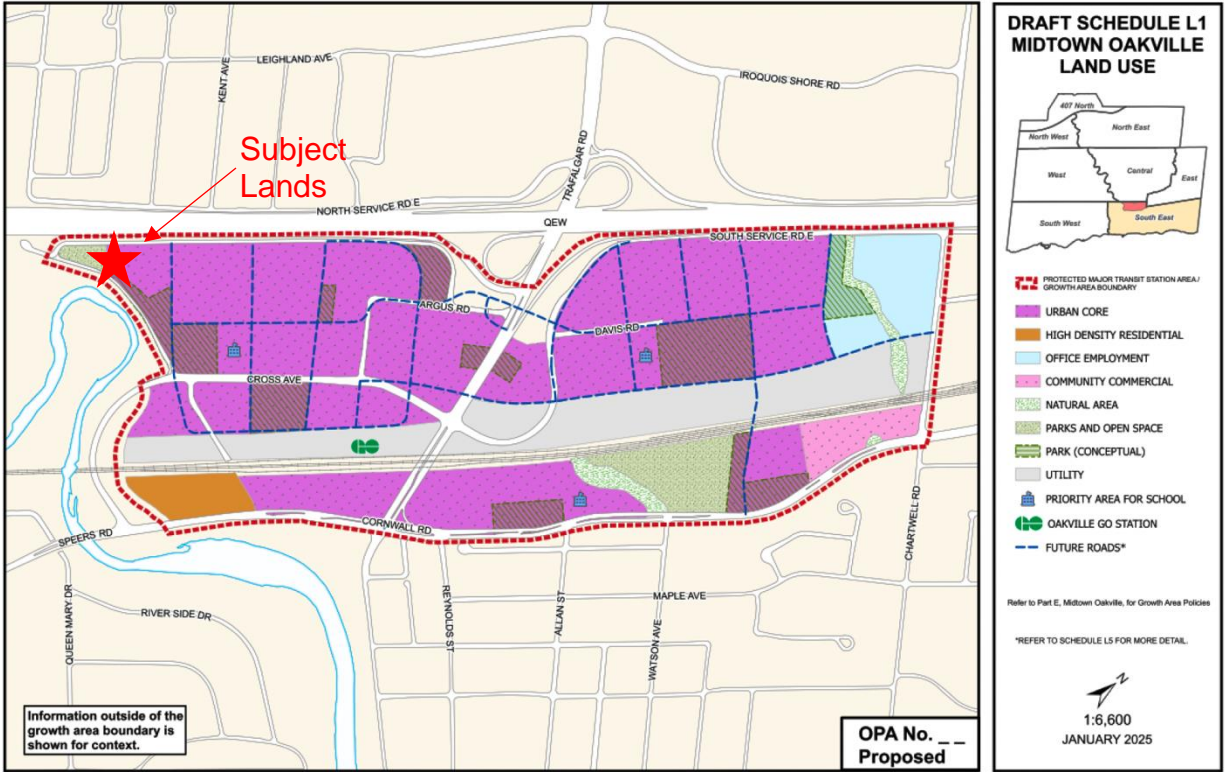


Figure 6 Schedule L1 Proposed OPA Released December 2024

Monday, January 20, 2025

Town of Oakville
1225 Trafalgar Road,
Oakville, Ontario
L6H 0H3

Attention: Town Clerk

Sybelle von Kursell, MCIP, RPP
Manager, Midtown Oakville and Special Programs
Planning and Development

Gabe Charles, MCIP, RPP
Director,
Planning and Development

**Re: Town Initiated Proposed Official Plan Amendment – Midtown Oakville and Community
Planning Permit System
1539059 Ontario Inc.
349 Davis Road**

On behalf of 1539059 Ontario Inc. (Client), Corbett Land Strategies Inc. (CLS) is pleased to submit this letter to the Mayor and Members of the Council containing our response to the Midtown Oakville Proposed Official Plan Amendment (proposed OPA), released on January 8, 2025. This letter is being submitted in advance of the Public Statutory Meeting to be held on January 20, 2025, which is intended to receive public feedback on the proposed OPA.

This submission relates to the lands legally described as Part of Lot 12 Concession 3 South of Dundas Street, Town of Oakville, and municipally known as 349 Davis Road (the 'Subject Lands') and serves as a continuation of previously submitted comments responding to the Midtown Oakville Official Plan Amendment.

CLS is pleased to advise that the Client has participated in several meetings and discussions with other landowners in the area on the formation of a landowner group. This coordination is in response to the proposed policies of the OPA which require the formation of a landowner group. Given the wide range of property owner timelines and development objectives, it is felt amongst many landowners that the current OPA landowner group policies do not establish an appropriate framework which facilitates the development of lands on the short-term. The Client is appreciative of the importance of landowner coordination on the delivery of public and community infrastructure, and believes that direction should be contained within the OPA, however greater consideration on the implementation of the current landowner group policies is

necessary and whether the current policies, which may prevent an application from being deemed complete, help or harm the realization of the housing and intensification goals of the Town.

Executive Summary

As a Major Transit Station Area (MTSA) and Urban Growth Centre, Midtown Oakville is to accommodate a significant amount of Oakville's overall population growth and development forecasted to 2051. The exercise to plan for that growth has been ongoing for several years, with several iterations of policy being released for public review and comment. However, the most recent provisions and schedules outlined in the proposed OPA are inconsistent with Provincial interests and significantly restrict the development potential of the Subject Lands located at 349 Davis Street.

The proposed OPA is dismissive of the growth aspirations of the Provincial Planning Statement, in particular the Ministry of Finance population and employment forecast for the Region of Halton and Oakville to 2051. Current provisions which cap the Floor Space Index at 5 and building height at 20 storeys for the Trafalgar Precinct are insufficient and will not satisfy the need to accommodate the population projections through to 2051 and beyond to support the objectives of the Major Transit Station Area. Furthermore, the proposed transportation network and road alignment particularly for Davis Road is unjustified. The Town of Oakville has not provided an updated Class Environmental Assessment or technical studies to justify the alignments and rights-of-way proposed, and to support any eventual land expropriation. The concerns outlined below will lead to increasing development pressure, as other MTSA's are currently experiencing, and increasing demand for intensification to satisfy Town, Regional or Provincial growth targets.

Overall Comments

As you are aware, the Subject Lands are designated as part of the '*Urban Core*,' of the '*Trafalgar Precinct*' within the Proposed OPA. This area is envisioned to be a mix of various land uses, creating a highly walkable community in Midtown Oakville. It will include a variety of office, civic, cultural, residential, and recreational spaces, along with public areas. Midtown Oakville is considered the Town's primary *strategic growth area* and *protected transit station area*, located along the Lakeshore West GO *provincial priority transit corridor*. Within the Provincial Planning Statement (PPS), the Province advises that Major Transit Station Areas (MTSA) are to promote development and intensification and must achieve a minimum density target of 200 jobs and residents combined per hectare as outlined by Section 2.4.2.2.a. of the PPS.

It is clear that the proposed OPA released on January 8, 2025, does not uphold Provincial interests based on the above stated policy. Rather, previous iterations of the plan, published in the Spring of 2022, 2023, and 2024, more appropriately adhere to Provincial objectives, as growth was promoted through the intensification of Strategic Growth Areas. This in turn would ensure that future community needs were met while encouraging diversity in housing options. The current approach, however, hinders the possible development opportunities for Midtown Oakville, thereby negating the Strategic Growth Area potential for this area.

There are two specific concerns we hold regarding the current proposed OPA. The first pertains to residential growth as it relates to building density and height (Schedules L2, L3, and L4), and the second focuses on the proposed transportation network (L5). Below are our comments for consideration.

Density Provisions with Respect to Schedule L2, L3, and L4

Floor Space Index:

The density provision negates the development potential for the Subject Lands. The Client is proposing to develop a mixed-use 58 storey building that will contain retail, office, and residential uses. The high-rise mixed-use building will have underground parking, three floors of above-ground parking, ground level commercial spaces, one-level of office spaces, roof top amenity spaces, and apartment units. There will be a total of 388 residential units with a mix of one- to three-bedroom units that will accommodate the diverse residential needs in Oakville.

The proposed mixed-use development will yield a residential density of 9.75 FSI. In previous submissions, the Draft OPAs released in May 2022 and May 2023 facilitated growth through density ranges, while in the April 2024 Draft OPA, density provisions did not exist. As such, the proposed developed conformed to the previous iterations of the Midtown Oakville OPA. The proposed mixed-use development is expected to accommodate anticipated population and employment growth that will assist Midtown Oakville in achieving its minimum density target of 200 residents and jobs per hectare combined by the year 2031.

During previous community engagement events, while opposition from certain resident associations has been noted, a number of Oakville residents, landowners and associations have responded positively to intensification and concentrated density. Specifically, feedback provided by residents who participated in the “Meet Midtown Public Engagement Event” on February 15, 2024, supported higher density to enable younger residents and first-time home buyers within the housing market. Despite density support from both planning staff and residents, the Draft OPA released in September 2024 revised the schedules to reduce total FSI to a minimum of 3 FSI and a maximum of 5 FSI within the Trafalgar Precinct. This change, upheld in the December 2025 Proposed OPA, significantly restricts development potential within Midtown Oakville and undermines the density provisions that Town has been working towards for several years.

Importantly, the Town must consider the density implications set by other jurisdictions in comparable settings. Recently several municipalities have established increased densities, including upwards of 10 FSI, within their Downtown Secondary Plans. Municipalities like Brampton, Mississauga and Vaughan, have all identified the areas in proximity to major transit stations to be appropriate for that level of intensification. This direction is appropriate and should be modelled after by the Town.

Building Heights:

Building height maximums greatly influence the growth potential of an area. In Appendix A of the Issues Identified at Sixth and Final Midtown Committee of the Whole Meeting on January 30-31, 2024, it was reported that given Midtown Oakville’s MTSA and Strategic Growth Area status, Midtown is required to be planned for a minimum of 32,468 people and 17,998 jobs (50,466 total) by 2051. Outlined by the Joint Best Planning Estimates, which are configured by Halton Region and the local municipalities, this approximates 490 residents and jobs per hectare by 2051.

Within Appendix A of the January 2024 Committee Meeting report, it was noted that Midtown Oakville is expected to include a range of tall and mid-rise built forms, with 57% of the total developable area for tall buildings expected to have height ranges of 8 to 48 storeys (see Schedule A). To accommodate the height restrictions, taller buildings can abide by built form with appropriate design and setbacks to ensure the Town

satisfies growth targets and does not sacrifice liveability elements (i.e., parks and open spaces, transportation networks etc.) that are important to residents in Oakville.

In review of other similar planning practices, it was assured in the Resident Association Meeting on February 22, 2024, that other Urban Growth Centres and Protected MTSA have height maximums of 48 to 60 storeys, which is similar to the proposed height maximum of 48 storeys for Midtown Oakville as outlined in the April 2024 Draft OPA. Council previously acknowledged that lesser height and densities would not represent good planning for Midtown Oakville. In a memo to Mayor Burton and Members of Council, the Planning Design and Development department of Oakville presented an Urban Growth Centres Comparators to Midtown Oakville (see Schedule B) to highlight the development intensities that are common throughout other MTSAs within the Greater Toronto and Hamilton Area (GTHA). It is apparent that the latest Proposed OPA does not resemble best planning practices like other municipalities within the area.

Outlined within the April 2024 Draft OPA, the Trafalgar Precinct was supposed to feature the highest densities and tallest buildings in Midtown Oakville. Due to schedule revisions, the current Proposed OPA has recommended a building height threshold of 5 to 20 storeys. This is the lowest proposed building height maximum since the Town began the Midtown OPA endeavour. Therefore, the previous suggested density targets were unequivocally more inclusive and did not limit the development potential in the same ways that the current Proposed OPA does.

Adding to this frustration is the removal of *bonusing* in Midtown Oakville. Outlined in Section 20.7.2 of the Livable Oakville Official Plan (2009), the Town allowed increases in building height [in areas of Midtown Oakville, see Schedule C] without an Official Plan Amendment, in exchange for the provision of public benefits. Eligible bonusing was conditional upon development phasing/transition as outlined in Section 20.7.1 of the Official Plan. Furthermore, Section 20.7.2.d. stated that there is no prescribed building height limit. All versions of the OPA have removed bonusing provisions as they relate to Midtown Oakville, which directly affects development within the previously eligible Trafalgar Precinct.

Not only has the Town hindered development and intensification potential through the Proposed OPA but has subsequently chosen to remove a positive development policy that could help the Town satisfy their projected growth targets. It is essential that the Town strategically revisit their proposed density policies to ensure they are planning for present and future development opportunities through to 2051 *and beyond*. As it stands, the proposed height and density caps, coupled with the removal of lands eligible for bonusing, restrict the growth potential of this Strategic Growth Area and infringe upon non-negotiable growth targets.

Growth Targets:

In a comparative analysis of the Joint Best Planning Estimates and the Region of Halton Official Plan Amendment 49 (ROPA 49), Watson & Associates found that Town of Oakville is expected to grow at an annual rate of 2.3%, which is 1.5 times higher than ROPA 49 estimates. According to the Joint Best Planning Estimates, the population forecast for the Town of Oakville is estimated at 442,941 people and 212,116 jobs in 2051, compared to the suggested 349,990 residents and 181,120 jobs outlined in ROPA 49.

In Appendix A of the Issues Identified at Sixth and Final Midtown Committee of the Whole Meeting on January 30-31, 2024, it was reported that given Midtown Oakville's MTSA and Strategic Growth Area status, Midtown is required to be planned for a minimum of 32,468 people and 17,998 jobs (50,466 total) by 2051. Outlined

by the Joint Best Planning Estimates, which are configured by Halton Region and the local municipalities, this approximates 490 residents and jobs per hectare by 2051.

Reiterated within many public meetings, specifically the Resident Associations Meeting that occurred on February 22, 2024, approximately 72% of Oakville's future population growth and 53% of future employment growth to 2051 is planned to be accommodated within the Town's Strategic Growth Areas, with a majority of the growth directed to Midtown Oakville. In a memo presented to Mayor Burton and Members of Council from the Planning, Design and Development Department of Oakville in April 2024, it was acknowledged that the Joint Best Planning Estimates Report offer the most reliable and relevant population estimates for the Region and Town to 2051. It is recognized by planning staff that underestimating growth jeopardizes the Region and local municipalities' ability to finance hard and soft infrastructure required to support residents.

Furthermore, as Oakville's population rises, so too has the need for high-density housing. Watson & Associates were retained by the Town of Oakville to complete a Growth Analysis Study and identified that the demand for high-density housing has steadily increased over the past two decades, with a 4.3% annual growth rate from 2016 to 2021. In that same report, Watsons & Associates predicts 29,900 people and jobs in Midtown by 2051. As such, since April 2024, Midtown has been planned for 35,000 people and jobs by 2051.

In a Special Council Report published June 2024, the Community Development Commission highlighted the gross underestimation of capping development to accommodate 35,000 residents and jobs, as it significantly undermines the Joint Best Planning Estimates. The Report notes that planning for 35,000 residents and jobs would require shifting approximately 15,500 residents and jobs to other areas in Oakville, which would increase planning pressure on the Town leading to significant infrastructural shortages that will not satisfy growth needs. In the January 9, 2025, Staff Report, it was confirmed once again that establishing a more detailed estimation of jobs (using a smaller square meter per job type rates than the average 30 square meters per job initially used in staff calculations), allows Midtown to accommodate 38,150 residents and 16,400 jobs if the Gross Floor Area were to be maximized across Midtown. Therefore, we strongly advise that Midtown Oakville is planned to accommodate the Joint Best Planning Estimates of 50,466 people and jobs by 2051. Adhering to this projection will ensure Midtown is planned to maximize its land-use potential thereby satisfying current and future population needs

Planning Implications:

According to Watson & Associates, currently there are 7,021 units that are under appeal at the Ontario Land Tribunal in Midtown Oakville. This is only going to increase if the Town is unable to adequately accommodate the development potential of Midtown. Other examples exist in surrounding Urban Growth Centres where municipalities have received applications that request OPA/ZBA applications greater than the maximum permitted heights or densities. The City of Oshawa received an OPA/ZBA for a 21-storey development within the Urban Growth centre where the maximum permitted height was 8 storeys. Similarly, the City of Markham received an OPA/ZBA application for a 55-storey development within the Urban Growth Centre where the maximum permitted height is 15 storeys. These examples demonstrate the resulting development pressures that ensue when intensification is not appropriately planned for within Official Plans.

Prior to CLS submitting the development application, the Client participated in two pre-consultation meetings with the Town of Oakville and Halton Region on December 15, 2021, and May 11, 2022. The application for OPA and ZBA were submitted on November 8, 2022, after a resubmission. A public meeting was held in

accordance with the Planning Act on March 2, 2023. On June 2, 2023, the Town deemed the application complete. On July 19, 2024, the Client issued a Notice of Appeal to the Town of Oakville due to a failure to adopt the OPA and failure to make a decision on the ZBA. The Client will proceed to take the Town of Oakville to the Ontario Land Tribunal unless the proposed OPA can establish development-friendly policy. We predict that this course of action will become more frequent for the Town, as developers are wanting to provide sound solutions to help Midtown Oakville achieve their density targets to 2051 and beyond but are currently facing undue barriers.

The proposed density regulations for Midtown Oakville significantly limits the area's capacity to provide a variety of housing options, which is a crucial need in our community. We argue that setting a density cap at a maximum of 5 FSI and a building height maximum of 20 storeys does not take full advantage of Midtown's potential, especially given its strategic location within the MTSA and its proximity to Highway 403. Furthermore, the density requirements are not consistent with the provisions outlined by other MTSA's and Strategic Growth Areas in the GTHA. To truly realize its possibilities, the Town should prioritize intensification, aiming to create a vibrant, diverse community that meets the housing demands of residents. By embracing higher density, we can foster a more inclusive and sustainable urban environment that supports public transit use and helps alleviate housing shortages.

Proposed Transportation Network with Respect to Schedule L5

In previous formal submissions, we raised concerns about the proposed road network, which we believe undermines the development potential of the Subject Lands. As shown in Schedule D, the proposed Argus Road and Davis Road underpass connection results in a fragmentation of the lands. The proposed expropriation of land eliminates any development potential of the Subject Lands and frustrates the ability to contribute to the density targets established by the Town of Oakville.

A traffic analysis was prepared by C.F. Crozier & Associates Inc. in 2022 to accurately characterize the impacts on traffic with and without the underpass off-ramp. According to the analysis, the intersection of Trafalgar Road and QEW EB off-ramp is projected to operate without material change in level of service in the p.m. peak hours, with or without the underpass off-ramp. Although it demonstrated that there is an expected delay for the scenario without the underpass off-ramp, the projected p.m. peak hour operations in the 2031 horizon under both scenarios is typical for the peak commute hours of a high volume major arterial and highway off-ramp intersection, operations are expected to be better during the rest of the day. Furthermore, the implementation of a second auxiliary right-turn lane, operations can be greatly improved in the future with the subject improvement without need for the underpass off-ramp.

The traffic analysis conducted by Crozier projected traffic volumes that do not justify the cost and implementation of this improvement. According to the traffic analysis, the Midtown Oakville Class Environmental Assessment (MOCEA) traffic projected on the underpass off-ramp would instead use either the "Buttonhook" QEW EB off-ramp onto Cross Avenue planned as part of the MOCEA, located just west of Royal Windsor Drive or to the existing QEW EB off-ramp to Trafalgar Road. On the absence of the off-ramp, it is projected that approximately 80% of the traffic would divert to the QEW buttonhook EB off-ramp to Cross Avenue, while 20% of the traffic would divert to the QEW EB off-ramp at Trafalgar Road. Most of the traffic projected on the underpass off-ramp would have been destined for the Midtown Oakville located south-east of Trafalgar Road/ QEW, and the buttonhook off-ramp is expected to be the more convenient route compared to the Trafalgar Road QEW EB off-ramp under future traffic volumes.

Based on the foregoing, we strongly encourage planning staff to consider utilizing the existing Davis Road alignment for the proposed extension to be more efficient and sustainable as this alternative option will utilize existing municipal infrastructures. We also request that the MTO explore adding a second right-turn storage lane to the QEW eastbound off-ramp connection to Trafalgar Road in the future (i.e., beyond 2030) if traffic volumes follow the pattern forecast by the MOCEA. Such an improvement would be significantly less complex and cost effective than the potential MOCEA underpass off-ramp improvement. If an underpass is to be pursued, we would suggest that it be designed as a pedestrian/cycling trail which would discourage automobile use and congestion in favour of more desirable active transportation within the MTSA.

While we acknowledge and are appreciative that the proposed transportation network has evolved since the first Draft OPA was released in 2021 (i.e., the removal of Cross Ave extension), we continue to seek justification for the proposed road network. The future collector road on Davis Street still fragments the Subject Lands (see Schedule D). The consequences of this are significant, as a proposed road realignment impedes the ability to contribute to the density targets established for the Town of Oakville. We implore the Town of Oakville to consider how the reduction in total developable lands and proposed transportation network will limit the development potential of the Subject Lands by lessening the total square footage dedicated to a residential development.

Since the May 2022 Draft OPA and subsequent iterations henceforth (see Schedule E), the Town has assured that the proposed network realignment will be subject to further study. Technical studies to support this decision have not been released, nor have been initiated since the Midtown OPA inception, thereby indicating that the proposed OPA network alignment is not informed by technical studies to warrant such realignment nor the transportation networks that connect Davis Road to a bridge and underpass alignment. Per Section 20.5.2.(a)(v) of the proposed OPA, all streets and other transportation infrastructure which includes bridges and underpasses, are subject to studies to determine final alignment and ensure no environmental impact. As outlined in the January 9, 2025, Staff Report, if the technical studies determine that the proposed transportation network does not positively contribute to the environment or mobility network, the Town will need to determine alternatives and make amendments to the Official Plan. To get ahead of this, we implore that the Town abide by their own prescriptions and immediately pursue the necessary technical studies to ensure that the final proposed transportation network is appropriate and justified.

In 2022, CLS requested Crozier to perform a high-level cost estimate for the proposed road extension and underpass. They reasoned that the proposed transportation network would cost \$35 to \$40M in 2023. This is double the project \$15.5M estimate outlined in the 2014 MOCEA. Based on these figures, in previous delegation letters submitted in 2023 and 2024 we requested the Town to conduct a cost/benefit analysis to assess the planning merits and impacts of the proposed road extension. It appears to us that the significant cost to construct the underpass does not result in any meaningful benefit in terms of improving service levels in the surrounding road network. Again, we are formally requesting the Town provide a business case determined by a financial impact assessment to justify the proposed network alignment.

It is relevant to note that the MOCEA was completed in 2014 and has approached its 10-year expiry date. It is imperative that an updated EA be completed to reflect current needs and total current cost of construction as any decision made by the Town should be supported by technical studies. We continue to request that staff make further adjustments to the relevant road network schedules based on technical and financial studies to eliminate any ambiguity regarding the development potential of the Subject Lands as currently proposed.

It is our opinion that utilizing the existing Davis Road alignment for the proposed extension will be more efficient as this alternative option will both utilize existing municipal infrastructure and will maximize development potential on the Subject Lands. Implementing these changes will also help avoid a significant public financial commitment to construct a vehicular underpass that would not bring any meaningful improvement to the overall functioning of the road network. It is essential that lands be adequately intensified without undue barriers. This will ensure that the Town of Oakville can reach their residential and employment targets to 2051 and beyond while remaining consistent with Provincial interests.

Landowner Group

The proposed draft OPA includes policy which requires the formation of a landowner group to share in the costs associated with the development of community infrastructure. Policies which require the coordination of public services like parkland, school sites and stormwater management are increasingly being established in similar policy exercises to ensure that the infrastructure is located and distributed in a fair and equitable manner. Of late, the proposed policies have been updated to establish that the requirement of the participation in a landowner group be determined by the Town following the pre-submission and, if determined to require the participation, that the application not be deemed complete until such participation occurs.

While we agree with the need to have landowner coordination, it is recommended that greater flexibility be established within the proposed policies. Overall, the policies should consider the variety of time frames that each individual landowner may have on the development of their respective lands. Given the size and current land use composition of Midtown, many landowners may not wish to advance their lands, creating tremendous burden on other landowners. The current format of the policies will therefore delay the advancement of lands wishing to develop immediately as well as delay the ultimate funding and construction of the identified facilities necessary to ensuring a complete community.

Conclusion

Given the above, we respectfully request the Town of Oakville and Project Team to:

1. Reconsider the density and height proposed on Midtown Oakville. The Town of Oakville should strongly consider greater density and intensification at Midtown Oakville to assist the Province in meeting its housing needs.
2. Implement 10 FSI across the entirety of the Midtown area, recognizing the area as the primary location to achieve density.
3. Return provisions which facilitate the concept of 'bonusing' above the maximum height restriction, instead of "prior to" the maximum restriction.
4. To further enhance the concepts to provide for an appropriate diverse land use mix that best represent a complete community.
5. To explore proposed use for the existing hydro corridor to provide for continuous pedestrian activity and connected green spaces.
6. Establish greater flexibility in the landowner agreement/cost sharing policies.

We hope the following comments will be considered in approving the Midtown Oakville Proposed OPA. While we appreciate the effort and consideration that the Town has undertaken to prepare the Midtown OPA, too much is at stake for the growth and development of Midtown Oakville. Please do not hesitate to contact the undersigned with questions or if you require clarification regarding our comments and submissions.

Sincerely,

Nick Wood

Nick Wood, MES(PI), MCIP, RPP
Vice President of Development Planning
Corbett Land Strategies Inc.
nick@corbettlandstrategies.ca
(416) 420-5544

Schedule A

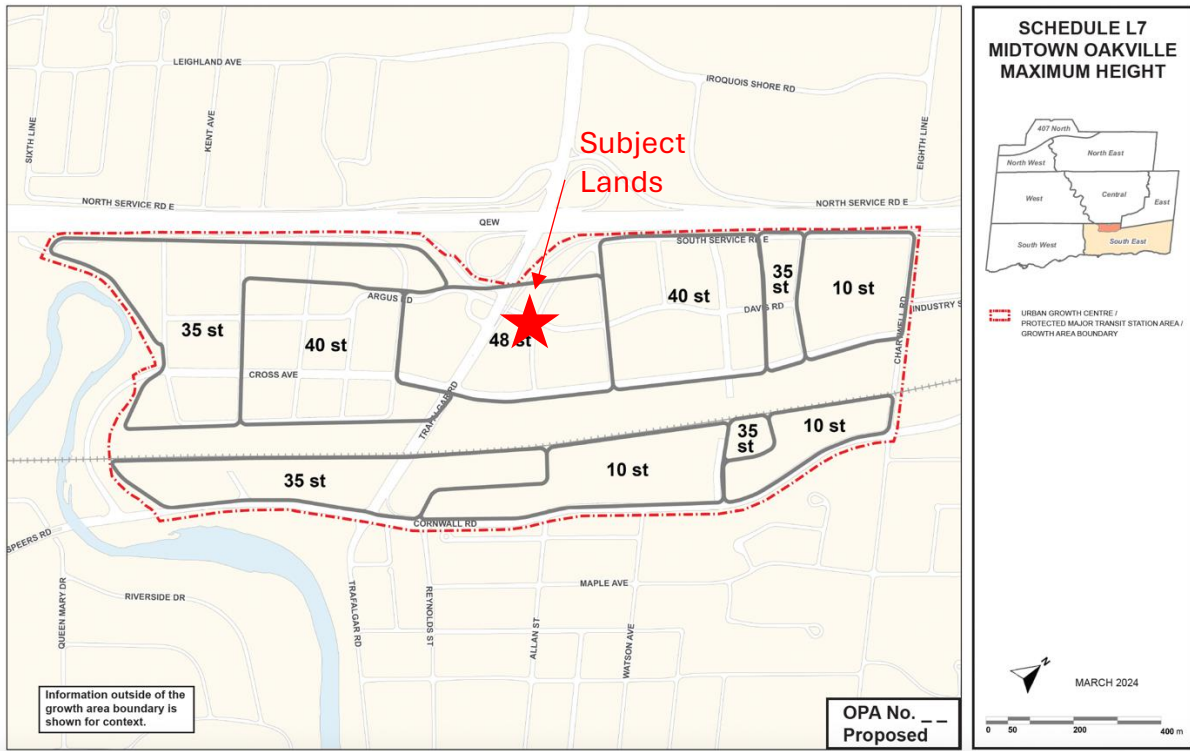


Figure 1: April 2024 Draft OPA Height Maximums

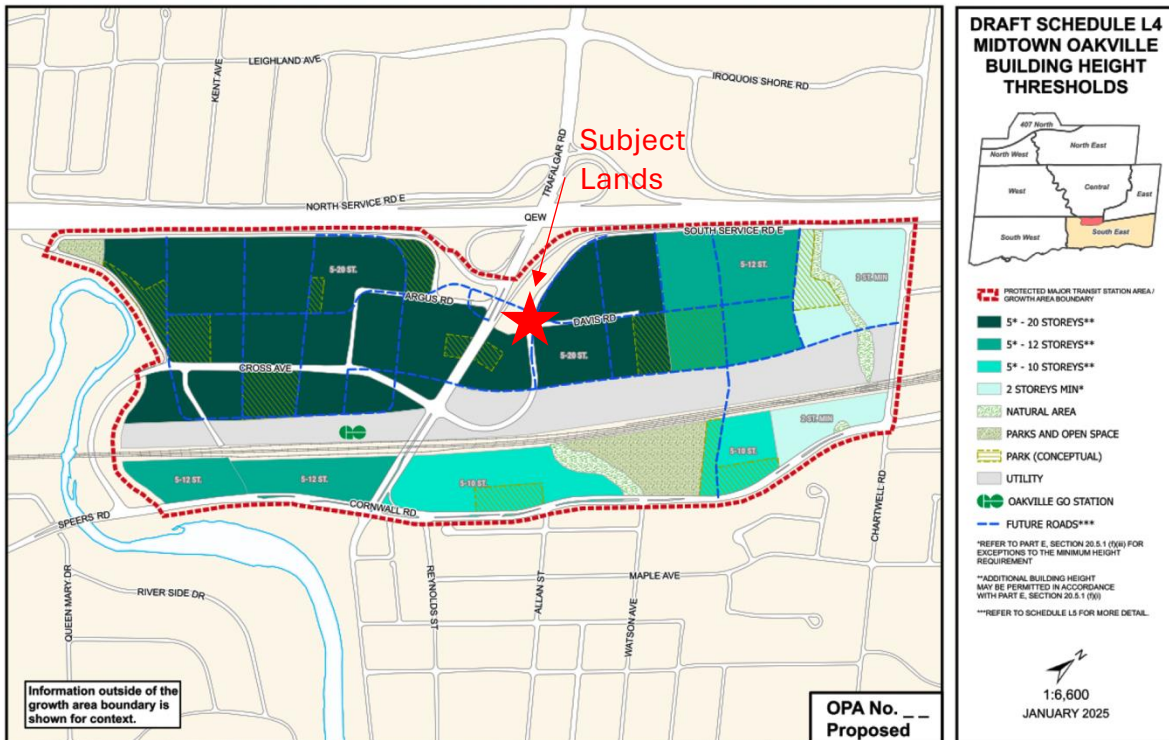


Figure 2: December 2024 Proposed OPA Height Maximums

Schedule B

Urban Growth Centre comparators to Midtown Oakville as identified by the Planning, Design and Development Department from the Town of Oakville.

Urban Growth Centre Comparator	Hectares	Gross Planned Density	Height and Density Permissions
Downtown Burlington	86 Ha	284 P+J/Ha	Min Height: 2 storeys Max Height: 30 storeys Min FSI: N/A Max FSI: 4 FSI
Downtown Milton	139 Ha	200 P+J/Ha	Min Height: 4 storeys Max Height: 33 storeys Min FSI: 2.0 FSI Max FSI: 6.0 FSI
Downtown Brampton	93 Ha	580 P+J/Ha	Min Height: 4 storeys Max Height: No maximums Min FSI: No minimums Max FSI: No maximums
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Downtown Pickering	67.5 Ha	200 P+J/Ha	Min Height: 3-16 storeys Max Height: 37 storeys Min FSI: 0.75 FSI Max FSI: 5.75 FSI
Downtown Hamilton	105.1 Ha	500 P+J/Ha	Min Height: 2 storeys except for Pedestrian Focus Streets (min 3 storeys) Max Height: 30 storeys Min FSI: 0.75 FSI Max FSI: 5.75 FSI
Downtown Mississauga (City Centre)	37.8 Ha	400 P+J/Ha	Min Height: 3 storeys Max Height: 35 storeys Min FSI: 1.0 FSI (unless in PMTSA) Max FSI: N/A
Downtown Kitchener	N/A	225 P+J/Ha	Min Height: N/A Max Height: 35 storeys Min FSI: 1.0 FSI Max FSI: 3.0 FSI within City Centre, 7.5 FSI for lands within Multi-Modal Transit Hub
Uptown Waterloo	N/A	200 P+J/Ha	Min Height: 2 storeys Max Height: 25 storeys

			Min FSI: N/A Max FSI: N/A
Markham Centre	N/A	250 P+J/Ha	Min Height: 3 storeys Max Height: 15 storeys Min FSI: N/A Max FSI: 3 FSI

Schedule C

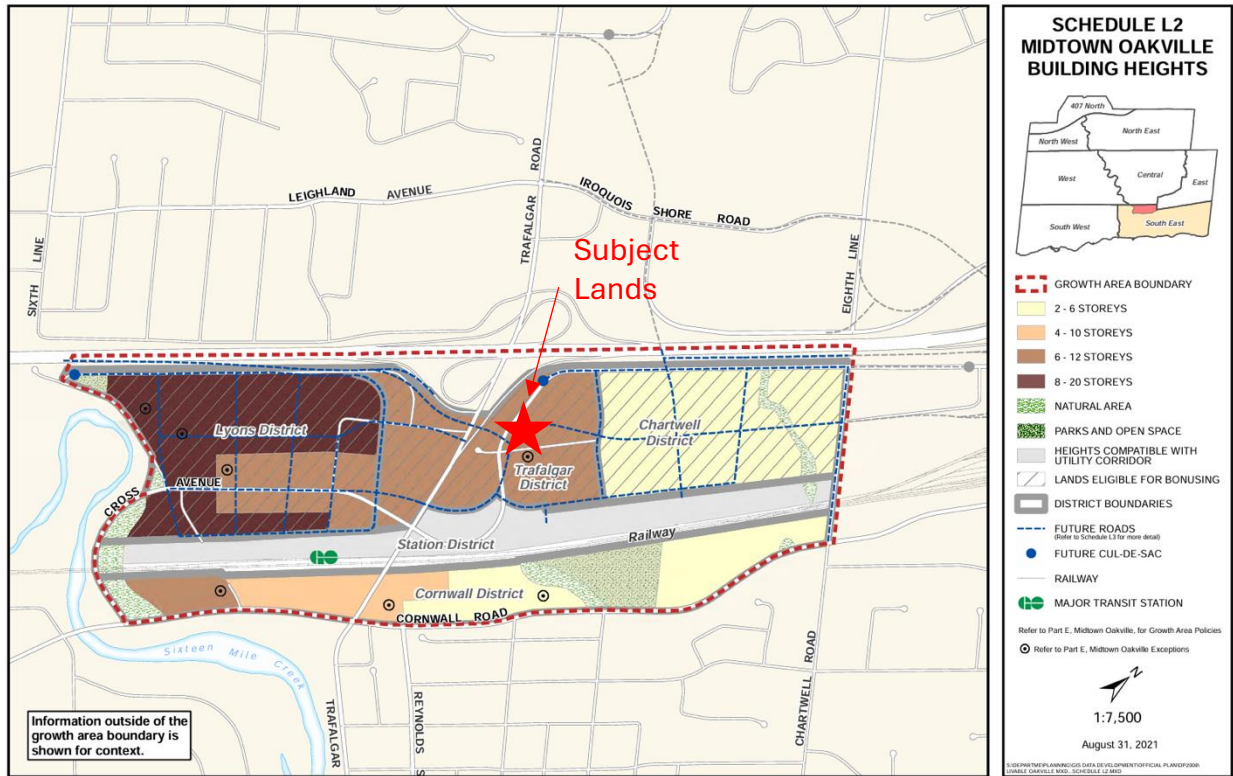


Figure 3 Schedule L2 in the Livable Oakville Official Plan 2009

Schedule D



SCHEDULE L4 MIDTOWN OAKVILLE PROPOSED TRANSPORTATION NETWORK

- - - - - URBAN GROWTH CENTRE / PROTECTED MAJOR TRANSIT STATION AREA / GROWTH AREA BOUNDARY
- FUTURE ARTERIAL (36M)*
- FUTURE MINOR ARTERIAL (30M)*
- FUTURE COLLECTOR (26M)*
- FUTURE LOCAL (20M)*
- - - - - FUTURE STREET EXTENSIONS OUTSIDE OF MIDTOWN BOUNDARY*
- ||||| ROAD PROPOSED TO BE REMOVED
- = FUTURE BRIDGE
- - - - - FUTURE UNDERPASS
- - - - - FUTURE ACTIVE TRANSPORTATION BRIDGE
- BRIDGE AND UNDERPASS ALIGNMENT SUBJECT TO FURTHER STUDY
- - - - - POTENTIAL FUTURE RAILWAY GRADE SEPARATION
- MAJOR TRANSIT STATION
- - - - - FUTURE PROTECTED STATION AREA
- TRAFALGAR BRT

*FINAL ALIGNMENT SUBJECT TO FURTHER STUDY.

MARCH 2024

Schedule E

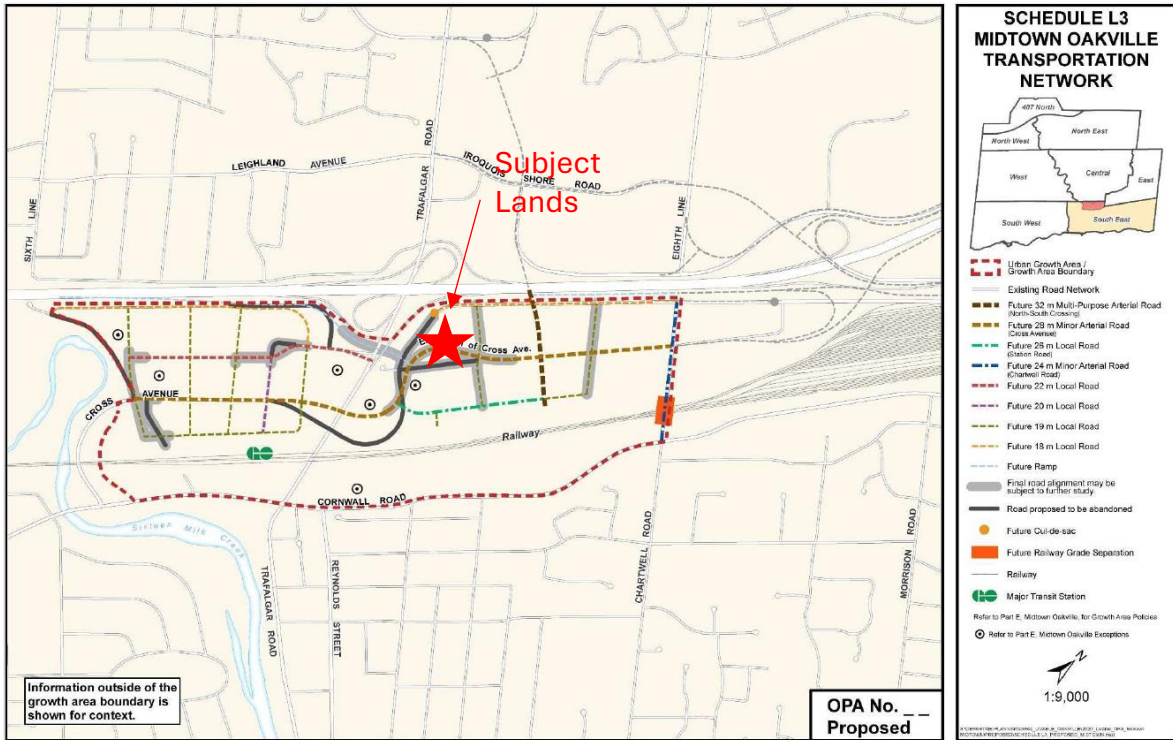


Figure 4: October 2021 Draft OPA Transportation Network

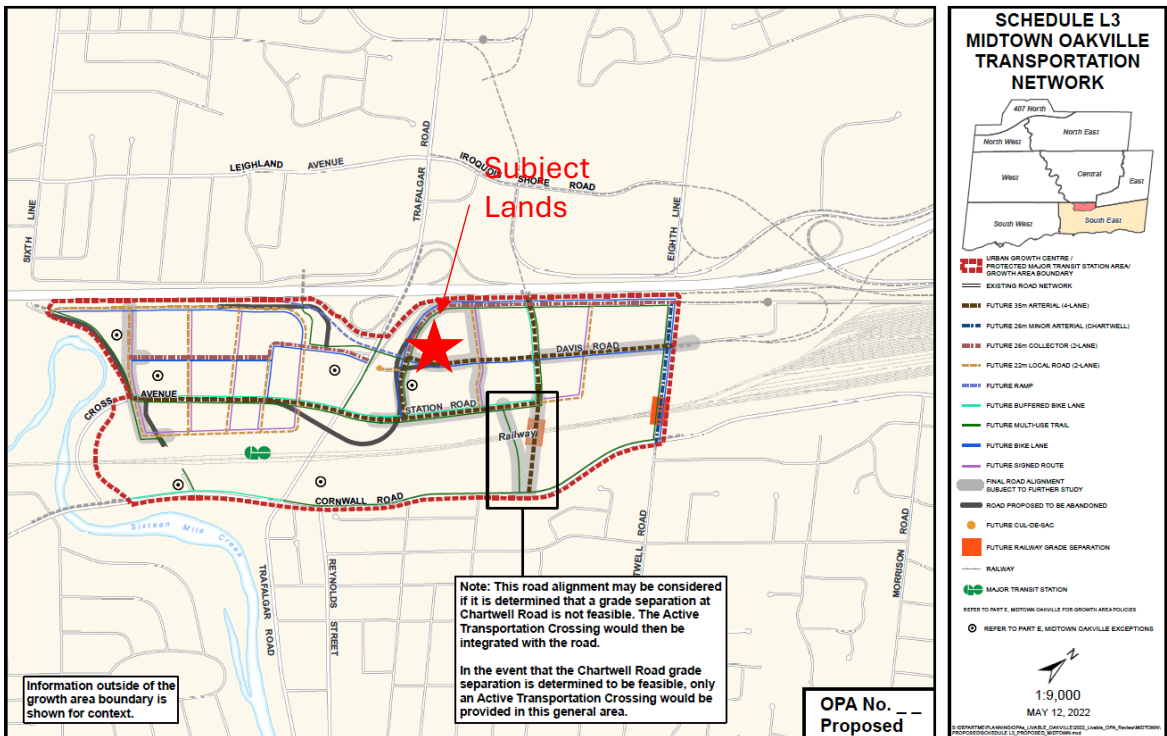


Figure 5: May 2022 Draft OPA Transportation Network

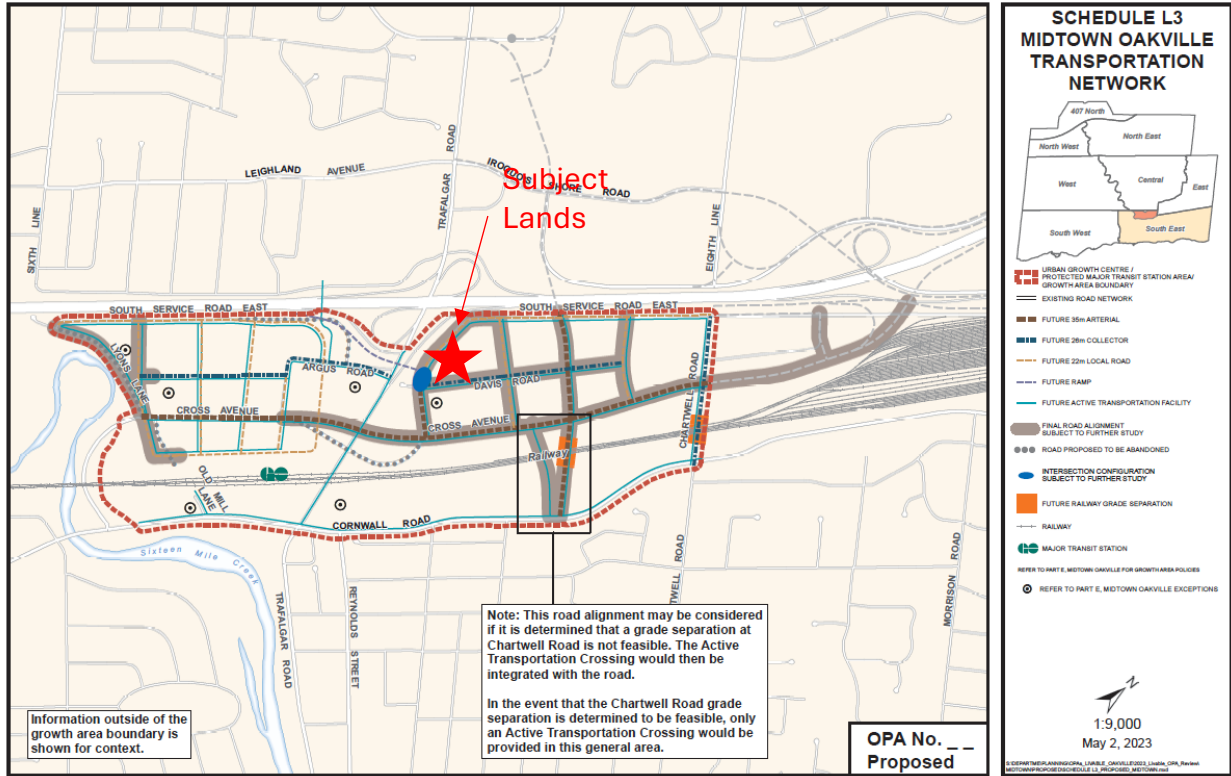


Figure 6: May 2023 Draft OPA Transportation Network

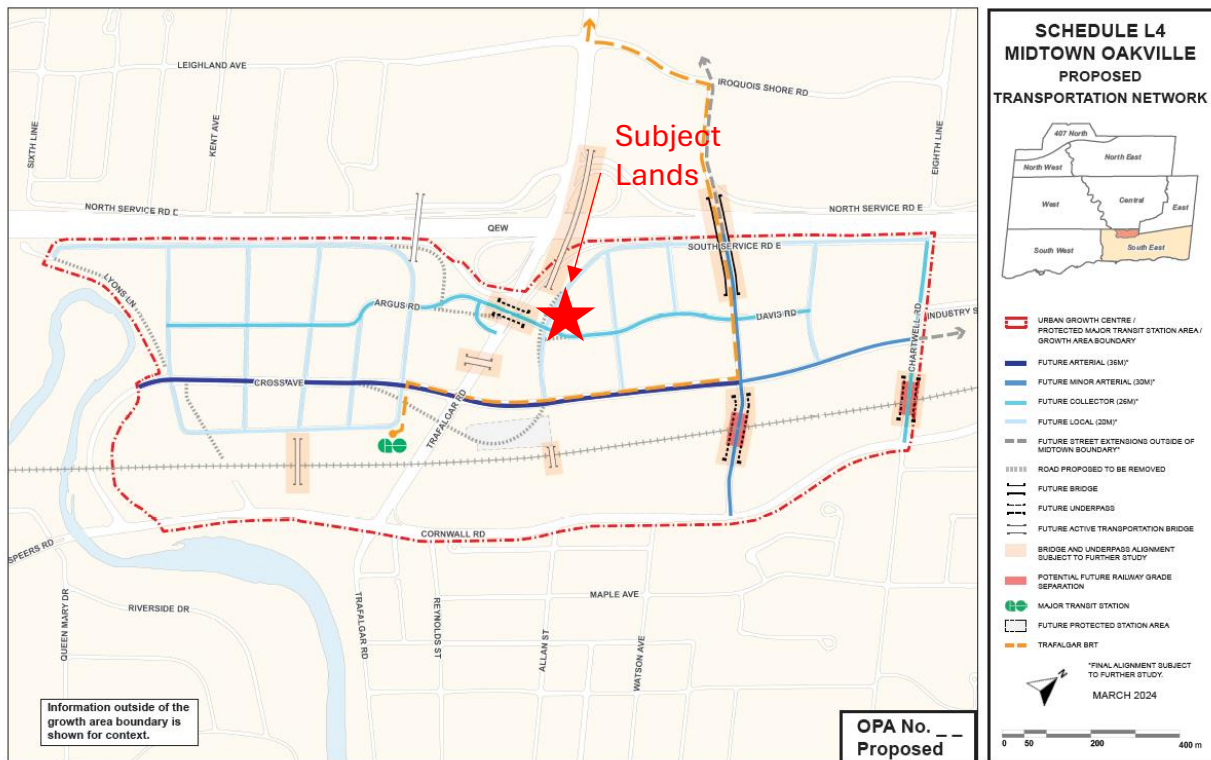


Figure 7: April 2024 Draft OPA Transportation Network

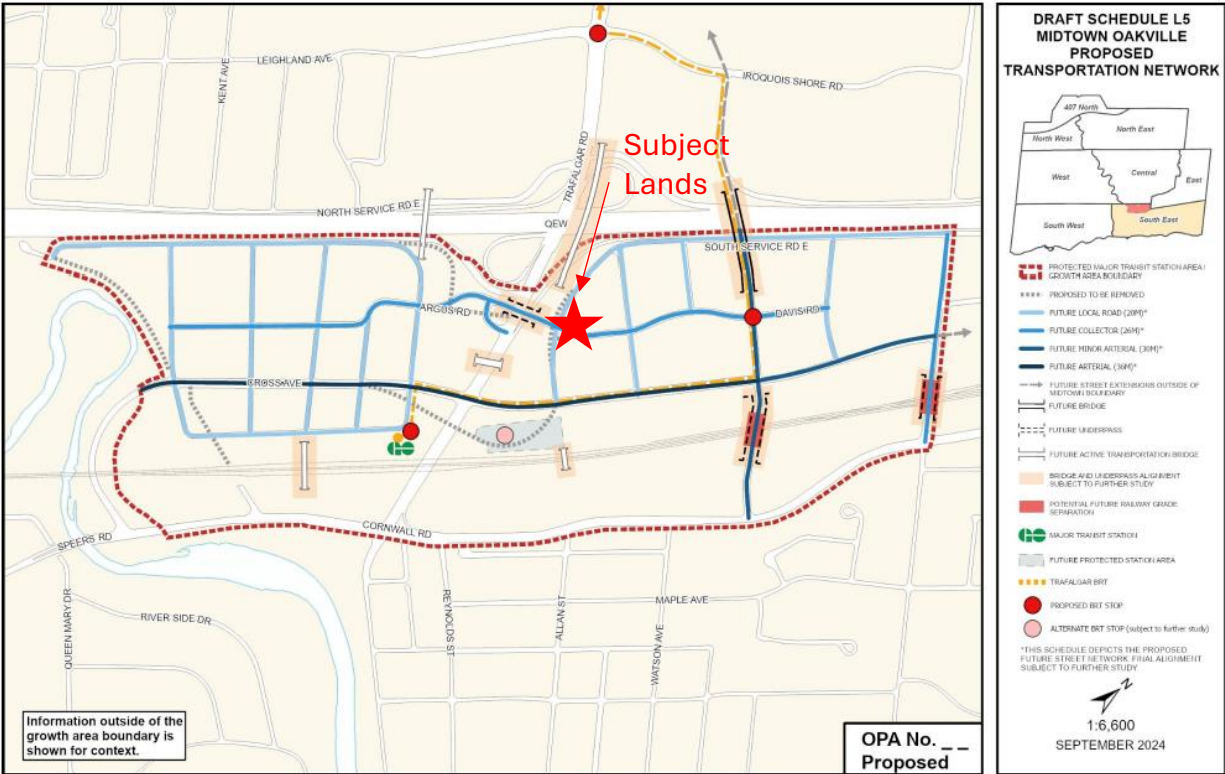


Figure 8: September 2024 Draft OPA Transportation Network

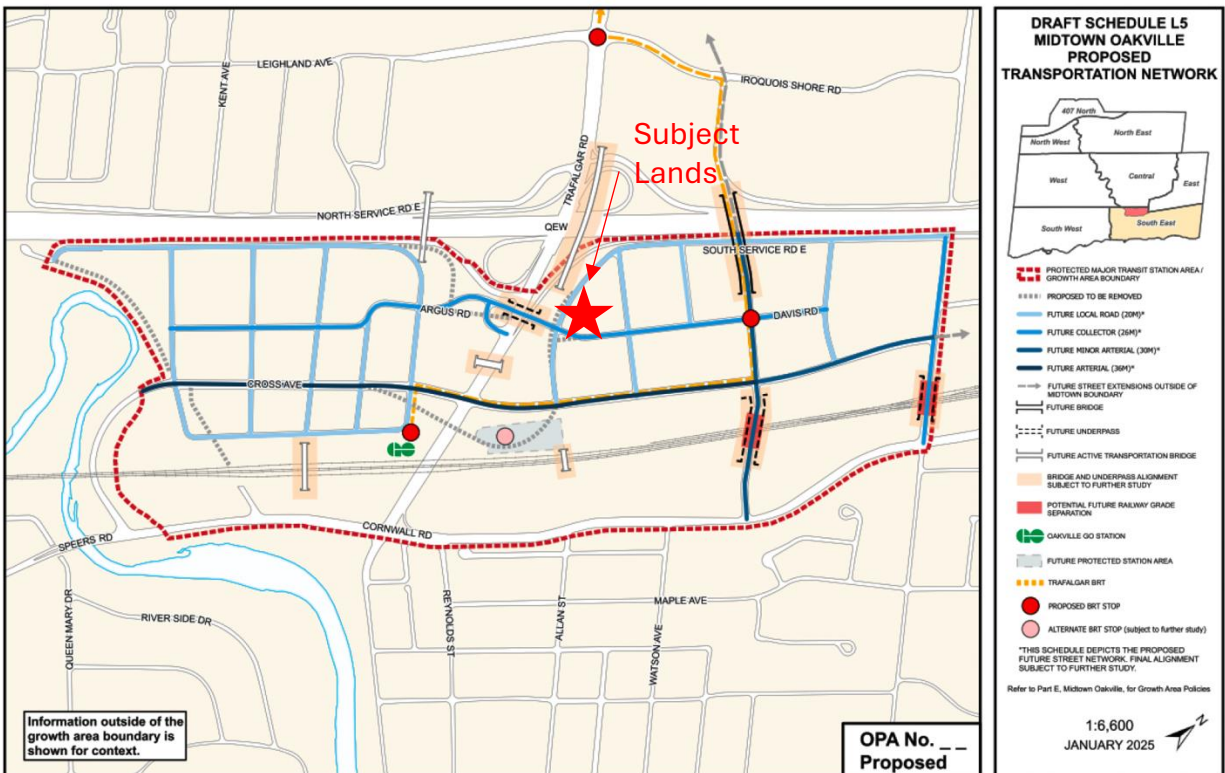


Figure 9: December 2024 Proposed OPA Transportation Network

Monday, January 20, 2025

Town of Oakville
1225 Trafalgar Road,
Oakville, Ontario
L6H 0H3

Attention:	Town Clerk Sybelle von Kursell, MCIP, RPP Manager, Midtown Oakville and Special Programs Planning and Development Gabe Charles, MCIP, RPP Director, Planning and Development
Re:	Town Initiated Proposed Official Plan Amendment – Midtown Oakville and Community Planning Permit System 177 Cross Argus Development Inc. c/o Sam Ganni and Nawar Mahfooth 177 Cross Avenue, 185 Cross Avenue, 187 Cross Avenue, and 580 Argus Road

On behalf of 177 Cross Argus Development Inc c/o Sam Ganni and Nawar Mahfoot (herein referred to as 'Client'), Corbett Land Strategies Inc. (herein referred to as 'CLS') is pleased to submit this letter to the Town of Oakville containing our response to the Midtown Oakville Proposed Official Plan Amendment (Proposed OPA), released on January 8, 2025. This letter is being submitted in advance of the Public Statutory Meeting to be held on January 20, 2025, which is intended to receive public feedback on the Proposed OPA. While this is the first submission on behalf of the Client with respect to the Midtown Oakville Official Plan Amendment, the comments stated herein reinforce the concerns of other Landowners who have previously submitted comments to the Town of Oakville.

This submission relates to the lands legally described as Part of Lot 14 Concession 3 South of Dundas Street, Town of Oakville, and municipally known as 177 Cross Avenue, 185 Cross Avenue, 187 Cross Avenue, and 580 Argus Road (herein referred to as the 'Subject Lands'). The Subject Lands are approximately 2.5 acres (1.0 hectare) at the intersection of Cross Avenue and Argus Road within the 'Trafalgar Precinct'.

The Client is proposing to develop three (3) high-rise residential buildings with building heights ranging from 50 to 60 storeys and one (1) mid-rise 6 storey residential building with commercial use at grade. There will be a total of 1,895 residential units with a mix of one- to three-bedroom units and 1,219 parking spaces at and below grade that will accommodate the diverse residential needs in Oakville.

CLS is pleased to advise that the Client has participated in several meetings and discussions with other landowners in the area on the formation of a landowner group. This coordination is in response to the proposed policies of the OPA which require the formation of a landowner group. Given the wide range of property owner timelines and development objectives, it is felt amongst many landowners that the current OPA landowner group policies do not establish an appropriate framework which facilitates the development of lands on the short-term. The Client is appreciative of the importance of landowner coordination on the delivery of public and community infrastructure, and believes that direction should be contained within the OPA, however greater consideration on the implementation of the current landowner group policies is necessary and whether the current policies, which may prevent an application from being deemed complete, help or harm the realization of the housing and intensification goals of the Town.



FIGURE 1 SUBJECT LANDS

Executive Summary

As a Major Transit Station Area (MTSA) and Urban Growth Centre, Midtown Oakville is to accommodate a significant amount of Oakville's overall population growth and development forecasted to 2051. The exercise to plan for that growth has been ongoing for several years, with several iterations of policy being released for public review and comment. However, the most recent provisions and schedules outlined in the Proposed OPA are inconsistent with provincial interests and significantly restrict the development potential of the Subject Lands.

The Proposed OPA is dismissive of the growth aspirations of the Provincial Planning Statement, in particular the Ministry of Finance population and employment forecast for the Region of Halton and Oakville to 2051. Current provisions which cap the Floor Space Index at 6 and building height at 20 storeys for the Trafalgar Precinct are insufficient and will not satisfy the infrastructural needs to accommodate the population projections through to 2051 and beyond. The concerns outlined below will lead to increasing development pressure, as other MTSA's are currently experiencing, and increasing demand for intensification to satisfy Town, Regional or Provincial growth targets.

Overall Comments

As you are aware, the Subject Lands are proposed to be designated as part of the 'Urban Core,' of the 'Trafalgar Precinct' within the Proposed OPA. This area is envisioned to be a mix of various land uses, creating a highly walkable community in Midtown Oakville. It will include a variety of office, civic, cultural, residential, and recreational spaces, along with public areas.

Oakville is considered the Town's primary *strategic growth area* and *protected transit station area*, located along the Lakeshore West GO *provincial priority transit corridor*. Within the Provincial Planning Statement (PPS), the Province advises that Major Transit Station Areas (MTSA) are to promote development and intensification and must achieve a minimum density target of 200 jobs and residents combined per hectare as outlined by Section 2.4.2.2.a. of the PPS.

It is clear that the Proposed OPA released on January 8, 2025, does not uphold Provincial interests based on the above stated policy. Rather, previous iterations of the OPA, published in the Spring of 2022, 2023, and 2024, more appropriately adhere to Provincial objectives, as growth was promoted through the intensification of Strategic Growth Areas. This in turn would ensure that future community needs were met while encouraging diversity in housing options. The current approach, however, hinders the possible development opportunities for Midtown Oakville, thereby negating the Strategic Growth Area potential for this area.

We hold concerns with respect to the height and density provisions of the Proposed OPA as Schedules L2, L3, and L4 are unassuming and do not satisfy the previously anticipated non-restrictive growth policies. Below are our comments for consideration.

Commentary on Density Provisions with Respect to Schedule L2, L3, and L4

Floor Space Index:

The density provision negates the development potential for the Subject Lands, as the proposed development anticipates a residential density of 13.19 FSI. In previous submissions, the Draft OPAs released in May 2022 and May 2023 facilitated growth through density ranges, while in the April 2024 Draft OPA, density provisions did not exist. As such, the proposed development was closer in alignment to the density expectations in the previous iterations of the Midtown Oakville OPA. Regardless, the proposed mixed-use development will accommodate a significant amount of population and employment growth that will assist Midtown Oakville in achieving its minimum density target of 200 residents and jobs per hectare combined by the year 2051.

During previous community engagement events, while opposition from certain resident associations has been noted, several Oakville residents, landowners and associations have responded positively to intensification and concentrated density. Specifically, feedback provided by residents who participated in the "Meet Midtown Public Engagement Event" on February 15, 2024, supported higher density to enable younger residents and first-time home buyers within the housing market. Despite density support from both planning staff and residents, the Draft OPA released in September 2024 revised the schedules to reduce total FSI to a minimum of 3 FSI and a maximum of 6 FSI within the Cross Avenue and Argus Road intersection of the Trafalgar Precinct. If the densities are to be applied to the subject lands, given the geographical characteristics, the development potential would be significantly restricted and likely uneconomic feasible to achieve the development goals of the property. This change, upheld in the December 2025 Proposed OPA, significantly restricts development potential within Midtown Oakville and undermines the density provisions that Town has been working towards for several years.

Building Heights:

Within Appendix A of the January 2024 Committee Meeting, it was noted that Midtown Oakville is expected to include a range of tall and mid-rise built forms, with 57% of the total developable area for tall buildings expected to have height ranges of 8 to 48 storeys (see Schedule A). To accommodate the height restrictions, taller buildings can abide by built form with appropriate design and setbacks to ensure the Town satisfies growth targets and does not sacrifice liveability elements (i.e., parks and open spaces, transportation networks etc.) that are important to residents in Oakville.

In review of other similar planning practices, other Urban Growth Centres and Protected MTSA have height maximums of 48 to 60 storeys. Council previously acknowledged that Midtown Oakville should adopt policies that resemble the best planning practices of other MTSA's within Greater Toronto and Hamilton Area (GTHA) (see Schedule B). Outlined within the April 2024 Draft OPA, the Trafalgar Precinct was supposed to feature the highest densities and tallest buildings in Midtown Oakville. Due to schedule revisions, the current Proposed OPA has recommended a building height threshold of 5 to 20 storeys. This is the lowest proposed building height maximum since the Town began the Midtown OPA endeavour. Therefore, the previous suggested density targets were unequivocally more inclusive and did not limit the development potential in the same ways that the current Proposed OPA does.

Adding to this frustration is the removal of *bonusing* in Midtown Oakville. Outlined in Section 20.7.2 of the Livable Oakville Official Plan (2009), the Town allowed increases in building height [in areas of Midtown Oakville (see Schedule C) without an Official Plan Amendment, in exchange for the provision of public benefits. Eligible bonusing was conditional upon development phasing/transition as outlined in Section 20.7.1 of the Official Plan. Furthermore, Section 20.7.2.d. stated that there is no prescribed

building height limit. All versions of the OPA have removed bonusing provisions as they relate to Midtown Oakville, which directly affects development within the previously eligible Trafalgar Precinct.

Not only has the Town hindered development potential through the Proposed OPA but has subsequently chosen to remove a positive development policy that could help the Town satisfy their projected growth targets. It is essential that the Town strategically revisit their proposed density policies to ensure they are planning for present and future development opportunities through to 2051 *and beyond*. As it stands, the proposed height and density caps, coupled with the removal of lands eligible for bonusing, restrict the growth potential of this Strategic Growth Area and infringe upon non-negotiable growth targets.

Growth Targets:

According to the Joint Best Planning Estimates prepared by Halton Region and local municipalities, the population forecast for the Town of Oakville is estimated at 442,941 people and 212,116 jobs in 2051, compared to the suggested 349,990 residents and 181,120 jobs outlined in ROPA 49. More specifically, it is expected that Midtown Oakville will have a minimum of 32,468 people and 17,998 jobs (50,466 total) by 2051. This approximates to 490 residents and jobs per hectare by 2051. In a memo presented to Mayor Burton and Members of Council from the Planning, Design and Development Department of Oakville in April 2024, it was acknowledged that the Joint Best Planning Estimates Report offer the most reliable and relevant population estimates for the Region and Town to 2051. It is recognized by planning staff that underestimating growth jeopardizes the Region and local municipalities' ability to finance hard and soft infrastructure required to support residents.

In a Special Council Report published June 2024, the Community Development Commission highlighted the gross underestimation of capping development to accommodate 35,000 residents and jobs, a figure informed by Watsons & Associates Growth Analysis Study 2024, as it significantly undermines the Joint Best Planning Estimates. The Report notes that planning for 35,000 residents and jobs would require shifting approximately 15,500 residents and jobs to other areas in Oakville, which would increase planning pressure on the Town leading to significant infrastructural shortages that will not satisfy growth needs. In the January 9, 2025, Staff Report, it was confirmed once again that establishing a more detailed estimation of jobs (using a smaller square meter per job type rates than the average 30 square meters per job initially used in staff calculations), allows Midtown to accommodate 38,150 residents and 16,400 jobs if the Gross Floor Area were to be maximized across Midtown. Therefore, we strongly advise that Midtown Oakville is planned to accommodate the Joint Best Planning Estimates of 50,466 people and jobs by 2051. Adhering to this projection will ensure Midtown is planned to maximize its land-use potential thereby satisfying current and future population needs

Planning Implications:

Designing inclusive policy that accounts for current and future development targets will alleviate the development infractions, Official Plan Amendments (OPA) and Zoning By-law Amendments (ZBA) that will inevitably ensue to accommodate growth within Midtown Oakville. According to Watson & Associates, currently there are 7,021 units that are under appeal at the Ontario Land Tribunal in Midtown Oakville. This is only going to increase if the Town is unable to adequately accommodate the development potential of Midtown. Already municipalities governing Urban Growth Centres have received applications that request OPA/ZBA applications greater than the maximum permitted heights or densities. For example, the City of Markham received an OPA/ZBA application for a 55-storey development within the Urban Growth Centre where the maximum permitted height is 15 storeys. Development pressures will ensue if intensification is not appropriately planned for within Official Plans.

The Client will proceed to take the Town of Oakville to the Ontario Land Tribunal unless the Proposed OPA can establish development-friendly policy that accommodates the much-needed proposed development. We predict that this course of action will become more frequent for the Town, as developers are wanting to provide sound solutions to help Midtown Oakville achieve their density targets to 2051 and beyond but are currently facing undue barriers.

Landowner Group

The proposed draft OPA includes policy which requires the formation of a landowner group to share in the costs associated with the development of community infrastructure. Policies which require the coordination of public services like parkland, school sites and stormwater management are increasingly being established in similar policy exercises to ensure that infrastructure is located and distributed in a fair and equitable manner. Of late, the proposed policies have been updated to establish that the requirement of the participation in a landowner group be determined by the Town following the pre-submission and, if determined to require the participation, that the application not be deemed complete until such participation occurs.

While we agree with the need to have landowner coordination, it is recommended that greater flexibility be established within the proposed policies. Overall, the policies should consider the variety of time frames that each individual landowner may have on the development of their respective lands. Given the size and current land use composition of Midtown, many landowners may not wish to advance their lands, creating tremendous burden on other landowners. The current format of the policies will therefore delay the advancement of lands wishing to develop immediately as well as delay the ultimate funding and construction of the identified facilities necessary to ensuring a complete community.

Conclusion

Given the above, we respectfully request the Town of Oakville and Project Team to:

1. Reconsider the density and height proposed on Midtown Oakville. The Town of Oakville should strongly consider greater density and intensification at Midtown Oakville to assist the Province in meeting its housing needs.
2. Implement a minimum of 10 FSI across all lands in the Midtown area, recognizing the area as the primary location in the Town to achieve density.
3. Return provisions which facilitate the concept of 'bonusing' above the maximum height restriction, instead of "prior to" the maximum restriction.
4. Establish greater flexibility in the landowner agreement/cost sharing policies to allow the landowners to define the terms in which the provision of community infrastructure is delivered.

We hope the following comments will be considered in approving the Proposed Midtown Oakville OPA. While we appreciate the effort and consideration that the Town has undertaken to prepare the Midtown OPA, too much is at stake for the growth and development of Midtown. Please do not hesitate to contact the undersigned with questions or if you require clarification regarding our comments and submissions.

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Schedule A

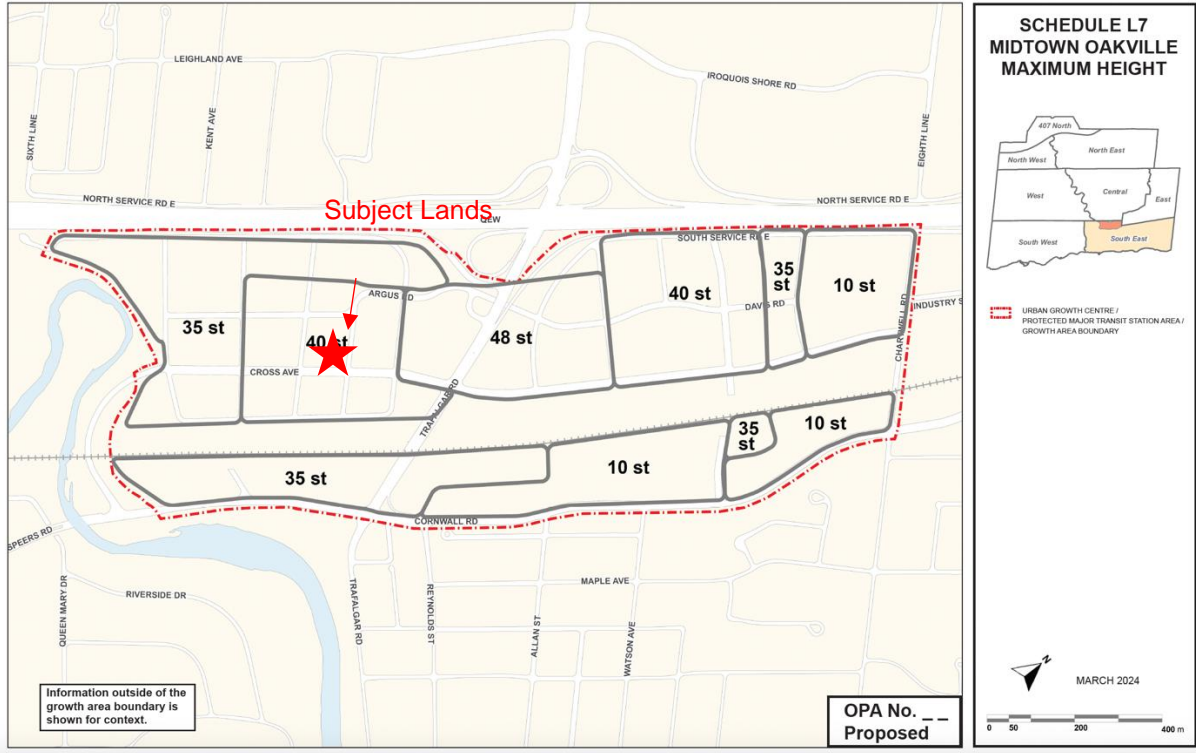


FIGURE 2: APRIL 2024 DRAFT OPA HEIGHT MAXIMUMS

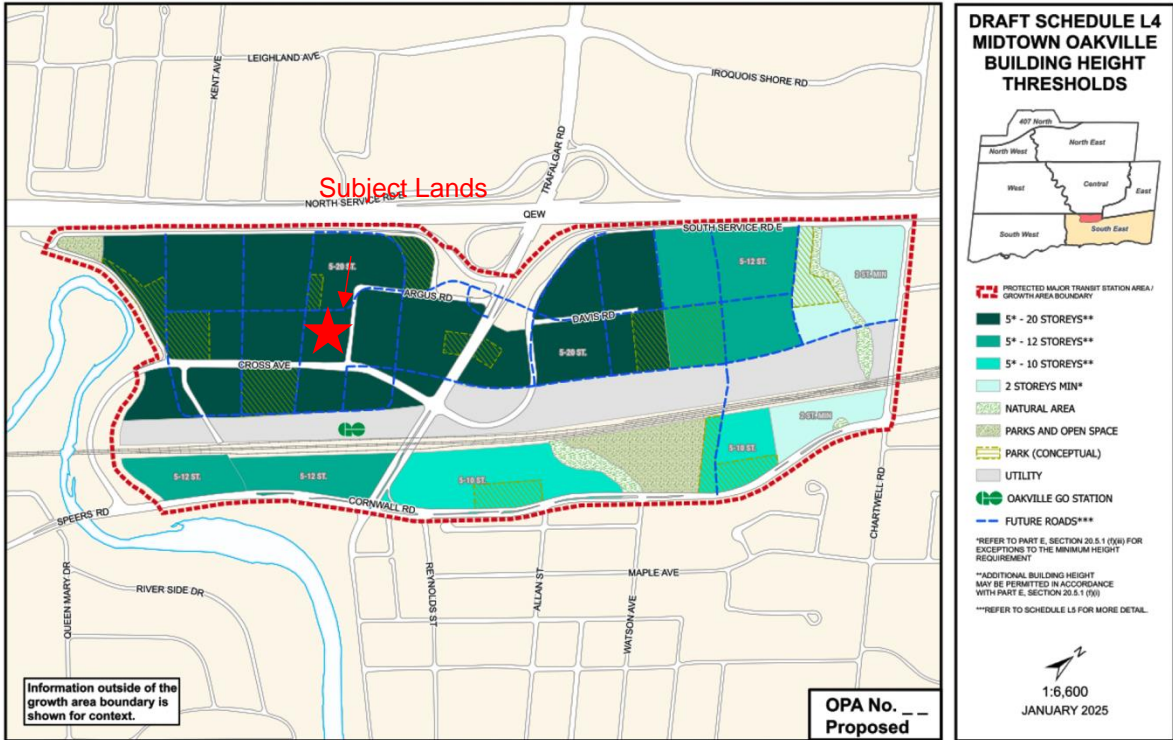


FIGURE 3: DECEMBER 2024 PROPOSED OPA HEIGHT MAXIMUMS

Schedule B

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Schedule C

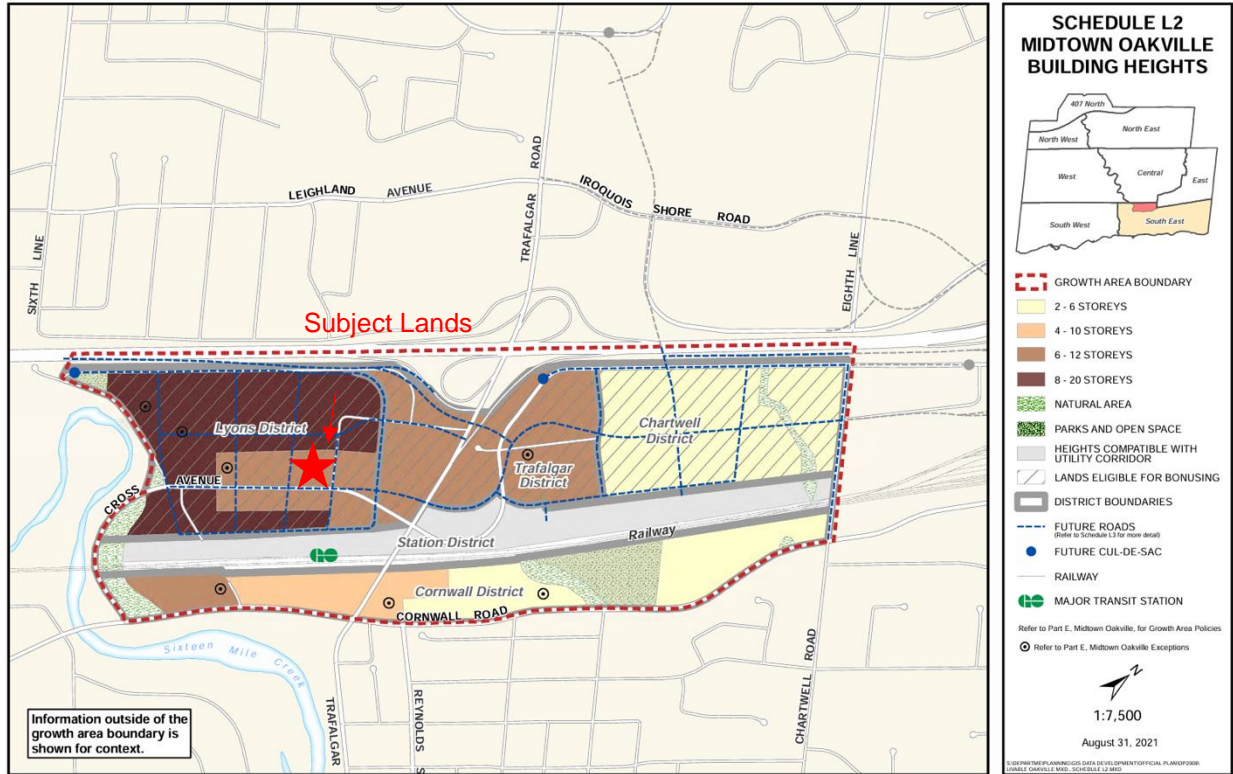


FIGURE 4 SCHEDULE L2 IN THE LIVABLE OAKVILLE OFFICIAL PLAN 2009



January 20, 2025

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

e: TownClerk@oakville.ca

Dear Mayor Burton and Members of Council:

**RE: SUBMISSION: PROPOSED MIDTOWN OAKVILLE OFFICIAL PLAN AMENDMENT
599 LYONS LANE
OUR FILE 11162 I**

The purpose of this letter is to provide our comments regarding the proposed draft Midtown Oakville Official Plan Amendment ('OPA'). MHBC Planning represents the registered owner Emerald Group Ltd. of 599 Lyons Lane (the "Subject Lands"), Oakville, Ontario. This property is located south of the QEW highway and South Service Road East, north of Cross Avenue within the western-most area of Midtown Oakville adjacent to Sixteen Mile Creek. MHBC appreciates the opportunity to provide Town of Oakville Council with comments and recommendations regarding the proposed amendment to the Livable Oakville Plan.

The recommendation to repeal Livable Oakville Plan, section 20, Midtown Oakville, and replace with a new section that includes related Schedules L1 to L6, as well as adding new policies applicable town-wide, forms the basis of our comments within this submission.

The following provides an overview of the subject land context as well as the background context of submitted comments on previous Midtown Oakville OPAs for draft policies pertaining to the Subject Lands. This is followed by comments regarding the currently proposed draft Midtown Oakville Official Plan Amendment.

Subject Lands: Context

The subject lands are contained within the policy area boundary of Midtown Oakville. This area is identified as the Town's Urban Growth Centre in the current Livable Oakville Plan and is designated as 'High Density Residential' within the Schedule L1, Midtown Oakville Land Use map.

The subject property is approximately 0.89 ha (2.2 acres) in area with frontage along the west side of Lyons Lane, north of Cross Avenue. The lot is currently vacant and only accessible via one public roadway, Lyons Lane. To the west is Sixteen Mile Creek, while to the east are the commercial retail uses that are generally 2 storeys in height. To the south, across Cross Avenue, is the Metrolinx multi-lot surface parking serving the Oakville GO station.

Background Context: Midtown Oakville Official Plan Amendments

The registered owner, through either their planning consultants or legal representatives, has previously submitted comments to Town of Oakville Council regarding previous Midtown Oakville Official Plan Amendments ('OPA'), including March 18, 2021, June 7, 2022, May 23, 2023 and April 22 2024. In 2022, the positive impacts for the Subject Lands included increasing FSI and designating all lands in Midtown Oakville under a common land use designation was supported. Negative impacts included the proposed closure of Lyons Lane and the unknown Regional water and wastewater service provision for proposed growth to conform with Strategic Growth Area's Growth Plan targets. In 2023, MHBC submitted policy recommendations regarding Block Design, Built Form, Phasing, Landowners' Agreement/Cost-Sharing and Area Design Plans.

On December 14, 2023, MHBC also submitted comments to Town of Oakville consultant Jacobs Consulting who were retained to prepare Midtown Oakville OPA. MHBC submitted recommendations that included: determining land uses at time of development applications rather than pre-determining uses through a block-by-block design; identifying Lyons Lane as a municipally assumed road; providing minimum height and density targets in conformity with Provincial policies rather than through maximum regulatory standards; and, determining parks and open space at the time of development application, rather than through pre-determining specific block areas that are also required to convey lands for new roads and trails.

On April 22, 2024 the correspondence filed on behalf of our client expressing a number of very positive policies in the Midtown Oakville draft OPA that was our for comment at that time, including the minimum density for the area which were in conformity with the Provincial policies. Unfortunately, the new policies erode the positives steps taken by in the April 2024 version of the draft Midtown OPA.

Comments: Midtown Oakville: Proposed Draft Official Plan Amendment 2025

As per previous submitted comments over past few years, the main concerns and comments remain relevant and applicable to this Midtown Oakville. These include, in part, draft policies pertaining to:

1. Density, Building Height and Tall Buildings
2. Abandoned Roads
3. Landowners Agreement
4. Hazard Lands
5. Development Permit System

1) Density, Building Height and Tall Buildings

The draft policies of s.20.5.1.e Urban Design and Built Form, indicate that the Midtown Oakville area has a minimum development density of 200 residents and jobs per hectare ('200 ppj/ha'). The policy states that density is implemented through a range of Gross Floor Area ('GFA') where the minimum gross density is expressed as floor space index ('FSI') and are shown on Schedules L2 and L3 (minimum, maximum respectively). The Subject Lands are shown as having a minimum FSI of 1.25 and maximum FSI of 4.0. It is noted that the Provincial Planning

Statement 2024 ('PPS'), Chapter 1: Introduction states, under the heading, "Policies Represent Minimum Standards", that:

The policies of the Provincial Planning Statement represent minimum standards. Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Planning Statement.

Given that Midtown Oakville is the Town's Strategic Growth Area, a more appropriate approach regarding density policies is to express the FSI that delivers the density of 200 ppj/ha as a minimum rather than a maximum. As also noted in the PPS, "submissions that affect a planning matter that are provided by the council of a municipality, ... shall be consistent with the Provincial Planning Statement."

As noted in previous submitted comments, support remains for Midtown Oakville to contain the highest densities and tallest buildings given the delineation of this area as the Town of Oakville's MTSA and UGC. The blanket standards for height variations, distance between walls and podium heights and floorplates, should be contained within Tall Building Guidelines or Zoning By-law regulations rather than in this draft policy document.

We remain concerned with the prescriptive built-form policies with respect to towers near each other. Requesting building height variations within an Official Plan document represents a subjective guideline request rather than a policy and should be removed. Town staff should be reviewing Site Plan applications to ensure an appropriate skyline is achieved.

As noted in our previously submitted comments, the inclusion of policies that represent zoning by-law regulations should be removed and replaced by a policy reference to the Town's design guideline documents.

2) Abandoned Roads

The proposed draft OPA, Schedule L5: Transportation Network indicates that Lyons Lane is, "Proposed to be removed," while and Schedule L6: Active Transportation, indicates that Lyons Lane is an "Off-road Active Transportation Connection." The draft OPA proposes the following policy in support of certain existing streets to be abandoned:

20.5.2.a.ii *Significant active transportation, transit, and street infrastructure, as shown on Schedules C, D, L5 and L6, is necessary to support growth. Certain existing street or street segments shall be abandoned, realigned, widened, extended, or replaced in accordance with this Plan.*

Yet, section 20.5.2 Mobility also states in part that:

a) Transportation

Streets and streetscapes facilitate multi-modal movement year-round, provide valuable frontage for development.

The question of abandoning an existing street that provides the only frontage for development of the Subject Lands, may not be consistent with the PPS. The PPS 2024 states that the integrity of an abandoned corridor should be maintained and encouraged:

5.3.4 Transportation and Infrastructure Corridors:

The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

To date, the issue of land-locking the Subject Lands has not been resolved, so we request that Lyons Lane be maintained until such time as alternative access has been secured.

3) Landowners Agreement

In a previous submission to the Town of Oakville regarding Landowners Agreement/Cost-Sharing it was recommended that, rather than an area-wide group formulating and implementing an agreement, such agreements should be undertaken based on a smaller geographic area, such as through smaller street blocks. This proposed draft OPA continues to assign the preparation of such an agreement to be area-wide and that such a cost-sharing agreement shall not only include the full extent of Regional and municipal infrastructure and servicing costs, but also the provision of 'urban format grocery stores,' that is normally determined on market demand. But there is also a policy that states that the Town will then determine whether or not a landowner must participate in a landowner group.

We continue to recommend that smaller landowner groups are formed that reflect block specific matters and at minimum reflect the area east of Trafalgar Road as distinct from the area west of Trafalgar Road. We have had discussions with landowners, and have a shared interest/concern with respect to the current policies requiring a Landowner's Agreement.

4) 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. However 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 Area. Until such time as that study is complete it is premature to have policies that regulate flood hazards in the Midtown Area into the December 2024 draft OPA is premature.

5) 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.

Policy 28.15.10 appears to be contradictory. 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.

Conclusion

It must be stated again, as in previous submission to the Town, that it continues to be disappointing that the Town, through this OPA, shows that Lyons Lane is to be abandoned. Such a closure is preemptive in context of ongoing discussions occurring between the Subject Lands' owner and the Town. We are pleased that our lands continue to be within the Urban Growth Centre/Strategic Growth Area, as they have been for over a decade, and that they form part of the continued intensification role assigned to these lands within the Oakville Midtown UGC/MTSA.

Yours truly,

MHBC



Oz Kemal, BES, MCIP, RPP
President

cc. *A.Chung, T.Wallace, M.Zakaria - Emerald Group Inc,
D. Baker - WeirFoulds*



January 20, 2025

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

e: TownClerk@oakville.ca

Dear Mayor Burton and Members of Council:

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

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

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

SUBJECT LANDS: CONTEXT

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

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

PREVIOUS SUBMISSION COMMENTS

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

1. Landowners' Agreement/Cost-Sharing

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

2. Mixed Uses

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

3. Mid-Block Connections

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

4. Requirements vs Encouragements

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

5. Tower Separation Distances

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

CURRENT MIDTOWN OAKVILLE OPA COMMENTS

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

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

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

2. Mixed Uses (s.20.4.2.b)

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

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

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

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

4. *Requirements vs Encouragements*

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

5. *Tower Separation Distances*

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

6. *Development Permit/Community Planning Permit System*

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

CONCLUSION

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

Yours truly,

MHBC



Oz Kemal, BES, MCIP, RPP
President

cc. *Kard Properties Limited*

January 20, 2025

GSAI File: 1370 – 001

(Via Email)
Town Clerk
Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

**RE: Midtown Oakville Growth Area Review Comment Letter
David Road GP Inc.
354 Davis Road, Town of Oakville**

Glen Schnarr & Associates Inc. ('GSAI') are the planning consultants to Davis Road GP Inc., the Owner (the 'Owner') of the lands municipally known as 354 Davis Road, in the Town of Oakville (the 'Subject Lands' or the 'Site'). The Subject Lands are located on the south side of Davis Road, east of South Service Road East. As such, the Subject Lands are centrally located within the Midtown Oakville community of the Town of Oakville ('Town'). For context, the Subject Lands are currently improved with a 6-storey office structure and surface parking areas. As Staff and Council are aware, given that the existing structure was built in 2013 and is relatively new, the Owner does not contemplate redevelopment of the Subject Lands.

On behalf of the Owner and further to our previous correspondence, we are pleased to provide this 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 latest draft Midtown Oakville Official Plan Amendment ('OPA' or 'Amendment'), dated December 2024 and offer the following comments.

Overall, the draft Amendment continues to direct that lands across the Midtown Oakville community can be developed to accommodate the long-term development vision for the community. The draft Amendment continues to assume that the Subject Lands will be redeveloped over the long-term and 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 Subject Lands' inclusion in the developable land base is concerning.

The draft Amendment continues to direct 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 just south of the QEW and meet this criterion. As such, the Subject Lands are an

appropriate and desirable location for designation to permit increased development densities. While we support the distribution of development and the broad objectives for the Midtown Oakville community as demonstrated in the draft Amendment, we request that sufficient policy permissions be awarded to ensure development may proceed incrementally and thus, existing conditions are allowed to continue until such time that development is pursued, without existing conditions becoming deemed 'legal non-conforming'. More specifically, we request that greater clarity be provided with regard to Policy 20.6.3 which states that "[t]he uses and buildings that legally existed, or that were approved, prior to the adoption of this Plan shall be permitted to continue...". The policy as drafted does not specify whether existing buildings and uses will be considered 'legal non-conforming', which is a necessary clarification.

The draft Amendment presents refinements to land use policies similar to those within previous iterations. Specifically, the Subject Lands remain proposed for re-designation from Office Employment to Urban Core. Accordingly, the draft Amendment continues to direct that a broad range of uses are permitted on designated Urban Core lands. We continue to support the proposed re-designation of the Subject Lands.

However, we are concerned with the land use policy requirement outlined in Policy 20.4.1.d).iii) which states that redevelopment of sites with existing non-residential uses shall provide for the replacement of all existing non-residential gross leasable floor area. The policy requirement that if and when redevelopment is pursued that the existing non-residential gross leasable floor area currently present on the Subject Lands be replaced is unnecessarily restrictive. We request that this policy be revised to reduce the required non-residential floor area replacement or that the policy be removed. As market trends and forces continue to change and evolve, the proposed 1:1 replacement could adversely impact development and is contrary to Provincial objectives of encouraging development to occur in appropriate locations

The draft Amendment also continues to propose refinements to the local road network. As demonstrated on the draft Schedule L3, Midtown Oakville Transportation Network, South Service Road and Davis Road are to be re-aligned and redeveloped. Additionally, a new Arterial Road (referred to as an extended Cross Avenue) is to be provided along the southern boundary of the Subject Lands. Collectively, the re-alignment and provision of these urban-section roads will require land to be acquired from the Subject Lands which will negatively impact the current site function and circulation patterns. Our continued concerns in this regard have yet to be satisfactorily addressed. Clarity on the ultimate Right-of-Way requirements of South Service Road, Davis Road and the newly extended Cross Avenue is required. Further, policy is also required to clarify and confirm the provision of access to the Subject Lands, once the re-aligned and re-constructed local road network is implemented. More specifically, we require a policy that will not remove the Site's existing main access from South Service Road. As currently contemplated, the proposed refinements to the Midtown Oakville road pattern will negatively and adversely impact the current site function and circulation patterns. Additionally, there is an outstanding concern regarding the future QEW off-ramp intersection configuration and limiting distance restrictions and the potential impacts on the Subject Lands.

In contrast to previous draft Amendment policies, we support the removal of the policy requiring access to vehicular parking, service facilities and loading areas from local roads.

Additionally, the draft Amendment proposes refinements to the public realm. As further demonstrated on draft Schedule L4, Midtown Oakville Public Realm, two (2) mid-block connections are proposed – one along the Subject Lands' eastern edge and one across the central quadrant of the Subject Lands. Collectively, these public realm

enhancements are concerning. As contemplated, the proposed refinements will require land from the Subject Lands which will negatively impact the current site function and circulation patterns. Our request for further clarity within the policies on the proposed width and programming of these areas has not been addressed. We continue to request clarity on the alignment, width and timing of delivery for these mid-block connections.

Finally, the draft Amendment includes policy provisions requiring the creation of a Midtown Oakville landowners group for the purpose of administering cost sharing. This policy is particularly concerning as there are landowners, including the Owner that have no immediate desire to advance development. We request that this policy, (20.6.4.a)), be removed.

In summary, the Owner's concerns regarding the draft Amendment remain unaddressed. We request that the requested modifications identified above be made prior to a final policy framework being brought to Town Council for approval.

We thank you for the opportunity to provide comments and wish to be included in the future Midtown Oakville Growth Area Review initiative. 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.



Stephanie Matveeva, MCIP, RPP
Associate

cc. Owner

Midtown Oakville Review Staff
Mayor and Members of Council

January 20, 2024

Via Email to TownClerk@Oakville.ca

Clerks Department
Oakville Town Hall
1225 Trafalgar Rd
Oakville, ON
L6H 0H3

**Re: *Item 6.2 Proposed Midtown Oakville and Community Planning Permit System Official Plan Amendment
Planning and Development Council – January 20, 2024 Meeting***

1.0 INTRODUCTION

We are the planning consultants for First Capital REIT (“**First Capital**”), which through its subsidiaries FCHT Holdings (Oakville) Corporation and Shops of Oakville South Inc. owns the lands municipally addressed as 485 Trafalgar Road and 271-361 Cornwall Road (known as the “**Olde Oakville Market Place**”) and 461-399 Cornwall Road (known as the “**Shops of Oakville South**”) (both properties collectively referred to as the “**Properties**”).

These lands are located in the Midtown Growth Area Review area and are subject to the Proposed Midtown Oakville Official Plan Amendment (“**Proposed OPA**”). On behalf of First Capital, we have been participating in the preparation of the Proposed OPA throughout 2024 and continue to have concerns with the process that has led to the current iteration of the Proposed OPA as well with its policies.

First Capital has submitted multiple letters in respect of the Midtown Oakville Growth Area Review and associated draft Official Plan Amendments either through their planning consultants or legal representatives on February 1st, 2024, February 27th, 2024, April 22nd, 2024, May 13th, 2024 and October 29th, 2024, and are writing again to provide comments regarding the Proposed OPA, dated December 2024.

In short, our key concerns include:

- The Proposed OPA does not permit an appropriate level of intensification that is reflective of the Midtown Oakville’s identification as a *strategic growth area* and Protected *Major Transit Station Area*;
- The Proposed OPA does not provide site specific exceptions for the First Capital lands that acknowledge the ability to continue or alter, expand or modify existing uses on site, nor acknowledge First Capital’s recently obtained site-specific development approvals for a portion of their Olde Oakville Market Place site;



- The Proposed OPA inappropriately requires a landowner to enter into a landowners group prior to any development application being deemed complete, should the Town determine that a landowners group is required through a pre-submission meeting;
- The Proposed OPA does not clearly define how density is calculated. The density-related policies of the Proposed OPA exclude 'non-developable lands' from the calculation of density and as such, overall permitted density does not appear to take into account any lands to be conveyed to the municipality (i.e. roads, parks, infrastructure etc.);
- The Proposed OPA includes many overly prescriptive policies that do not allow flexibility to respond to the site-specific nature of future development applications and may result in needless amendments to the plan to permit development, thus providing needless delays in securing development;
- The Proposed OP includes modifications to the Livable Oakville Plan to limit development within or adjacent to hazard lands based on updated flood hazard mapping from Conservation Halton that is not yet available. This is premature as it does not allow the public to understand the implications of policy on lands that may be subject to future flood hazard regulations; and,
- The proposed policies permitting the Community Planning Permit System eliminate certainty in the development process, and are contradictory in nature, and thus should be revised prior to approval of the Proposed OPA.

Our concerns are described in more detail in **Attachment A** to this letter.

2.0 THE PROPERTIES

Olde Oakville Market Place is located at the northeast corner of Trafalgar Road and Cornwall Road, south of the CN Railway and is approximately 5.01 ha in size with frontage on both Trafalgar Road and Cornwall Road. In 2022, Town Council approved an application for the western part of this site, adjacent to Trafalgar Road, to permit 14 and 19-storey mixed use towers with a resulting density of 3.76 FSI. This approval should be reflected in the Midtown plan.

The Shops of Oakville South is located further west, at the southwest corner of Cornwall Road and Chartwell Road, also located on the south side of the CN Railway and has an area of approximately 3.79 ha. Several commercial and retail stores are currently located on the Properties including Whole Foods Market, LCBO, Longo's, Shoppers Drug Mart, Indigo, and a number of other restaurants, banks, and personal service shops.

The Properties are both located within the Midtown Oakville Growth Area Boundary and make up most of the area of the southeast portion of the plan area. This southeast district is physically separated from the other parts of the Midtown area by the CN Railway and Trafalgar Road. It is also distinct from the other areas of the plan in that it is primarily built out with thriving commercial/retail businesses.



3.0 HISTORY OF MIDTOWN OAKVILLE GROWTH AREA REVIEW AND PROPOSED OFFICIAL PLAN AMENDMENT

We would like to thank the Town for their continued commitment and work on the Midtown Growth Area Review process that has taken place since 2018. We have appreciated the opportunities to participate in this process, through meetings with staff and their consultant team, attendance at Open Houses, Developer Meetings, and Statutory Public Meetings, as well as opportunities to submit written comments on the draft(s) of the Midtown Oakville Official Plan Amendment policies.

In particular, we value staff's willingness to meet with the First Capital team on February 26th, 2024 and again on May 15th, 2024, to discuss our clients' key concerns and comments respecting the implications of the Midtown Oakville Growth Area Review on the Properties. Further, we have scheduled a meeting with staff on January 21st, 2025 to discuss the policies of the Proposed OPA. In this regard, we look forward to continuing to work together with the Town in a collaborative manner prior to approval of the Proposed OPA.

While we are pleased to see that some of our previous comments have been incorporated into the Proposed OPA, there remain some key areas of concern that we need to be addressed prior to approval of an OPA for this important strategic growth area and summarized above and described more particularly in **Attachment A** to this letter.

In particular, we are highly concerned with the downward progression of development permissions for the Midtown area that have evolved over time, most dramatically from the heights and densities established in the April 2024 version of the Midtown Oakville OPA. The overall trajectory of this review significantly thwarts development opportunities on lands that serve an important opportunity in the Town of Oakville to contribute to their housing pledge of 33,000 homes by 2031, particularly in light of their identification as a *strategic growth area* and a Protected *Major Transit Station Area* and, in our opinion, the Proposed OPA is not consistent with Provincial policies.

4.0 CONCLUSION

We thank you for the opportunity to provide these written comments on the Proposed OPA and to participate in the Midtown Oakville Growth Area Review process. We commend Town staff on their hard work in advancing this policy document. However, we are fundamentally concerned that the heights and densities within the Proposed OPA do not accurately reflect the context of Midtown Oakville as a *strategic growth area* and Protected *Major Transit Station Area*, and will not provide the necessary support to assist the Town in achieving their housing targets, particularly in proximity to transit where significant investment has been secured.

In addition, we have concerns with other key policies of the Proposed OPA as outlined in **Attachment A** to this letter.

We respectfully request that Planning and Development Council direct staff to undertake further review of the policies of the Proposed OPA in coordination with the public and development industry, prior to advancing the amendment to Council for approval.

Please do not hesitate to contact the undersigned or Sara Gregory of our office should you have any questions.

Sincerely,
Bousfields Inc.



Emma West, MCIP, RPP



Sara Gregory, MCIP, RPP

cc. *Gabe Charles, Director, Planning Services Department, Town of Oakville*
Joshua Butcher, FCHT Holdings (Oakville) Corporation
Joshua Butcher, Shops of Oakville South Inc.
Denise Baker, WeirFoulds LLP

Encl.

ATTACHMENT A

DETAILED COMMENTS ON PROPOSED OPA

The following provides a detailed summary of our key concerns with the Proposed OPA dated December 2024.

1.0 Transit-supportive Intensification

The Town's Proposed OPA reduces height and density permissions for the Midtown area, capping them in a Protected *Major Transit Station area* and *strategic growth area*, which does not align with Provincial policy direction. It is not clear how the proposed densities will support the achievement of the overall density across the entirety of the Protected *Major Transit Station area*, as well as how the Properties will contribute to this overall density based on the height and density currently established for the site by the Proposed OPA.

In that respect, the Proposed OPA assigns the following minimum and maximum heights and densities to the Properties:

Property	Schedule L2 – Minimum Density	Schedule L3 – Maximum Density	Schedule L4 – Building Height Thresholds
Olde Oakville Market Place	1.25 FSI	4.0 FSI	5 – 10 storeys
Shops of Oakville South	0.5 / 1.25 FSI	3.0 FSI	5 – 10 storeys (minimum 2 storeys)

Policy 20.5.1(f)(i) of the Proposed OPA permits increases to the height limits provided on Schedule L4 through a development permit or through a rezoning application, **provided the maximum density for the site is not exceeded**, and community benefits (or cash-in-lieu thereof) are provided in accordance with 'town by-laws', which we understand is a reference to the emerging Community Planning Permit System by-law.

As noted, these heights and densities are significantly reduced from the April 2, 2024 draft Midtown Oakville Official Plan Amendment which assigned **minimum** densities across the Midtown area, in accordance with Provincial policy direction, and permitted heights ranging from 10 to 35 storeys on the Properties. Further, the proposed heights and densities in the Proposed OPA are, in many cases, the same as those provided by the in-force policies of the Livable Oakville Plan as they apply to Midtown Oakville (Part E of the Livable Oakville Plan).

We are aware that the Town initiated a Growth Analysis Study by Watson & Associates to update the Joint Best Planning Estimates that were previously established in conjunction with Halton Region. The November 2024 Watson & Associates Growth Analysis Study has been posted on the

Planning and Development Council and establishes a 'conservative estimate' of 29,900 residents and jobs combined by 2051, based on more current preliminary data. Previously, the Livable Oakville Plan provided a target of 20,000 residents and jobs by 2031.

Fundamentally, we are concerned that the proposed building heights and densities are not reflective of Midtown Oakville as a *strategic growth area* and Protected *Major Transit Station Area*. As drafted, it is not clear whether the Proposed OPA will realize the provincial direction for *strategic growth areas* and MTSA's which emphasizes the creation of complete communities that will develop at transit-supportive densities, nor the Regional direction to achieve a minimum of 200 residents and jobs per hectare by 2031 as prescribed by the Halton Region Official Plan which is now under ownership by the Town. Further, this appears contrary direction to secure the swift provision of a wide range and mix of housing types to assist in achieving the Housing Target for the Town of Oakville as a whole of 33,000 homes by 2031.

Across the GTA, appropriate heights of development are established based on individual site context and built form impact criteria. This can be through the provision of angular planes, stepbacks and setbacks, landscape buffers, and other design elements that assist in integration of buildings into the urban context, while optimizing density and creating transit-supportive communities.

Further, generally maintaining the existing heights as permitted by the in-force policies of the Livable Oakville Plan does not reflect the purpose of this Growth Area Review to prepare a policy framework that responds to Midtown Oakville as an area slated to accommodate significant intensification in the Town of Oakville.

Also of importance is that the proposed building height and density for Olde Oakville Market Place does not align with Zoning By-law 2022-052, a site-specific Zoning By-law Amendment approved by Council in May 2022 for the site, which sets out permissions for a mixed-use development with 14 and 19-storey towers and an FSI of approximately 3.76. Based on this, the proposed maximum height of 10 storeys for Olde Oakville Market Place does not align with a maximum FSI of 4.0 while still allowing for the efficient use of land.

Requests: We request the OPA be updated to provide heights and densities both across the Midtown area, and for the Properties, in a manner that recognizes their important position as a *strategic growth area* and a Protected *Major Transit Station Area*, supports the creation of a transit-supportive, complete community, and makes efficient use of land and infrastructure. Specifically, we ask that the heights and densities in the April 2, 2024 of the OPA be reinstated.

We further request that existing site-specific approvals, including the approved Zoning By-law Amendment 2022-052 for Olde Oakville Market Place, be reflected in the Proposed OPA schedules, as described in more detail below.

2.0 Continuing the Commercial and Retail Uses

First Capital requires the ability to respond to tenant needs and changing market demands for these commercial areas which may result in existing buildings being altered or expanded, or the addition of new commercial uses. Given the importance of these commercial centres to the existing community, the Midtown plan should include site-specific policies for these sites that will permit them to continue as an interim use, allowing for changes to the sites before the intensification of the sites occurs.

Although the Proposed OPA has incorporated revisions to certain policies that would permit a measure of flexibility, it is not sufficient to allow for the continued successful operation of the Properties. First Capital requires the ability to respond to tenant needs and changing market demands for these commercial areas which may result in existing buildings being altered or expanded, or the addition of new commercial uses. Given the importance of these commercial centres to the existing community, the Midtown plan should include site-specific policies for these sites that will permit them to continue as an interim use, allowing for changes to the sites before the intensification of the sites occurs.

To that end, we are supportive of the new Policy 20.5.1(e)(v) which allows for building additions, alterations and/or replacements to existing developments, where they can be demonstrated not to preclude the long-term redevelopment of the lands as set out in the Proposed OPA. Similarly, Policy 20.5.1(f)(iii) establishes that minimum building heights of the plan do not apply to expansions of existing uses in accordance with Policy 20.5.1(e)(v).

Further, Policy 20.4.1 d) ii) provides permissions for new large format retail (such as grocery stores), where they are integrated with development, although they are ideally located in the podium of mixed-use buildings. This would preclude First Capital from introducing any additions to their retail centres without being 'integrated into development'; which would not be possible unless the overall subject site is to be redeveloped.

We encourage the Town to clearly define an exemption to these policies to allow for additions, alterations and/or replacements to existing large-format retail uses such that they are not required or encouraged to be within the podium of mixed-use buildings. As drafted, these policies could be problematic in enacting Policy 20.5.1(e)(v), and therefore should be revised to acknowledge exemption to any additions, alterations and/or replacements of existing uses.

As previously noted, Zoning By-law 2022-052, a site-specific Zoning By-law Amendment for the site, was approved by Council in May 2022. The May 2024 draft of the Midtown Oakville Official Plan Amendment included Draft Schedule L8 -Midtown Exceptions, which identified and acknowledged lands subject to site-specific development application approvals. This Schedule and the associated policies were not carried forward into the Proposed OPA.

The approved building heights of 14 and 19-storeys and density of 3.76 FSI should be reflected in a site specific exception to the density and height permissions for that portion of the Property.

Request: Given the unique nature of the First Capital lands, there should be a site-specific exception in the Proposed OPA for the Properties. We recommend that the Proposed OPA incorporate a new Draft Schedule and associated policies to recognize existing site-specific approvals, particularly the site-specific Zoning By-law 2022-052 for Olde Oakville Market Place.

3.0 Requirement for Landowners Group / Cost Sharing Agreement:

We are supportive of the direction in the Proposed OPA that is more flexible in requiring landowners to enter into a landowners group (Policy 20.6.4(b)) than earlier drafts of this plan. However, we are concerned that this flexibility is tied to a 'pre submission meeting' with the Town, particularly given that pre-consulting prior to submission of an application is not mandatory under the *Planning Act*.

First Capital continues to be concerned about the possible requirement to enter into a cost-sharing agreement given their ability to proceed with development independently of other landowners in the area. The quadrant that their lands are in is physically separated from the other quadrants and would not rely on other owners to create new infrastructure and facilities. We also understand that the Town expects most roads and services to be covered through Development Charges, thereby reducing the number of matters to be coordinated with other landowners.

Further, as mentioned above, First Capital requires the ability to respond to tenant needs and changing market demands. This may result in existing buildings being altered or expanded, without the need to enter into a cost-sharing agreement. Further, a portion of the Properties are subject to approved Official Plan Amendment No. 44 and site-specific Zoning By-law 2022-052 permitting the development of 14 and 19-storey towers and that development should be able to proceed without the need for cost sharing or entering into a landowners group.

Lastly, it is unusual to tie the completeness of a development application to an applicant participating in a landowners group. The early stages of development may be significantly delayed following approval of the Proposed OPA, as it can be time consuming and costly to start a landowners group. We recommend that the language regarding the completeness of an application be removed.

Requests: We request that the policies of the Proposed OPA be modified to 'encourage' landowners entering into a landowners group rather than require cost sharing as a condition of proceeding with development, regardless of whether an applicant engages in a pre-submission meeting. Should the Town's team determine that this policy language is appropriate, we request that further flexibility be provided in the Proposed OPA to provide for interim conditions (i.e., expansion of existing uses) without owners being required to enter into a landowner agreement, and further request that the Town do not tie completeness of a development application to an applicant entering into a landowners group.

Lastly, we would also like to request that the Town explore opportunities to consider requirements for landowners groups on a geographic basis (possibly based on the quadrants of the plan), such that certain developers are not disproportionality saddled with costs that do not benefit them.

4.0 Density Transfer:

The Proposed OPA is not clear in how density is calculated. Notwithstanding that maximum *gross density* is expressed as a floor space index shown on Schedules L3 (Policy 20.5.1(e)(ii)), Policy 20.5.1(e)(vi) describes that the maximum permitted gross floor area on a development block shall be determined by multiplying the site area excluding non-developable lands within each block by the allocated FSI on Schedule L3.

In addition to the fact that the plan is not clear on what constitutes ‘non-developable lands’, we note that this calculation precludes the ability to achieve the overall *gross density* as the calculation is based on *net* site area. This is prejudicial to landowners who are conveying land for parks, open space, roads, infrastructure, or other ‘non-developable’ purposes as it prevents them from achieving their maximum permitted gross density.

Request: Previous iterations of the Midtown OPA included policies that allows ‘transfer’ of density from these types of non-developable lands. It is our recommendation that these policies be reinstated.

5.0 Specific Numerical Standards

The Proposed OPA includes several prescriptive policies that are of concern. These policies should instead speak to policy ‘intent’ or outcomes, while zoning regulations and implementing guidelines should speak to how these outcomes are achieved. This includes:

- Policy 20.4.1(c)(iii) which requires a minimum of 35% of units in the form of 2 or more bedrooms;
- Policies 20.5.1(g)(iii), (vi) and (vii), 20.5.1(h)(i) and (ii) provide specific numerical standards relating to maximum building heights, tower and podium separation, and building setbacks.
- Policies 20.5.1 (b) (i) – (vii) provide specific policies for the public realm that in most cases are mandatory through the use of ‘shall’.

Our concerns are two-fold. First, in many cases, the policies are written in a manner that would mean an Official Plan Amendment would be required for even a minor reduction or increase to a specified parameter, including the provision of a certain percentage of new dwellings having 2 or more bedrooms, the provision of a certain percentage of non-residential gross floor area, tower separation distances, base building and podium heights, and setbacks / step backs. Second, it is our opinion that such policies mix up policy with regulation. Official Plan policies should speak to desired planning outcomes, while zoning regulations and guidelines should speak to how those outcomes are to be achieved.

Request: We request that the policy language in the Proposed OPA establish a policy intent or outcome rather than a specific numerical requirement. Flexible language will allow the design of

developments to respond to site-specific considerations without amendments to the plan, resulting in needless delays in development process and in some cases, the provision of housing.

6.0 Commercial Needs and Non-Residential GFA Requirements

Policy 20.4.2(b)(i) requires new development within the Urban Core area to provide a minimum of 12 percent of the total proposed gross floor area for non-residential uses, such as cultural, community, retail, commercial and/or office uses. While this represents a reduction from the October 2024 OPA which required a minimum of 18 percent of the total proposed gross floor area for non-residential uses, in our opinion, when considering this logistically, 12 percent of the overall gross floor area of a building equates to the provision of non-residential gross floor area of at least two floors of a building, particularly given the ground floor of buildings generally include up to 50 percent of gross floor area earmarked for the functional portions of residential buildings (i.e. lobby space, mail room, garbage room and staging area, amenity space, etc.). When considering that the maximum building heights in certain areas of Urban Area designation not exceeding 10-storeys, such as a portion of the subject site, this is an overly onerous requirement.

In our opinion, it is more appropriate to establish residential and non-residential needs based on commercial and market analyses that define the specific needs of the market area. Requiring 12 percent of all non-residential gross floor area to be allocated to non-residential use could result in the inclusion of meaningless non-residential space for the sake of achieving this policy, resulting in portions of a building that may remain vacant. Specific non-residential gross floor area for new development should be established on a contextually appropriate basis.

Request: We request that rather than the percentage requirement, that the Town include a policy that states the intent for retail and commercial uses rather than a prescriptive required amount of non-residential gross floor area.

7.0 Conformity to Guidelines

Policy 8.11.6 establishes that any development within 300 metres of the Metrolinx Rail Corridor shall (a) demonstrate that it. Conforms with the 'Metrolinx Adjacent Development Guidelines – GO Transit Heavy Rail Corridors' and 'Metrolinx Overbuild Development Guidelines – GO Transit Heavy Rail Corridors'. While we do not object to the need for Metrolinx to oversee and review development applications within the vicinity of their rail lines and yards, we recommend that the policy language be revised to state that development must 'align' with these guidelines. Requiring conformity elevates the guidelines to the status of policy, which is inappropriate in a Secondary Plan document.

Request: Reword the policy to state that development should 'align' with these Metrolinx Guidelines.

8.0 Hazard Lands

The Proposed OPA incorporates modifications to the policies of Section 10.13, Hazard Lands, of the Livable Oakville Plan (the "**Official Plan**") that limit new development within or adjacent to hazard

lands, conceptually shown on the existing Schedule B of the Official Plan. A new Appendix, Appendix 6, will be incorporated into the Official Plan to show the approximate Conservation Authority Regulatory limit. However, Conservation Halton, in partnership with the Town of Oakville and Halton Region, is currently undertaking a study to update the regulatory flood hazard mapping for the Midtown Oakville Growth Area and the ultimate limits of flood hazard in the area are presently unknown. Therefore, the impact of these policies and schedules is similarly unknown.

Request: We suggest that incorporating the policies that regulate flood hazards in the Midtown Oakville Growth Area is premature given that the regulation limits of the hazard lands have not been finalized by Conservation Halton and therefore, recommend their removal.

9.0 Development Permit / Community Planning Permit System

Section 28.15 of the Proposed OPA provides policies that allow the Town to identify Community Planning Permit areas in Midtown and further, to establish Community Planning Permit By-laws for these areas. In addition, Policy 28.15.8 sets out conditions to be included in a Community Planning Permit By-law.

The proposed conditions, particularly conditions d) (which allows for established lapsing periods for development approvals), e) (which establishes a set time within which the development permit is in effect) and f) (which allows for conditions that can put a development permit issuance on hold until a specified time or until a specified matter has been addressed), collectively eliminate all certainty to the planning process and have the ability to halt development. Such conditions are not reasonable and defeat the purpose of providing certainty in the development process.

In addition, Policy 28.15.10 of the Proposed OPA is contradictory in nature in comparison to the balance of the plan. The Community Planning Permit By-law is intended to allow for increases in height of density that exceed those permitted by the Proposed OPA, in exchange for community benefits. However, Policy 28.15.10(b) states that threshold rates in the Community Planning Permit By-law must be lower than the permitted maximum height or density of the Proposed OPA.

Request: If the Community Planning Permit By-law is intended to streamline development including the provision of community benefits in exchange for increases in height or density beyond the threshold of the Proposed OPA, the policies in the Proposed OPA must be revised to enable these processes to occur.

JCRA Delegation to Town Council - January 20, 2025 – Item 6.2 Midtown OPA

Midtown OPA, Community Planning Permit System (CPPS) and Master Cost Sharing Agreement

1. **The JCRA supports the new Midtown OPA.** However, we remain concerned about density, building heights, parking and funding for parks, schools, other amenities and the infrastructure necessary to ensure Midtown develops into a vibrant, livable community.

For this reason, the JCRA strongly advocates for:

2. **Midtown Community Planning Permit System (CPPS)** We support the proposed CPPS for Midtown, however adjustments are required to ensure the FSI/height limits in the Midtown OPA and the CPPS will be reasonable and will generate sufficient revenue to support the much needed parks and community amenities for Midtown.
 3. **Midtown Master Cost Sharing Agreement** – This agreement outlines how hard and soft costs associated with shared infrastructure and facilities are distributed among developers. These refer to costs in excess of those funded through development charges. It is not clear if Distrikt will be required to sign the Master Cost Sharing Agreement under the TOC scenario.
-

Distrikt Transit-Oriented Community (TOC)

1. **The JCRA strongly opposes the Province’s TOC proposal (Transit Oriented Community).**for one Midtown developer.
 2. Specifically, we reject the Province’s TOC proposal for 11 towers, ranging from 46-59 stories with 7,000 units and an FSI of in the 11 – 15 range net and 10- 12 gross compared to a maximum threshold Midtown OPA FSI of 6 with the potential for further density under the CPPS in exchange for community benefits including parks and other community amenities.
 3. We consider the scale of these towers excessive and will limit the Town’s success in creating a livable Midtown.
 4. The plans call for .7 cars per unit for 7,000 units or a total of 4,667 parking spaces for and estimated 15,000 residents and guests. Lack of parking in Midtown will create parking and traffic nightmares and impact Midtown residents, businesses and Oakville commuters.
 5. If the Province moves forward with the TOC/Distrikt proposal it will negatively impact the livability of Midtown and the broader Oakville community.
-

Why This Matters

1. Is the Province’s TOC bad planning for future Midtown residents, other Midtown developers, and current Oakville residents? **YES**
 2. Do Distrikt’s proposed densities and building heights align with the Midtown OPA? **NO**
 3. Will Distrikt avoid shared Midtown development costs under the Master Cost-Sharing Agreement if the project proceeds under a TOC? **The answer is not clear**
 4. Will the Town be able to secure community benefits for parks, schools and other amenities from Distrikt under the TOC or under the Midtown CPPS? **Distrikt’s share of community benefits need to be confirmed.**
 5. **How will the Town ensure there are no funding gaps if there is Midtown OPA and a TOC.**
 5. Will this lead to funding shortfalls for essential amenities like parks and schools? **YES**
 6. Who benefits from the TOC plan? **Distrikt – in hundreds of millions of dollars !**
 7. Will this set a precedent for other developers seeking similar heights, densities and exemptions from the Town or at the Ontario Land Tribunal? **YES**
-

Conclusion

1. **JCRA supports one Midtown OPA for all developers including Distrikt** to ensure a vibrant livable Midtown and equity and fairness for all?
 2. **The JCRA also supports the proposed Community Planning Permit System (CPPS) and Master Cost Sharing Agreement** with further refinements outlined above.
 3. **The JCRA opposes the Province's Transit Oriented Community (TOC)** proposal for one developer - Distrikt.
 4. Building 46-59 storey buildings over 12-15 years **does not support the need to build Housing Faster to aid Ontario's Housing crisis!**
 5. **The JCRA urges the withdrawal of the TOC by the Province** to ensure fairness, equity, and the successful development of Midtown under one Midtown OPA for all developers.
 6. We urge Town Council to support the motion tabled by Janet Haslett-Theall and Dave Gittings December 16/24 when it comes before Council January 27/25
-

From: Joe Brandt

Sent: January 19, 2025 5:43 PM

To: Town Clerks ; Mayor Rob Burton ; _Members of Council ; Stephen.crawford@pc.ola.org;
Effie.triantafilopoulos@pc.ola.org; weloveoakville@gmail.com; Doug.ford@pc.ola.org

Subject: Midtown Proposals Jan 20th, 2025 Meeting

Preamble, I am a supporter of:

- Managed Growth consistent with the Town's Official Plan
- Increasing Density wherever feasible in a manner not detrimental to existing neighbourhoods
- Safeguarding "Whole Community" concepts in expanding population zones
- Religiously Recovering All Municipal Development Costs
- Creating employment in each expansion area

Confronting the Brutal Facts: The clash of Developer/Builder ideologies versus Existing Residential Associations and Groups will always be a bit of a tug of war, however it need not be adversarial. Simply put, any Developer or Builder MUST by definition Develop or Build.....or they will go Bankrupt!! **The problem with that reality is Any and All proposals MUST be viewed through a lens that places profit first for the Developer/Builder, after all that is their Raison D'être, so who can blame them.** The point is that NO proposal is without Bias, as a matter of financial health and indeed survival of the Business Entity and the Ministry of Infrastructure and OLT ought not succumb to supporting proposals detrimental to existing Communities.

The broad strokes of the Midtown/TOC proposals seems to be a seriously afflicted case of trying to Get Too Many Angels to Dance on the Head of a Pin! First we take in round numbers what is ostensibly a hundred 100 Hectare site, which is really only sixty 60 Hectares and compensate for population

demands by **Reaching for the Sky**, which is akin to planning while in an altered state. Having said that, **Midtown is an excellent site for Increasing Density** with Transit connections, but in a sensible manner.

The best communities in **the best cities are NOT a conglomeration of the Highest Towers** Possible, they are Lower to Medium rise more Livable spaces of four, five, maybe six floors. Let's be honest, Canada has more land than pretty well anywhere else in the world, so there is zero need for building crazy sized towers just to meet a quota. No Need. A short time ago during the throes of Covid I had occasion to visit someone in a tower. Imagine four people in an elevator, one in each corner all trying gamely to hold their breath as they ascend or descend 30, 40 or 50 floors, its not a pretty site. And likely not healthy either. Easier to hold your breath for five or six floors than fifty or sixty!!!

For a long while we seemed to be wedded to the mantra of Density, Density, Density. However Density does bring its own problems in Urban Environments as recently concerns about Noise Pollution and Light Pollution and becoming more recognized. **Too much density can in fact be harmful.**

The Town of Oakville (Mayor + Council + Staff) has done a more or less superb job of managing the Planning Process for our town while adhering to the Livable Oakville for decades now. There is no earthly reason to stray from this course or these principles which have served us so well.

Thank you all of making Oakville a great place to live.
Joe Brandt

From: Hilary Canivet
Sent: January 18, 2025 8:06 AM
To: Town Clerks <TownClerk@oakville.ca>
Subject: Midtown Development Consideration

The council needs to consider schools in the area!

Our schools are already struggling to adhere to ministry guidelines as new developments are built and closed within the Oakville community. We are so short bus drivers that students and staff are at school for a hour after the bell waiting for buses.

With this midtown development proposed to have a large number of family units how are we building a community that supports those families!

Many schools in the area are already at capacity or over capacity. It costs 40k\$ on average for a portable to be installed. The developer should be required to close units in time for appropriate school planning, between June and September ONLY!

Before council approves this development I recommend it considers the impact on our schools, and the developer and the town are going to support those families who have a right to education, and those struggling schools.

- Hilary Browne
Strawfield Court

From: NEIL HUDDLESTONE

Sent: January 18, 2025 1:34 PM

To: Town Clerks ; Mayor Rob Burton ; _Members of Council ; Stephen Crawford ; effie.triantafilopoulos@pc.ola.org; weloveoakville@gmail.com; doug.ford@pc.ola.org

Cc: Pauline ; John Berriman ; ; Jo Ann Morello ; Joe Brandt ; Bill McKinlay ; Angela Parsons ; Mark Steiman ; Nicole Stuart

Subject: Input on Midtown Oakville proposals for the January 20th meeting

Dear Mayor and Council,

Thank you, and your staff, for the significant work that has been done to once again defend the best interests of the Town from the Province who always put forward the idea that "They, the Province, know best".

These are the same Provincial Ministers and bureaucrats who have yet to solve our significant issues with health care, education and transportation and who now want to dictate a solution to housing.

Their approach, is to eliminate our rights of appeal and to force through a solution by using a supposed arms length Crown Corporation supported by an eager developer.

The objective of the developer is simple and I can understand their objectives as their website up front reads "**We are focused on bringing long-term value to our investors and partners.....**"

What I do NOT understand is the fixation of the individuals at Infrastructure Ontario to move ahead with this doomed to fail “Social experiment”.

Too many people, in too small a space, with inadequate resources to develop a sense of community isn't a housing solution.

Rather it is reminiscent of the well documented tower blocks built in other parts of the world that devolved into vertical ghettos.

Vertical, ultra high density developments often attract investors versus owners.

Without the reality of ownership, there is less inclination for renters to stay long term, improve, or maintain their environment.

Building the wrong mix of units can also create issues with large families in small units, unoccupied units etc.

A possible outcome that I am aware of in major cities across the UK as an example, starts with graffiti, then increased crime, and finally property and neighbourhood degradation.

In the reviews and proposals from Infrastructure Ontario and the developer I've seen on midtown, the significant negative social impact seems to have been ignored or diminished.

Infrastructure Ontario is a large organization staffed by highly paid professionals and where the President earns significantly more than even our Premier. They should be doing the right thing. Therefore, their support of the current proposals defies all logic or common sense.

Possible good news, is they have just appointed new President so hopefully she can be approached to review what they are proposing to do to our town.

Midtown housing -YES, I fully support the idea.

These monster stacked concrete boxes. , - NO.

The Premier, housing Minister, Infrastructure Ontario, and the developer need to go back to working with, not bullying our Town and calmly work through a solution.

One request I have if possible, is to have the appropriate experts who can evaluate the social impact of this proposal review and report before choosing the appropriate height and density.

The current heights and density proposals are clearly unacceptable. If these proceed as currently proposed, Infrastructure Ontario, a Crown Corporation will end up looking more like a “Clown” Corporation.

Neil Huddleston

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*
Marcus Boekelman, Distrikt Developments
Geoff Abma, Senior Planner Town of Oakville

From: Oakville We Love Oakville <weloveoakville@gmail.com>
Sent: Sunday, December 15, 2024 11:56 PM
To: Mayor Rob Burton; _Members of Council; Town Clerks
Cc: Jim Goodfellow
Subject: Council Meeting 16 Dec 2024 - We Love Oakville Concerns re. Midtown TOC.

Attachments: MIDTOWN OAKVILLE TRANSIT ORIENTED COMMUNITY.pdf

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> 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

www.weloveoakville.org



Open Letter

December 12, 2024

Via Email:

The Hon. Doug Ford, Premier
doug.fordco@pc.ola.org

The Hon. Kinga Surma, Minister of Infrastructure
Kinga.Surmaco@pc.ola.org

The Hon. Paul Calandra, Minister of Municipal Affairs & Housing
paul.calandra@pc.ola.org

Stephen Crawford, MPP
stephen.crawford@pc.ola.org

Reference: Midtown Oakville Transit Oriented Community (TOC)

Dear Premier Ford, Ministers and MPP Crawford,

Through this letter, We Love Oakville, a community-wide, non-partisan organization comprising Residents Associations throughout Oakville is registering its serious concerns with the proposed Midtown Oakville Transit Oriented Community (TOC).

Midtown Oakville is an extremely challenging development site that requires a comprehensive plan for its development to be successful. Added to these challenges is the growing public perception of mistrust and suspicion of the Province which has resulted from the secretive TOC process and its practice of working with one specially chosen developer under a veil of secrecy.

The attachment to this letter summarizes our concerns. You will find they are all founded on fact, due consideration and a valid assessment of conditions and risk.

There is community-wide support for responsible development at the Midtown Oakville site to deliver intensification focused on improving access to higher order transit while providing the liveability all residents of Oakville deserve. That kind of development is not reflected in the current TOC.

Working with Oakville, your government can not only achieve its growth goals, but at the same time, create a TOC it could be proud of. The solution is to stop the current TOC process and allow Oakville to take charge of its own future. The Oakville Midtown

Official Plan Amendment is underway. Oakville's own track record for growth, urban planning and delivering housing proves our capability to deliver. Let our Town finish its work.

We appreciate the opportunity to outline these pressing concerns and welcome the prospect of future positive communication opportunities.

Sincerely,

We Love Oakville

MIDTOWN OAKVILLE TOC

Following is a summary of serious and ongoing concerns. Without reservation, that it should not be approved.

Lack Of Transparency

- The TOC process is badly flawed. It has been undertaken in secret behind closed doors under a confidentiality agreement led by people with vested interests and no direct ties to, or interest in, the needs and priorities of the community.
- This lack of transparency enabled provincial politicians and bureaucrats together with their preferred developer partner to pursue their own agendas and financial interests with no consideration of the needs and goals for liveability, or the infrastructure chaos and costs that will be imposed on the Town and its taxpayers.
- We draw your attention to the statement in the Provincial Auditor General's Special Report On Changes To The Greenbelt, "*We found that the Housing Ministry did not make sufficient efforts to consult the public in a meaningful way or to analyze all of the comments received from the public consultation process required by the EBR Act. The Housing Ministry did not make any changes to the proposed removals to address any of the concerns raised during the consultation.*"
- In our view, The Ministry Of Infrastructure Ontario has followed the same flawed playbook and has not made sufficient efforts to consult the public in a meaningful way. It remains to be seen whether Infrastructure Ontario will make changes to this proposal to address any of the concerns raised during the consultation.

Preferential Treatment

- Distrikt is receiving one of 54 landowners in Midtown and the only one that is receiving preferential treatment. The financial benefits to Distrikt are huge.
- Under the proposed TOC, it will likely generate at least \$4 billion in revenue for Distrikt, and a commensurate increase in the value of its land holdings. In comparison, the owners of the 15 land sites removed from the Greenbelt could have received a collective \$8.3 billion increase to the value of their properties.
- The financial returns to the preferred developer have been further sweetened by the TOC process, as it proposes an additional 606 units to be developed which will generate at least \$350 million of additional revenue for Distrikt. There is a great deal of speculation swirling throughout Oakville on what other deals and benefits lie hidden under this TOC's confidentiality agreement.

The Proposed Hyper Density is Unacceptable

- The TOC planned development of 11 high rise towers with heights ranging from 46 to 59 storeys, comprising 6,908 units, will result in an unacceptable level of hyper density that will prevent the development of a livable community. For example, if there are on average 2 people per unit, the end result would approximate 14,000 people living on 5 hectares with a density of 2,800 people per hectare. A simple illustration of such a level of density employs that of a soccer field. A soccer field is roughly one hectare of land, so imagine 2,800 people trying to live, work and play on a soccer field. This is not high or hyper density - it is excessive density.

This Level Of Height And Density Is Not Needed

- The proposed level of density in the proposed TOC is not only unacceptable, it isn't needed to meet provincial targets. The level of density proposed in this TOC of 2,800 people per hectare is 14 times greater than the minimum provincial target of 200.
- The Town's new OPA will exceed the provincial minimum growth targets by several times, and with liveable and reasonable built form.

Not In The Public Interest

- The proposed configuration of 66% studio and one bedroom units is not in the community's or the public interest.
- The market for these small studios and one-bedroom units has fallen dramatically because they are built for investors. They don't meet the needs of young families and people looking for a long-term home - which is the market that we in Oakville and your government are trying to address.
- Our goal is to build communities for families in Midtown, not commodities for investors to sell or rent.
- We also point out that none of these 6,908 units would be considered "affordable housing".

Inadequate Transportation Infrastructure

- Transportation studies reveal that the Midtown road infrastructure does not have the capacity or capability to support even the previously assigned target density of a minimum of 200 people and jobs per hectare, let alone 2,800 people per hectare.
- Serious traffic congestion and lack of capacity on Trafalgar, Cornwall, Cross Avenue, the QEW interchange and others that traverse Midtown will result in constant gridlock

- These conditions will not only impede commuters heading to the GO station, already the second busiest in the network, they will affect public transit, and everyday residents who drive, cycle, walk, shop or attend school in the area.

No Parks and Community Facilities

- The TOC proposal acknowledges the fact that Midtown has no public parks or community facilities.
- While there is some potential for cash in lieu funding for parks in subsequent phases, the proposed near to mid-term solution is for 14,000 people to seek recreation in nearby neighbourhoods. Neighbouring SE Oakville has a population of about 30,000. The TOC blithely assumes that it can place the pressure of an additional 14,000 people onto already over-stretched and over-used parks and community centres. Presumably the same strategy will be used for schooling.
- The statement that the TOC will provide “*a potential daycare facility and new community-oriented uses (i.e. a YMCA location)*” shows the TOC has no idea of what constitutes a livable community or any serious interest in creating one.
- Midtown will become an unattractive centre of a doughnut that residents only use for sleeping and who will go somewhere else for work and recreation.

Sustainability Not Satisfactorily Addressed

- While we are pleased to see that geo-thermal and wastewater recovery systems are identified as ways to mitigate the impact of climate change, we are dismayed that no details or commitments are given.
- TOC suggests sustainability will only be “promoted”, and doesn’t commit Distrikt to anything beyond minimum regulatory compliance.
- We have consistently argued that Midtown must be developed to standards of environmental performance that go beyond minimum regulatory compliance, such as Green Development Standards being used by municipalities across Ontario who can provide models for standards, methods and use.

Long Term Risk

There are two significant risks that your government’s housing aim will not be achieved if the TOC proceeds:

- First, the “vacuum effect”. We understand from experts that the TOC eleven towers will dominate whatever market there is for such units in Midtown - far from being a catalyst for growth in Midtown, market realities mean that other developers will not build in Midtown - but will build competing projects elsewhere in Oakville and

neighbouring communities. The TOC community will be isolated without any amenities and be highly unattractive to the market. This “tall amongst the sprawl” approach will eventually collapse and slowly die due to its “way station” style of living and eroding liveability.

- Second, “Excess size = excess risk”. We have all seen too many examples of developers going bankrupt, stranded investors, lost deposits and towers half built. The excessive size of the TOC proposal means excessive financial and execution risk in a very uncertain market. Better to take the Oakville OPA approach which provides a level playing field for all 54 developers and allows for multiple developers to take managed risk with smaller projects. Projects that will deliver housing of more variety, for a larger market and on a much quicker timescale.
- People will only inhabit Midtown if they are unable to take advantage of other more attractive choices. There is a serious risk that these 11 towers will become Midtown’s tombstones and future taxpayers will pay a large price to fix our bad planning decisions.