

December 20, 2024

*By E-mail to [gabe.charles@oakville.ca](mailto:gabe.charles@oakville.ca)*

Town of Oakville  
Planning & Development Department  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

Attention: Mr. Gabe Charles  
Director, Planning and Development

**RE: Town of Oakville  
Draft Official Plan Amendment No. 326 & North Oakville East Commercial Study  
Comments – North Oakville Community Builders Inc.**

---

Dear Mr. Charles:

We are writing to you as the Group Manager on behalf of the North Oakville Community Builders Inc. (“**NOCBI**”), which is comprised of landowners within the North Oakville East Secondary Plan area (“**North Oakville East**”) bordered by Highway 407 to the north, generally Third Line to the west, Ninth Line to the east, and Dundas Street to the South. This letter is submitted on behalf of all registered owners of lands located in North Oakville East who are members of the Group. Appendix “A” to this letter provides a current list of the members of the Group.

Firstly, we’d like to express gratitude to Town Staff for meeting with the Group on November 14<sup>th</sup>, 2024, to discuss both updates to the Neyagawa Urban Core (NUC) Official Plan Amendment (OPA) as well as the North Oakville East Commercial Study. We’d also like to thank Staff for their ongoing cooperative efforts and willingness to work with the Group to reach a unified approach in resolving specific concerns.

Following the meeting, and as a follow up to our original letter submissions noting forthcoming comments dated November 22<sup>nd</sup>, 2024, the Group have been working through the policies to identify and further resolve such concerns to be implemented therewithin. Accordingly, attached in Appendix “B” are comments on the policies from the Group for the Town’s further review and consideration in finalizing the amendment.

The Group have also been working to provide comments on the proposed OPA 326 and the North Oakville East Commercial Study prepared by Parcel Economics and Gladki Planning Associates dated November 12<sup>th</sup>, 2024. These comments have been incorporated into a comprehensive memo prepared by Urban Metrics dated December 20<sup>th</sup>, 2024, attached in Appendix “C”.



We look forward to our meeting with Staff on January 7<sup>th</sup>, 2025, to discuss further and resolve these issues prior to the adoption of the OPA for the NUC as well as the endorsement of the Commercial Study.

Sincerely,

*On behalf of the North Oakville Community Builders Inc. (NOCBI)*

Ore Alade, B.E.S  
Project Manager III  
Delta Urban Inc.

Cc North Oakville Community Builders Inc.  
Ruth Victor, Ruth Victor & Associates  
Rowan Faludi, Urban Metrics  
Catherine Buckerfield, Senior Planner, Town of Oakville  
Kirk Biggar, Manager of Policy Planning and Heritage, Town of Oakville

Enclosed. Appendix A – NOCBI Members  
Appendix B – Comments from NOCBI on NUC OPA Policies  
Appendix C – Review of North Oakville East Commercial Study Memo



## Appendix A – NOCBI Members

**NORTH OAKVILLE COMMUNITY  
BUILDERS INC.  
PARTICIPATING OWNERS**

**MATTAMY GROUP**

Graydon Banning Ltd.  
Pendent Developments Limited  
Lower Fourth Limited  
404072 Ontario Limited  
Dunoak Developments Inc.  
Bressa Developments Limited  
1564984 Ontario Limited  
Hulme Developments Limited (SGGC)  
The Bar West Realty Corp.  
Mattamy (Kaitting) Limited

**TRINISON GROUP**

Sherborne Lodge Developments Limited  
Docasa Group Ltd.  
Timsin Holding Corp.  
Tribaden Investments Inc.  
River Thames Building Group Corp.  
Flavia Homes Corp. (East)  
Flavia Homes Corp. (West)  
Everton Gates Capital Corp.  
Flavia Homes Corp. (1125/1137/1147)

**REMINGTON GROUP**

Eno Investments Limited  
Oakville 23-2 Inc.  
Ruland Properties Inc.  
Ankara Realty Limited

**MELROSE GROUP**

Star Oak Developments Limited - WEST  
Star Oak Developments Limited - NORTH  
Mel-Oak Developments Inc.  
Mel-Oak Developments (North) Inc.  
Sixth Oak Inc.  
DGB Trafalgar Limited

**WESTERKIRK GROUP**

1816985 Ontario Ltd. (Neyagawa Pty.)  
1816986 Ontario Ltd. (Trafalgar Pty.)

**ARGO GROUP**

Emgo (North Oakville 1) Ltd  
Argo (West Morrison Creek) Limited  
EMGO III Corporation  
Argo (Joshua Creek) Developments Limited  
Argo Oakville Woods Corporation  
Argo Trafalgar Limited Partnership  
Argo Neyagawa Corporation

**GREAT GULF GROUP**

Green Ginger Developments Inc.  
Redoak G & A Inc.  
Capoak Inc.

**CRYSTAL HOMES GROUP**

Trafalgar Road (Oakville) Developments Ltd.  
TWKD Developments Inc.  
TRODL - Diamantkos Property

**KRPAN GROUP**

Sixth Line Corporation  
Crosstrail Estates Inc.  
  
Burhamthorpe/Oakville Holdings Inc. (Sky Property Group)  
  
North Oakville Park Management Inc.  
  
Dunburn Developments Limited/Fieldgate (FCHT)  
  
Dundas - Trafalgar Inc.  
  
Digram Developments Oakville Inc. (Sykiotos)  
  
North West Oakville Holdings Inc. (Tercot)  
  
Martillac Estates Inc.  
  
Branthaven Burnhamthorpe Inc.  
  
DG Farms Burnhamthorpe Inc.  
  
Rampen Holdings Inc.  
  
3275 Traflaagr Road Inc.  
  
Neatt (16 Mile Creek) Inc.



## Appendix B – Comments from NOCBI on NUC OPA Policies

**Neyagawa Urban Core Official Plan Amendment  
November 2024 Town of Oakville Draft and Comments from NOCBI  
December 13, 2024**

**RED** = Revised Text change by Town  
~~Strikethrough~~ = Removed Text by Town  
 Blue= Proposed revisions by NOCBI

**Part 2- The Amendment**

Section	November 2024 Town of Oakville Draft	Remaining Areas of Concern / Comments
<p><b>7.3.2</b> COMMUNITY STRUCTURE, URBAN CORE</p>	<p>Revise the policy as follows:</p> <p>The Urban Core designations reflect the most urban part of the North Oakville East Plan Area. These areas provide for the densest development and the highest order activities including a full range of residential, retail and service commercial, entertainment, cultural, business and institutional uses. Mixed use development is encouraged. Ultimately it is intended that Urban Core lands will become true mixed use urban areas. The primary focus of this development is along Trafalgar Road, with the north side of Dundas St. and the intersection of Neyagawa Boulevard and Burnhamthorpe Road West <b>also</b> having an important <b>role in accommodating growth.</b> <del>more secondary role.</del></p>	<p><b>No comment</b></p>
<p><b>7.5.13</b> COMMUNITY DESIGN STRATEGY, URBAN CORE AREAS – INTERIM USES &amp; PHASED DEVELOPMENT</p>	<p>Revise the policy as follows:</p> <p>Urban Core Areas, particularly <b>including</b> the Trafalgar Urban Core Area, <b>and the Neyagawa Urban Core Area</b> are intended to ultimately provide for a <del>primarily</del> mixed use development which is the densest in North Oakville. In order to ensure that the ultimate development form is not constrained by interim land uses and the development of initial phases, the following planning and design principles will form the basis for development:</p>	<p><b>No comments</b></p>

	<p>f) Design excellence shall be promoted <b><u>for interim uses and all phases of development</u></b> and shall convey aspects of the Town’s local character throughout the Urban Core Areas.</p>	
<p><b>7.5.16</b> COMMUNITY DESIGN STRATEGY, NEYAGAWA URBAN CORE</p>	<p>Revise the policy as follows:</p> <p>The Neyagawa Urban Core is intended to provide a <b><u>higher order transit-supportive</u></b>, mixed use area to accommodate a range of commercial, residential, employment and institutional uses as a focal point for the western portion of the Planning Area. Development will be at lower densities than those found in the Trafalgar Urban core, however, <b><u>Mixed use development shall be permitted throughout the area. Key community design elements of this area include:</u></b></p> <p>a) Where retail and service commercial development is permitted it <b><u>should</u></b> will be encouraged to be oriented to the street creating a pleasant, pedestrian shopping environment. These retail and service commercial uses may be in stand alone <b><u>buildings</u></b> stores or in the ground floors of mixed use buildings. In areas of commercial development:</p> <ol style="list-style-type: none"> <li>i. the principal public entrance should provide direct <b><u>and barrier-free</u></b> access onto the public sidewalk;</li> <li>ii. the primary windows and signage should face the street;</li> <li>iii. buildings facing the street should be encouraged to <b><u>incorporate</u></b> have awnings, canopies, arcades or front porches to provide weather protection;</li> <li>iv. no <b><u>surface</u></b> parking, driveways, lanes or aisles should be permitted between the buildings and public sidewalks;</li> </ol>	<p>a)Where retail and service commercial development is permitted it <b><u>should</u></b> will be <b><u>is encouraged to be encouraged to be</u></b> oriented to the street creating a pleasant, pedestrian shopping environment.</p> <p><u>These retail and commercial uses may be within single storey stand-alone buildings or within the ground floor of a mixed use building. Interim development should consider the following community design elements as set out in 7.5.16 through the site plan process where feasible and applicable given the interim nature of the uses and built form.</u></p> <p>For buildings containing a commercial use:  <del>a)Where retail and service commercial development is permitted it <b><u>should</u></b> will be encouraged to be oriented to the street creating a pleasant, pedestrian shopping environment. These retail and service commercial uses may be in stand alone <b><u>buildings</u></b> stores or in the ground floors of mixed use buildings. In areas of commercial development:</del></p>

	<ul style="list-style-type: none"> <li>v. buildings should have a consistent setback and parking lots abutting the street should be limited <b>in size</b> and designed in accordance with the provisions of Section 7.5.7.1;</li> <li>vi. the location and design of any large retail stores shall consider the design alternatives set out in Section 7.5.13 b); and,</li> <li>vii. any commercial nodes including large retail stores should be integrated into the pattern of streets and blocks of which they are a part. The pattern of blocks and the physical design of the buildings in relation to the street should encourage pedestrian circulation to, from and within this commercial area. Streets, sidewalks and the orientation of buildings <b>and their main entrances</b> shall be designed <b>and positioned</b> to create comfortable, enjoyable pedestrian movement in a vibrant public realm.</li> </ul> <p>b) Minimum and maximum setbacks, densities, <b>indoor and outdoor private amenity space</b> and other standards will be implemented through the zoning by-law to ensure that development achieves the standards required as a basis for the creation of this core area.</p>	<ul style="list-style-type: none"> <li>viii. the principal public entrance should provide direct <b>and barrier-free</b> access onto the public sidewalk;</li> <li>ix. the primary windows and signage should face the street;</li> <li>x. buildings facing the street should be encouraged to <b>incorporate</b> have awnings, canopies, arcades or front porches to provide weather protection;</li> <li>xi. no <b>surface</b> parking, driveways, lanes or aisles should be permitted between the buildings and public sidewalks;</li> <li>xii. buildings should have a consistent setback and parking lots abutting the street should be limited <b>in size</b> and designed generally in accordance with the provisions of Section 7.5.7.1;</li> <li>xiii. the location and design of any large retail stores shall consider the design alternatives set out in Section 7.5.13 b); and,</li> <li>xiv. any commercial nodes including large retail stores should be integrated into the pattern of streets and blocks of which they are a part. The pattern of blocks and the physical design of the buildings in relation to the street should encourage pedestrian circulation to, from and within this commercial area. Streets, sidewalks and the orientation of buildings <b>and their</b></li> </ul>
--	---	--

		<p><u>main entrances and positioned</u> shall be designed comfortable, enjoyable pedestrian movement in a vibrant public realm.</p> <p>e) Minimum and maximum setbacks, densities, <u>indoor and outdoor private amenity space</u> and other standards will be implemented through the zoning by-law to ensure that development achieves the standards required as a basis for the creation of this core area.</p>
<p><b>7.5.16</b> COMMUNITY DESIGN STRATEGY, NEYAGAWA URBAN CORE</p>	<p><u>Insert a new policy subsection as follows:</u></p> <p>c) <u>In accordance with the policies of Part E, Section 7.1.5, the Neyagawa Urban Core is identified as Nodes and Corridors in the town-wide Urban Structure. It is a <i>strategic growth area</i> that is to be the focus for accommodating intensification through medium and high density mixed use in a compact urban form.</u></p>	<p><b>No comment</b></p>
<p><b>7.6.6.1</b> LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Purpose</p>	<p>Revise the policy as follows:</p> <p>The Neyagawa Urban Core Area designation on Figure NOE2 is intended to allow the creation of a secondary core area at the intersection of Neyagawa Boulevard and <u>Burnhamthorpe Road West</u> and a new east west</p>	<p><b>Oddly worded additional policy. Re-phrase as:</b></p> <p>The potential future 407 Transitway Neyagawa Terminal is an important component of this</p>

	<p>Major Arterial/Transit Corridor. The intent of this Core Area is to <b><u>create a mixed use, complete community with densities that support higher order transit, including a 407 Transitway Terminal. The designation shall also</u></b> permit the provision of convenience commercial, institutional and employment uses to serve adjacent neighbourhoods, as well as related residential development.</p> <p><b><u>A future 407 Transitway Neyagawa Terminal continues to be a critical component of this transit-supportive, pedestrian-oriented complete community. Development should integrate and provide safe access and minimize disruptions to local traffic flow to the 407 Transitway Neyagawa Terminal.</u></b></p>	<p>transit-supportive, pedestrian-oriented complete community. Adjacent development should be designed to facilitate safe active transportation and vehicular access to the station</p>
<p><b>7.6.6.2</b> LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Permitted Uses, Buildings and Structures</p>	<p>Revise the policy as follows:</p> <p><del>a) The permitted uses shall be the full range of office, commercial including retail and service commercial, accommodation, health and medical, institutional and medium and high density residential uses.</del></p> <p><b><u>a) A wide range of uses shall be permitted including, office, retail and service commercial uses, institutional, major office, offices, and medium and high density residential uses.</u></b></p> <p><del>b) Permitted uses shall be primarily located in medium and high density residential, office and institutional buildings. Both mixed use and single use buildings shall be permitted. and this may include single use retail and service commercial buildings in accordance with the provisions in Section 7.6.6.3(c).</del></p>	<p><b>Add to permitted uses in a)</b></p> <p><b>a) Places of entertainment, indoor sports facilities, and hotels shall also be permitted. <del>Provided the overall development contributes to the overall density targets.</del></b></p> <p><b>(The following policies repeat previous policies and are recommended for deletion)</b></p> <p><b><del>e) Retail and service commercial uses should (may) be located at grade within mixed use buildings and oriented towards the public realm.</del></b></p>

**c) The size and location of uses shall be determined through the development process and regulated by the implementing zoning.**

**d) Places of entertainment, indoor sports facilities, and hotels may also be permitted provided the overall development contributes to overall density targets.**

**e) Retail and service commercial uses should be located at-grade within mixed use buildings and oriented towards the public realm.**

**f) Stand alone retail and commercial buildings may be permitted subject to:**

- i. the provision of local roads and small blocks;**
- ii. creation of safe and accessible pedestrian and transit friendly streetscapes and routes;**
- iii. the siting and orientation of buildings and their main entrances to the street or within the block facing a future street for the initial and future development;**
- iv. the siting and configuration of parking for the initial development and changes to parking to accommodate the intensification process;**
- v. the ability to achieve both short and longer term intensification, through intensification around initial buildings or reserved sites and possible redevelopment of the initial buildings themselves; and**
- vi. shall not preclude the long-term development potential of the property.**

**~~f) Stand alone retail and commercial buildings may be permitted in the interim stage of development subject to:~~**

- ~~i. the provision of local roads and small blocks;~~**
- ~~ii. creation of safe and accessible pedestrian and transit friendly streetscapes and routes;~~**
- ~~iii. the siting and orientation of buildings and their main entrances to the street or within the block facing a future street for the initial and future development;~~**
- ~~iv. the siting and configuration of parking for the initial development and changes to parking to accommodate the intensification process;~~**
- ~~v. the ability to achieve both short and longer term intensification, through intensification around initial buildings or reserved sites and possible redevelopment of the initial buildings themselves; and~~**
- ~~vi. shall not preclude the long-term development potential of the property.~~**

**Targets should be for Neyagawa as a whole and not for each Quadrant.**

**g) A target of minimum of 16,700 square metres of retail and commercial uses shall be required is planned within the Neyagawa Urban**

**g) A minimum of 16,710 square metres of retail and commercial uses shall be required within the Neyagawa Urban Core and further provided per quadrant:**

- i. A minimum of 9,280 square metres shall be provided in the north east quadrant;**
- ii. A minimum of 3,250 square metres shall be provided in the north west quadrant; and**
- iii. A minimum of 4,180 square metres shall be provided in the south east quadrant.**

**h) ~~The total retail commercial development in this designation shall not exceed a total of 31,000 sq. metres of gross leaseable floor area and may include supermarkets. Other commercial development such as financial institutions, service stations, restaurants and service commercial uses shall not be subject to this floor area limit. No single user or retail store shall exceed a maximum of 7,000 sq. metres of gross leaseable floor area.~~**

**i) Development in the north east quadrant should provide a food store**

**j) Development adjacent to employment districts shall incorporate measures to buffer and transition to residential and other sensitive land uses. This will be implemented through future development applications and site-specific Land Use Compatibility studies.**

<p><i>New</i> <b>7.6.6.3</b> LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Functional Policies</p>	<p>Insert a new policy subsection as follows and renumbering the following sections of the plan accordingly:</p> <p><b><u>7.6.6.3 Functional Policies</u></b> <b><u>In addition to the policies in Section 7.5.2 through 7.5.11 and 7.8 of this Plan, the following functional policies apply to the Neyagawa Urban Core.</u></b></p>	
<p><i>New</i> <b>7.6.6.3.1</b> LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Functional Policies, Transportation</p>	<p>Insert a new policy subsection as follows:</p> <p><b><u>7.6.6.3.1 Transportation</u></b></p> <p>a) <b><u>A transit terminal is required to serve inter-regional bus connections along Highway 407 and connect with local transit. The facility shall be located adjacent to the 407 Transitway in the area of Neyagawa Boulevard and Highway 407. It is also intended that this site be integrated with development, and become an anchor for the ongoing redevelopment of Neyagawa Urban Core as strategic growth area.</u></b></p> <p>b) <b><u>The province, the Ministry of Transportation /407 Transitway, the Town, and landowners shall co-ordinate the delivery of a transit terminal in the area of Neyagawa Boulevard and Highway 407.</u></b></p> <p>c) <b><u>The transit terminal location is shown conceptually on Figure NOE Transportation Plan and the location may be moved without amendment to this plan provided it is adjacent to the 407 Transitway.</u></b></p>	<p>The conceptual location of the 407 transitway is shown on the proposed changes to Figures NOE 1 &amp; 2 of the 1984 Town of Oakville Official Plan for the North Oakville East Secondary Plan. There have been several iterations of the 407 transitway location and alignment since 2005. The 407 transitway alignments, as currently proposed in Figures NOE 1 &amp; 2 are unclear as to the Town’s preferred alignment and should be clarified. Greater flexibility in these policies is required given the uncertainty of the incorporation of a transitway station and its location. Policies need to allow for alternative scenarios if the transitway station is not built in a specific location in a specific timeline to not hold up development. Provisions b) e) should provide some flexibility in this language</p> <p><a href="#"><u>a) A future transit terminal is proposed to serve inter-regional bus connections along Highway</u></a></p>

	<p>d) <u>Changes to the requirements, location or alignment of new transit facilities, pedestrian and cycling facilities and roads shall not require an amendment to this Plan provided that the general intent and purpose of this Plan is maintained and intensification opportunities are not precluded.</u></p> <p>e) <u>Development shall align with the existing and planned transportation system including higher order transit service, active transportation infrastructure, and measures such as transportation demand management.</u></p> <p>f) <u>New road, transit, and active transportation infrastructure shall be provided to accommodate future growth and development.</u></p> <p>g) <u>Development should occur on public roads. Where it is demonstrated that a public road is not warranted, development through plans of condominium on private roads may be permitted, provided all required services are appropriately accommodated and all applicable policies of this Plan are addressed.</u></p> <p>h) <u>The location of roads shall be determined through draft plans of subdivision, condominium plans, detailed stormwater management and/or functional servicing studies, to the satisfaction of the Town.</u></p> <p>i) <u>Passenger amenities in buildings adjacent to transit stops, including the transit terminal, should be provided.</u></p>	<p>407 and connect with local transit. The facility shall be located adjacent to the 407 Transitway in the area of Neyagawa Boulevard and Highway 407. <del>It is also intended that this site be integrated with development and become an anchor for the ongoing redevelopment of Neyagawa Urban Core as strategic growth area.</del></p> <p>b) <u>The province, the Ministry of Transportation /407 Transitway, the Town, and landowners shall co-ordinate cooperatively explore options for the delivery of a transit terminal in the area of Neyagawa Boulevard and Highway 407.</u></p> <p>f) <u>New road, transit, and active transportation infrastructure shall be provided to accommodate future growth and development. The Town of Oakville is responsible for providing upgrades to existing roads, where such improvements and upgrades are necessary</u></p> <p>j) <u>Where surface parking is provided, the maximum portion of a lot used for commercial and visitor surface parking shall be limited and determined through implementing zoning. Surface parking shall be appropriately sited and screened to minimize the view of the parking from the street and other pedestrianized amenities</u></p>
--	---	--

j) **Parking**

- i. **Structured parking, both above and below ground should be provided where feasible. Underground parking structures are preferred.**
- ii. **Above ground parking structures should be integrated with development, and shall be appropriately sited and screened, including appropriate landscaping, to the satisfaction of the Town. Active uses at-grade should be provided within parking structures that face a public street and/or outdoor pedestrian amenity space.**
- iii. **Where surface parking is provided, the maximum portion of a lot used for commercial and visitor surface parking shall be limited and determined through implementing zoning. Surface parking shall be appropriately sited and screened to minimize the view of the parking from the street and other pedestrianized amenities.**
- iv. **The Town shall work with the Ministry of Transportation to ensure an approach to the provision of parking for a 407 Transitway Terminal that allows opportunities for parking rate reductions and implementation of stand alone or integrated (mixed-use) parking structures.**

k) **Development shall incorporate safe, accessible and direct circulation routes to and through the site that connect pedestrians to:**

- i. **principal entrances of building(s), amenity areas and parking areas;**
- ii. **public sidewalks and transit facilities;**
- iii. **parks and open space;**

l) **Mid-block Connections:**

- i. **Development shall promote safe, barrier-free, convenient, and predictable mid-block connections.**
- ii. **The location of mid-block connections should relate to the placement of the buildings, and align with existing or planned transportation (including active transportation) circulation routes.**
- iii. **Mid-block connections may be publicly or privately owned and shall be publicly accessible.**
- iv. **Mid-block connections may be used to support site servicing or site access.**
- v. **Mid-block connections should:**
  - **form uninterrupted connections through a block to allow for continuous transportation opportunities;**
  - **be designed to be universally accessible;**
  - **include appropriate pedestrian-scaled lighting;**
  - **incorporate active transportation infrastructure including bicycle parking; and,**

	<ul style="list-style-type: none"> <li>• <u>have appropriate and clear signage and way-finding.</u></li> </ul> <p>m) <u>In addition to policies in Section 7.5.4 i), developments shall have regard for the implementation guidelines set out in the Transportation Master Plan.</u></p>	
<p><i>New</i> <b>7.6.6.3.2</b>  LAND USE STRATEGY,  NEYAGAWA URBAN CORE AREA,  Functional Policies,  Stormwater Management</p>	<p>Insert a new policy subsection as follows:</p> <p><b><u>7.6.6.3.2 Stormwater Management</u></b></p> <p>a) <u>Development shall implement stormwater management techniques and best practices, including low impact development, in accordance with provincial environmental permissions and obligations for municipal stormwater management systems and to the satisfaction of the Town and Conservation Authority.</u></p> <p>b) <u>Development shall demonstrate that flood risk to any other lands is not increased.</u></p> <p>c) <u>Stormwater management facilities that provide Regional event controls shall be publicly owned within town-owned and accessible lands.</u></p> <p>d) <u>Stormwater management should include green infrastructure opportunities to support climate change resiliency.</u></p> <p>e) <u>Where applicable, Parks and open space areas should incorporate green infrastructure that</u></p>	<p><b>Is this section more appropriate in the parent OP and not in the secondary plan section?</b></p> <p><u>Development shall implement stormwater management techniques and best practices, including low impact development, in accordance with provincial environmental permissions and obligations for municipal stormwater management systems and to the satisfaction of the Town and Conservation Authority as set out within the EIR/FSS</u></p>

	<p><u>enhances the ecological function of the area and supports stormwater management, including surface or subsurface stormwater facilities where appropriate.</u></p> <p>f) <u>Changes to the location of the stormwater management facilities identified on Appendix 7.3 may be permitted without amendment to this Plan, subject to the policies of this Plan.</u></p> <p>g) <u>Environmental Implementation Reports shall be prepared for the subcatchment area within the Neyagawa Urban Core, as identified on Appendix 7.2, Subcatchment Areas, in accordance with the North Oakville Creek Subwatershed Study and in accordance with provincial environmental permissions and obligations for municipal stormwater management systems and to the satisfaction of the Town.</u></p>	
<p><i>New</i> <b>7.6.6.3.3</b> LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Functional Policies, District Energy</p>	<p><b>Not incorporated into OPA.</b></p>	<p><b>No Comment.</b></p>
<p><i>New</i> <b>7.6.6.3.4</b> LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA,</p>	<p>Insert a new policy subsection as follows:</p> <p><b>7.6.6.3.4 <u>Urban Design</u></b></p> <p>a) <u>Development shall be designed in accordance with the design direction provided in Section</u></p>	<p><b>The built form policies are repetitive from the urban design guidelines. There is no need for them to be here. It is requested that this section on built form be deleted.</b></p>

<p>Functional Policies, Urban Design</p>	<p><b><u>7.2.3.4 and Section 7.5.3 of this Plan, and the Livable by Design Manual.</u></b></p> <p><b><u>b) The direction provided through Section 7.5.13 for retail and service commercial uses shall be achieved through the implementing zoning and further implemented through the zoning By-law Amendment and site plan processes.</u></b></p> <p><b><u>Built Form</u></b></p> <p><b><u>c) Tall and mid-rise buildings shall be designed and sited to maximize solar energy, ensure adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows on the public realm.</u></b></p> <p><b><u>d) Multiple towers within a block, development site, or within close proximity to each other on abutting sites should vary in height from one another in order to create variation in building height and a distinctive skyline.</u></b></p> <p><b><u>e) Tall and mid-rise buildings shall be designed to the highest architectural quality and detail, and shall ensure a pedestrian-oriented built form, provide active façades oriented to public streets, and contribute to a distinctive skyline.</u></b></p> <p><b><u>f) For tall buildings, the height of the building base (podium) should generally be equivalent to the building-to-building distance across the adjacent right-of-way, up to a maximum of 25 metres in height, in order to frame the street and enhance pedestrian comfort.</u></b></p>	<p><b>The policies as written are confusing as they do not include all of the language to interpret i.e. what is a tall building and what is a midrise building?</b></p>
--	--	--

- |  |   |  |
|--|---|--|
|  | <ul style="list-style-type: none"><li>g) <u>For tall buildings along public streets or publicly accessible amenity space, a setback between the podium base and tower portion should be provided to reinforce the character of the public realm.</u></li><li>h) <u>For tall buildings, the floorplate of each tower (the portion of the building above the base or podium) shall provide a slender tower profile to minimize adverse shadowing, maximize sun exposure and enhance the skyline.</u></li><li>i) <u>For tall buildings, the distance between the facing walls of towers shall generally be a minimum of 25 metres at the tower base.</u></li><li>j) <u>For tall buildings, the distance between facing walls of podiums, where there are windows on both building faces, shall generally be a minimum of 15 metres.</u></li><li>k) <u>For mid-rise buildings, incorporate a step-back in the main building wall for storeys located above the established streetwall height; and,</u></li><li>l) <u>For mid-rise buildings, provide a minimum building separation distance of 15.0 metres between a mid-rise with another mid-rise building, or a tall building.</u></li></ul> |  |
|--|---|--|

**7.6.6.5 (NOCBI Version)/7.6.6.4 (Town Version)**

LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Land Use Policies

This section was previously renumbered as Section 7.6.6.4. Revise the policy as follows:

- a) Development will be focused at the intersection of Neyagawa **Boulevard** Blvd. and Burnhamthorpe Road **West** and visually connected by establishing coherent streetscapes along adjacent sections of Neyagawa **Boulevard** Blvd. and Burnhamthorpe Road **West** through a number of design features and mechanisms, identified in the applicable urban design guidelines, including provisions for landscaping, signage, street furniture and other features of the public right of way, and guidelines for siting and massing of adjacent buildings. Development will also be physically connected by road, transit, pedestrian and bicycle linkages.
- b) ~~A mix of uses shall be permitted at the following heights and densities:~~
- ~~• Minimum density — FSI of 0.5 with the exception of service station sites and as set out in Subsection c);~~
  - ~~• Maximum density — FSI of 2;~~
  - ~~• Medium — Density Residential — Density — Notwithstanding the foregoing, where medium density residential uses are permitted such development shall have a minimum density of 25 units per net hectare and a maximum density of 75 units per net hectare;~~
  - ~~• Minimum height — 5 metres for a commercial building and generally 3 storeys for other development; and,~~
  - ~~• Maximum height — 8 storeys.~~
- c) ~~Where the minimum standards are not proposed to be achieved with the initial development proposals, the applicant shall be required to submit an intensification~~

**Should Burnhamthorpe Road be changed to William Halton Parkway in these policies?**

**The 5 storey height limit 50 metres from the north side of Burnhamthorpe Road West and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe West right-of-way is problematic.**

**The height limit should be clear so it relates to long term development and not interim uses. The 5-storey height limit will preclude the development of interim commercial uses along Burnhamthorpe Road, that are needed to meet the commercial needs**

d) i) Residential and mixed use development within 20 metres of the intersection on the north side of Burnhamthorpe Road West and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe Road West right-of-way shall be a minimum height of 5 storeys, excluding podium elements which may be lower.

Any stand alone commercial building should be encouraged to have a minimum height of two storeys and regulated through implementing zoning

~~plan demonstrating how the ultimate density and other objectives for the site can be achieved. The intensification plan shall address:~~

- ~~• the provision of local roads and small blocks;~~
- ~~• the means to achieve a safe pedestrian and transit friendly streetscape with the initial uses;~~
- ~~• the siting and orientation of buildings within the block and to the street for the initial development and longer term intensification;~~
- ~~• the siting and orientation of parking for the initial development and changes to parking to accommodate the intensification process; and~~
- ~~• the ability to achieve both short term and longer term intensification, the former potentially through intensification around initial buildings or reserved sites and the latter through possible redevelopment of the initial buildings themselves.~~

~~Based on this information, the Town will consider a reduction in the minimum density on specific sites to the following minimum densities:~~

- ~~• 0.25 for retail and service commercial uses provided the interim development also complies with the design policies of Section 7.5.16 b) and the land use policies of this section; and~~
- ~~• 0.3 for all other uses.~~

~~Insert a new policy subsection as follows:~~

- ~~b) **A mix of uses shall be permitted in the Neyagawa Urban Core Area with a range of building heights and densities to support higher order transit.**~~

- d) ii) Residential and mixed use development beyond 20 50 metres of the intersection on the north side of Burnhamthorpe Road West and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe Road West right-of-way shall be a minimum height of 3 storeys.

c) **Minimum Density**

**The Neyagawa Urban Core shall achieve a minimum density of 160 residents and jobs combined per hectare. The general target proportion shall be 85% residents and 15% jobs.**

d) **Building Heights**

i. **Residential and mixed use development within 50 metres from the north side of Burnhamthorpe Road West and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe West right-of-way shall be a minimum height of 5 storeys, excluding podium elements which may be lower.**

ii. **Residential and mixed use development beyond 50 metres from the north side of Burnhamthorpe Road West and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe Road West right-of-way shall be a minimum height of 3 storeys.**

iii. **A maximum height of 12 storeys shall be permitted south of Burnhamthorpe Road West and a maximum height of 18 storeys shall be permitted north of Burnhamthorpe Road West.**

iv. **Any stand alone commercial building should be encouraged to have a minimum height of two storeys and regulated through implementing zoning.**

--	--	--

<p><i>New</i> <b>7.6.6.6 (NOCBI Version)/ 7.6.6.5. (Town Version) LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Cultural Heritage</b></p>	<p>Insert a new policy subsection as follows:</p> <p><b><u>7.6.6.5 Cultural Heritage</u></b>  <b><u>Proposed development shall be reviewed by the Town to ensure consistency with policies contained in Section 7.4.14.</u></b></p>	
<p><i>New</i> <b>7.6.6.7 (NOCBI Version)/ 7.6.6.6. (Town Version) LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Parkland Dedication</b></p>	<p>Insert a new policy subsection as follows:</p> <p><b><u>7.6.6.6 Parkland Dedication</u></b>  <b><u>The Town shall require parkland dedication in accordance with Section 7.7.4.5.</u></b></p>	<p><b>7.6.6.6 Parkland Dedication</b></p> <p>The Town shall require parkland dedication in accordance with the Master Park land agreement.</p>
<p><b><u>New</u></b>  <b><u>7.6.6.7</u></b>  <b><u>LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Public Realm and Amenity</u></b></p>	<p>Insert a new policy subsection as follows:</p> <p><b><u>7.6.6.7 Public Realm and Amenity</u></b></p> <p><b><u>a) The public realm, comprised of public streets, urban squares, promenades, and connecting links as outlined in the Town’s Parks Plan, shall be designed to create a desirable place for residents, workers, and visitors.</u></b></p>	<p>Urban squares, promenades, connecting links and other open spaces may be provided in a variety of ownerships to be determined during the development approval process. The Master Parkland Agreement sets out the obligation regarding the provision of parkland under the Planning Act. As part of the development process, the Town may choose to acquire additional parkland through other options as outlined in the Town’s Parks Plan include:</p>

**b) The public realm shall incorporate barrier-free, interconnected, and predictable pedestrian-oriented spaces and routes that enhance walkability and other active transportation year-round, reinforce the surroundings, and provide quality spaces for public life.**

**c) The locations and delivery of urban squares, promenades, connecting links, and other open spaces shall be coordinated and delivered as development progresses to ensure that these amenities are provided for residents and employees in a timely manner.**

**d) Urban squares, promenades, connecting links, and other open spaces shall be designed, maintained, and operated as:**

- i. Flexible spaces that are passive in programming and oriented to urban activities that occur throughout the day and year-round;**
- ii. Places designed to complement the built form and public realm, and incorporate hardscapes, softscapes, tree plantings, furnishings, context sensitive lighting, and other urban amenities; and,**
- iii. An integral part of the public realm by providing convenient active transportation routes and places to gather and facilitate public activity.**

**e) Urban squares, promenades, connecting links and other open spaces may be provided in a variety of ownerships to be determined during the development approval process. Ownership**

Fee simple ownership;  
Stratified ownership;  
Privately owned public spaces (POPS);  
User Agreements/Easements.  
And Community Benefit Charge Credits

	<p><b><u>options as outlined in the Town's Parks Plan include:</u></b></p> <ul style="list-style-type: none"> <li>i. <b><u>Fee simple ownership;</u></b></li> <li>ii. <b><u>Stratified ownership;</u></b></li> <li>iii. <b><u>Privately owned public spaces (POPS);</u></b> <b><u>and</u></b></li> <li>iv. <b><u>Use Agreements/Easements.</u></b></li> </ul>	
<p><i>New</i> <b>7.6.6.8</b> LAND USE STRATEGY, NEYAGAWA URBAN CORE AREA, Implementation</p>	<p>Insert a new policy subsection as follows:</p> <p><b><u>7.6.6.8 Implementation</u></b></p> <p><b><u>In addition to the policies in Section 7.10 of this Plan, the following implementation policies apply.</u></b></p> <p><b><u>a) Phasing/Transition</u></b> <b><u>Development shall occur gradually over the long-term and be coordinated with the provision of infrastructure, including:</u></b></p> <ul style="list-style-type: none"> <li>i. <b><u>transit (conventional and higher order rapid transit);</u></b></li> <li>ii. <b><u>street network capacity;</u></b></li> <li>iii. <b><u>pedestrian and cycling facilities;</u></b></li> <li>iv. <b><u>water and waste water services;</u></b></li> <li>v. <b><u>stormwater management services and capacities;</u></b></li> <li>vi. <b><u>streetscape improvements;</u></b></li> <li>vii. <b><u>parks and open space;</u></b></li> <li>viii. <b><u>public realm enhancements; and,</u></b></li> <li>ix. <b><u>utilities;</u></b></li> </ul> <p><b><u>b) Further to subsection (a) above, the timing of development shall be subject to the availability of required infrastructure, including but not limited to future transportation network improvements and stormwater, water and wastewater services.</u></b></p>	<p><b><u>a) Phasing/Transition</u></b> <b><u>Development shall occur gradually over the long-term and be coordinated with the provision of infrastructure, including</u></b></p> <p>f)Interim commercial uses located in single storey stand alone buildings are expected to redevelop over time.</p>

	<p>c) <u>Initial phases of development shall not preclude the achievement of a compact, pedestrian-oriented and transit-supportive urban form.</u></p> <p>d) <u>The development of land shall have regard for potential redevelopment of adjacent lands.</u></p> <p>e) <u>Redevelopment of lands should maintain established retail and service commercial uses.</u></p> <p>f) <u>Interim commercial uses located in stand alone buildings are expected to transition and redevelop over time.</u></p>	
<p><b>7.7.4.5</b>  <b>PARKLAND</b>  <b>HIERARCHY,</b>  <i>Parkland Acquisition</i></p>	<p>Insert a new policy subsection as follows:</p> <p>f) <u>In addition to the Master Parkland Agreement, urban squares, promenades, connecting links and other open spaces may be provided in a variety of ownerships to be determined during the development approval process. Ownership options as outlined in the Town’s Parks Plan include:</u></p> <ul style="list-style-type: none"> <li>i. <u>Fee simple ownership;</u></li> <li>ii. <u>Stratified ownership;</u></li> <li>iii. <u>Privately owned public spaces (POPS);</u> <u>and</u></li> <li>iv. <u>Use Agreements/Easements.</u></li> </ul>	<p>The Master Parkland Agreement sets out the obligation regarding the provision of parkland under the Planning Act. As part of the development process, the Town may choose to acquire additional parkland through other options as outlined in the Town’s Parks Plan include:</p> <ul style="list-style-type: none"> <li>Fee simple ownership;</li> <li>Stratified ownership;</li> <li>Privately owned public spaces (POPS);</li> <li>Use Agreements/Easements.</li> <li>And Community Benefit Charge Credits</li> </ul>



**Appendix C – Review of North Oakville East Commercial Study Memo**

December 20, 2024

North Oakville Community Builders Inc.  
c/o Mr. Marcus Marrano, BA, BURPI  
Senior Project Coordinator  
Delta Urban  
8800 Dufferin Street, Suite 104  
Vaughan, Ontario  
L4C 0C5

Dear Mr. Marrano:

**Re: Review of North Oakville East Commercial Study**

As per your request, I have undertaken a review of the Oakville Staff Report dated November 12, 2024 related to the North Oakville East Commercial Study, the proposed OPA 326, as well as, the North Oakville East Commercial Study prepared by Parcel Economics and Galdki Planning Associates also dated November 12, 2024. The following summarizes my findings with regards to these documents.

## 1.0 November 12, 2024 Staff Report

---

There are some recommendations in the staff report that the landowners may be able to work with if they are implemented. There are also some aspects of the report which are less helpful in terms of arriving at a more robust commercial structure in North Oakville East.

### **Recommendations Favourable to an Improved Commercial Structure**

On page 3, it is noted that the [Commercial] study recommends rethinking the commercial strategy, focusing on strategic, smaller scale retail clusters, allowing interim commercial typologies, and offering incentives like parking reductions to encourage development while maintaining flexibility for future growth. It is also noted that the study emphasizes a “quality over quantity” approach, prioritizing flexible development to adapt to evolving retail trends.

In general, this is the approach that we have been recommending – i.e. a smaller number of strategically positioned sites rather than a large number of small, poorly located neighbourhood activity nodes that are largely ineffective in terms of meeting local retail needs.

I would note that parking reductions are only an incentive if the parking spaces are not needed in the first place. This may not necessarily be the case as many anchor retail tenants have specific parking requirements in terms of number and location of spaces. In addition, there already are no on-site parking requirements with respect to the live-work units in neighbourhood activity nodes, rather parking is mostly provided on-street. (e.g. Preserve Drive, Carding Mill Trail, Burnhamthorpe east of 6<sup>th</sup> Line)

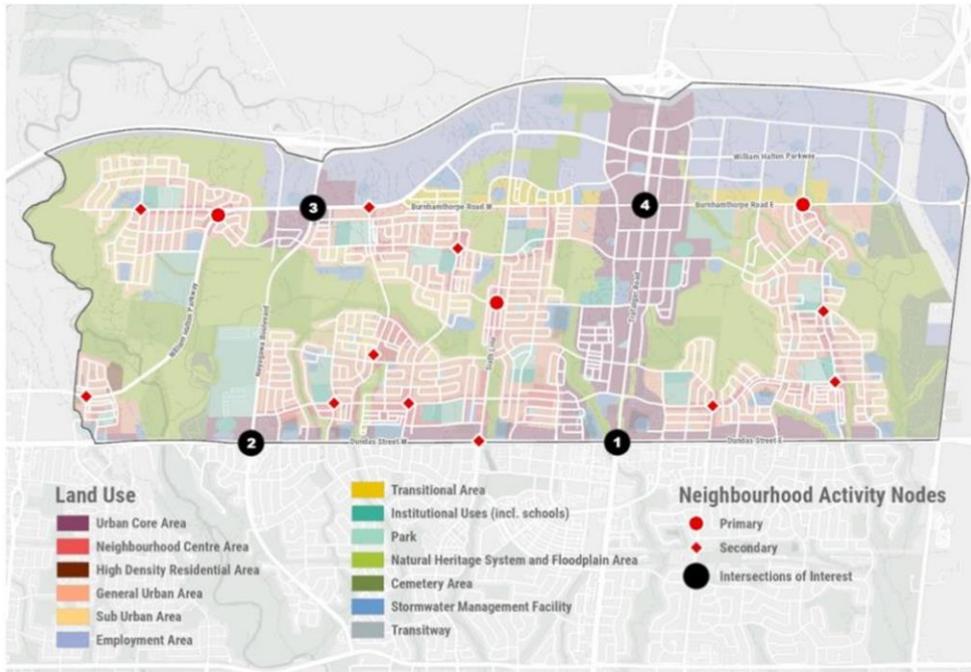
The current secondary plan identifies 15 activity nodes with a requirement for non-residential space. We noted in our April 17, 2023 Retail Study prepared on behalf of the landowners, that many of these activity nodes have not developed with retail space and additional small scale retail in live-work units have developed outside of the identified neighbourhood activity nodes. In our opinion, the identification of neighbourhood activity nodes in the secondary plan did not result in a meaningful amount and quality of retail facilities in North Oakville.

The staff report reproduces a map from the Parcel retail study which identifies:

- Four “Intersections of Interest” which should contain the largest concentrations of commercial uses.
- Three “Primary Neighbourhood Activity Centres” which would function as significant commercial areas offering local and service oriented uses, located within neighbourhoods to enhance walkability and local access.
- Ten “Secondary Neighbourhood Activity Centres” which are intended to be small clusters serving a convenience function. These centres would be “encouraged” but not required.

In general, a strategy focused on a few strategic sites is more feasible than the current policies. However, further review should be undertaken by the landowners and their consultants to determine the appropriateness of the identified sites, particularly the Intersections of Interest and the Primary Neighbourhood Activity Centres. We would note that not every new residential project in these areas would require ground floor retail space. Retail locations should be based on accessibility and their ability to contribute to the planned function of the node.

The following provide some preliminary comments with regards to the sites shown on the map.



**Figure 2 Location of Commercial Uses in NO-E (Proposed Directions)**

Source: Parcel and Town of Oakville base mapping, designations and land use categories. This map is intended to show the “emerging evolution” of NOE, integrating the latest zoning / subdivision approvals, proposed or anticipated road layouts and the NOE Master Plan. As proposals evolve, it is important to keep in mind that this concept may also be adjusted.

Some of these sites appear to be consistent with those identified by the NOCBI consulting team when they were preparing their commercial reports on behalf of the landowners in August 2023. These include:

- The Neyagawa Urban Core, which is identified as Intersection of Interest #3;
- The intersection of Trafalgar and Burnhamthorpe, which is identified as Intersection of Interest #4; and,
- The intersection of William Halton Parkway and Burnhamthorpe which is identified as a Primary Neighbourhood Activity Node.

These general areas were identified by the consulting team as they are well positioned to serve future commercial needs in North Oakville and it was believed that there were sufficient lands that could accommodate a supermarket anchored shopping centre. As we understand, there is already a supermarket proposed in the Neyagawa Urban Core.

We would note that the two Intersections of Interest marked as 1 and 2 already have significant concentrations of retail space and while they could potentially accommodate more, adding significantly to these nodes may not be the best strategy in terms of an equitable distribution of space, particularly in terms of serving residents towards the north and central parts of North Oakville East.

In addition, the NOCBI consulting team had generally identified the area where a Primary Neighbourhood Centre is shown on 6<sup>th</sup> Line between Burnhamthorpe and Dundas, as having two proposed sites with potential commercial space.

The third identified Primary Centre is situated on Burnhamthorpe east of Trafalgar generally where an Activity Node is shown on the Secondary Plan. In contrast to this site, the NOCBI consulting team had identified a potential supermarket site to serve the eastern part of the secondary plan on Dundas. Whether a commercial designation is made in either of these areas would be dependent on the availability of land and suitable road connectivity.

We would also note that there had been a site plan for a Shoppers Drug Mart at the intersection of 6<sup>th</sup> Line and Dundas. This proposal was not recognized in the Parcel study, but the area is now identified for a Secondary Centre.

The Staff report indicates that the “Transitional” and “Employment” Areas north of Burnhamthorpe should have a commercial focus centred on highway-serving businesses, such as gas stations and quick-serve restaurants. However, due to restrictions on employment lands contained in the Provincial Planning Statement, this is not considered a short-term priority. The report recommends that the current focus be on designated key nodes and Urban Core Areas. In our opinion, Oakville, like most municipalities, will need to rethink their employment land policies in light of the Planning Statement and it is likely that until this happens the Town may not be in a position to recommend commercial uses on lands currently designated as employment lands.

The staff report introduces four policy themes:

- Rethinking the Place of Commercial Uses within the urban structure, essentially prioritizing retail nodes vs. Main Street concepts along Trafalgar and Dundas. Although the report also notes that the Main Street Concept would be refocused to extend commercial uses along perpendicular or parallel streets to penetrate deeper into neighbourhoods.
- Allowing Interim Typologies/Building Format – allowing for interim urban design policies which do not align with existing policies to provide for the initial development of low-rise commercial formats.

- Considering Commercial Use Requirements and Incentives. Some ideas offered in the staff report, include: flexibility in ground floor area (GFA) requirements, limiting ground floor residential uses, retail requirements at key intersections, and/or offering incentives like parking reductions and exemptions from density calculations for commercial uses.
- Design and Placemaking for Interim Typologies/Formats. This appears to be similar to the above policy theme. The Town is proposing to provide interim design guidelines which are more flexible than the current guidelines.

In general, these principles are consistent with previous recommendations of the NOCBI consulting team, with the exception of extending main street commercial along parallel or perpendicular streets, which seems to be addressing the issues around encouraging pedestrian activity on Regional arterial roadways.

While these policies appear reasonable, more details are required before they can be evaluated.

### Unhelpful Tone of the Staff Report

Overall, I found the report to be written a manner seeking to lay the blame for the lack of retail space mostly on developers “disinterest” in developing commercial space according to the North Oakville East Secondary Plan policies. For example, on page 10 the report states that:

*There is weak support from landowners and developers for a pedestrian-oriented commercial structure.*

*Landowners and developers show limited interest in mixed-use buildings with commercial components, given current economic conditions and the predominantly suburban built form context in North Oakville East.*

*Many stakeholders, including local developers, landowners and industry groups, prefer single-storey, stand-alone retail buildings with surface parking due to market conditions, construction costs and tenant preferences.*

These statements are not fair in that developers do not have an underlying disinterest in pedestrian-oriented development, only that the current policies in North Oakville East make commercial development financially unviable. In my opinion, in order for workable commercial

policies to be developed, there needs to be a greater understanding on behalf of Town staff as to the economics of developing retail space in mixed-use formats.

While the report does make mention of construction costs, the sentiment in the report is that construction costs will simply reduce developer profitability. There seems to be little to no acknowledgement that the Town's OP policies and design guidelines currently make commercial development wholly unviable.

This sentiment is found on page four, which provides one of the objectives of the Commercial Study:

*As such, the study's assessment was not focused exclusively on maximizing developer profitability and/or optimizing returns on investment, but rather balancing out a more complete range of municipal strategic objectives and priorities and creating a complete community.*

These statements and others in the report are unhelpful because they tend to ignore the underlying economics of mixed-use development and the failure of the Town's design guidelines to address the lack of financial feasibility in incorporating commercial space and commercial parking in mixed use buildings.

We would note that one of the recommendations of the study on pages 9 and 10 of the study is that:

*The Town should prioritize a range of urban objectives, including retail, housing and urban design, to align with market conditions.*

While aligning urban design with market conditions is what is required, this is something that the landowners and their consulting team had been telling the Town from very early on in the planning process and I would have expected that the Commercial Study would have provided the Town with specific urban design solutions rather than leading to a staff report that weakly suggests that "we will prioritize a range of urban objectives".

The staff report also lays blame with the Region on page 10:

*The Urban Core Areas, intended for high-density "main street" commercial development, are located on arterial (i.e. Halton Region) roads, which create an uncomfortable pedestrian environment due to traffic volume and speed, with no opportunity for on-street parking.*

It is hard to believe that this came as a surprise to Town staff when drafting their initial urban design and commercial planning policies for North Oakville. Surely, they were knowledgeable of the Region's transportation plans and would have had an opportunity to raise these concerns

with the Region. Ultimately, however, they should have developed their planning and design policies in a manner consistent with the regional road network.

The report also seems to suggest that part of the reason why commercial development has not occurred is due to changing market conditions. While I agree that this is partly true and more recently land economics has made residential development more profitable than retail development, there should not be any confusion that commercial development in the manner envisioned in the secondary plan policies and design guidelines had ever been viable in North Oakville.

## 2.0 North Oakville East Commercial Study

---

The Parcel Economics study based their commercial demand on the most aggressive population projection emanating from Joint Best Planning Estimates prepared by Halton Region in August 2023. As such, their space projections are derived from the assumption that by 2051 the population of North Oakville East will reach 142,100. This results in a total space requirement of between approximately 1.8 and 2.2 million square feet in North Oakville East by 2051.

Figure 1, summarizes the various recent population projections for North Oakville East, the Town of Oakville and Halton Region. As noted by this table, the Joint Best Planning Estimates prepared jointly by the area municipalities and the Region are extremely aggressive when compared to both past recent planning efforts by the Town and the Region and also compared to the most current Ministry of Finance projections, from which municipalities are to base their forecasts as per the 2024 Provincial Planning Statement.

**Figure 1: Population Projection Comparisons**

	<b>2021</b>	<b>2051</b>	<b>Future Growth</b>
<b>North Oakville East</b>			
North Oakville East Secondary Plan	21,800	45,000 to 55,000	23,200 to 33,200
JBPE	21,800	142,100	120,300
<b>Town of Oakville</b>			
ROPA 49 (MMAH Approved)	222,000	349,990	127,990
JBPE	220,140	444,000	223,860
<b>Halton Region</b>			
ROPA 49 (MMAH Approved)	615,000	1,098,070	483,070
JBPE	616,643	1,330,677	714,034
Ministry of Finance (2023 Projections) <sup>(1)</sup>	615,000	980,338	365,338

Source: urbanMetrics

1) 2021 Population based on a review of short term Ministry of Finance Projections and a 2023 estimate of 642,955

As we understand, the Town's population projections are in flux and at this point it is not clear whether the level of population growth suggested by the JBPE can be accommodated within the North Oakville East Secondary Plan area.

Furthermore, it is also questionable whether the Joint Best Planning Estimates meet the requirements of the recently released Provincial Planning Statement, which requires municipalities to plan based on the Ministry of Finance projections, which project significantly lower growth for Halton Region than do the Joint Best Planning Estimates. While the Provincial Planning Statement allows municipalities to continue planning based on the former Growth Plan projections, the Joint Best Planning Estimates are still well above these projections which were used as the basis for ROPA 49.

As a result, there is a significant question as to whether the Joint Best Planning Estimates can be achieved or should be used to estimate the future population of North Oakville East. If not, the commercial space projections should be recalculated with lower commercial space requirements.

Based on this analysis, the Parcel Study provided the following table of warranted space by location (Figure E.6). It seems to be based on their low estimate (i.e. using the highest sales per square foot performance by store category). Although the footnote suggests that the allocations are for "demonstration purposes", we should not take this table too lightly. The

Commercial Study has introduced the concept of minimum commercial requirements to be regulated through the Zoning By-law. The Town is already attempting to implement minimums at each quadrant of the Neyagawa Urban Core through Proposed OPA 326, with a total the total of 16,710 square metres (180,000 square feet), which it derived from Figure E.6.

Figure E.6

### Summary of Warranted Space by Location

	<b>Square Footage</b>
<b>Key Intersections</b>	<b>1,010,000 sf</b>
Trafalgar / Dundas UCA	350,000 sf
Neyagawa / Dundas UCA	300,000 sf
Neyagawa UCA	180,000 sf
Burnhamthorpe / Trafalgar	180,000 sf
<b>Neighbourhood Activity Centres (Primary)</b>	<b>480,000 sf</b>
<i>per Primary Centre (@ 3 Centres)</i>	160,000 sf
<b>Neighbourhood Activity Centres (Secondary)</b>	<b>320,000 sf</b>
<i>per Secondary Centre (@ 11 Centres)</i>	29,000 sf
<b>Total</b>	<b>1,810,000 sf</b>

Source: Parcel, based on the results of the store category-specific market analysis presented above and elsewhere in this report. We note that these allocations have been included for demonstration purposes only and are intended to provide a rough order-of-magnitude indication as to how the total space warranted could potentially be allocated across different geographic contexts in NO-E. The actual distribution of space by location will inevitably differ from this summary, both in terms of potential future policy direction(s) and actual construction of new commercial spaces.

Overall, the warranted commercial space of 1.8 million square feet is based on a likely inflated population figure. In addition, the allocation shown in Figure E.6 does not appear to take into consideration the actual land that may be available at each location.

We would note that using the upper end of the projected population in the North Oakville East Secondary Plan of 55,000, the total warranted space using the same demand model and assumptions as in the Parcel analysis would amount to just 536,000 square feet instead of the 1,810,000 square feet shown in Figure E.6.

In my opinion, until the build-out population for the North Oakville East Secondary Plan can be finalized, Figure E.6 is not a reliable indicator of either the total amount of space warranted in the Secondary Plan nor the amount of space warranted at the Key Intersections or the Neighbourhood Activity Centres. With a lower population estimate for North Oakville East, the

total space and the space identified for each of the areas shown in Figure E.6 should be reduced.

As a general comment with regards to the allocation of commercial space by area, it is important to establish criteria based around the accessibility of potential sites, with the intent that potential sites can meet the needs of a broad range of North Oakville East residents.

## 3.0 Neyagawa Urban Core and Proposed OPA 326

---

The staff report indicated that the Town has shifted its approach to commercial uses in the Neyagawa Core towards providing flexibility in terms of requiring parking within structures and requiring commercial on the ground floor in all areas.

The proposed Official Plan Amendment would allow for interim stand-alone commercial buildings if they support a connected, pedestrian-friendly streetscape and are adaptable for future intensification.

At the same time, as per the staff report dated November 12, 2024, staff have proposed the following minimum space requirements by quadrant for the intersection of Neyagawa and Burnhamthorpe.

- 9,280 square metres at the northeast quadrant.
- 3,250 square metres at the northwest quadrant.
- 4,180 square metres at the southeast quadrant.

The Town has suggested that these space requirements are attempting to match the draft plans currently being processed. As we understand, the landowners have questioned whether the suggested allocations reflect their applications and/or proposals. It is also important to note that the total space allocation to the Neyagawa Urban Core is based directly on the space projections prepared by Parcel. As there is a significant question as to the population on which these space projections were based, the total retail space proposed for the Neyagawa Urban Core of 16,710 square metres (180,000 square feet) should be reduced, if planning for North

Oakville East is to be undertaken based on a lower population estimate than that used by Parcel.

## 4.0 Landowner Concerns

---

The following summarizes specific landowner concerns with regards to the Town's Commercial Study and resulting policy recommendations, as well as, the specific recommendations with regards to the Neyagawa Urban Core and the Proposed OPA 326.

1. Town's consultant was not tasked with preparing a financial feasibility assessment to determine:
  - a) the economics of new building construction; nor,
  - b) the economics of operating retail spaces on a go-forward basis.

As a result, there is concern that the proposed policies cannot fully address the issues facing the landowners.

2. With regards to the Neyagawa Urban Core, the minimum space requirements by quadrant are seen as overly prescriptive and do not reflect the ability of individual sites to accommodate retail space. There seems to be a preference for an overall NUC "target" with the specifics of size and location to be provided through the zoning by-law.
3. There is interest in the creation of a "Neighbourhood Commercial Centre" designation providing for approximately 80,000 to 100,000 square feet, with locational criteria policies. This is more in line with neighbourhood shopping areas anchored by supermarkets and could possibly replace the 160,000 square foot "Primary Activity Node" identified in Figure E.6 and shown on Figure 5.10 of the Retail Study Figure NOE1 Community Structure should be updated to identify these designations.
4. There needs to be a better understanding of how surface parking will be provided for in the zoning by-law with regards to stand-alone interim commercial sites to ensure that it is adequate to support the required commercial space.
5. Height regulations for commercial uses should be addressed in the zoning by-law and not through the Official Plan.

6. There is concern with regards to the quantum of space determined in the Commercial study and the quantum of space required in the NUC.
7. There is a concern about the workability of two-storey commercial, particularly second floor retail space.
8. There is a concern that commercial space minimums will be challenging to implement and need more flexibility on individual sites.

In summary, there is continued concern that staff do not appreciate the economics of mixed-use development. This being said, the broader policy directions appear to be moving in the right direction, with a need to address details with respect to space requirements, interim development policies, and commercial building heights.

Yours truly,

A handwritten signature in blue ink that reads "Rowan Faludi". The signature is written in a cursive, flowing style.

Rowan Faludi, MCIP, RPP, PLE, CMC  
Partner,  
urbanMetrics Inc.  
[rfaludi@urbanmetrics.ca](mailto:rfaludi@urbanmetrics.ca)

By E-mail to [townclerk@oakville.ca](mailto:townclerk@oakville.ca)

November 22, 2024

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

Dear Mayor Burton and Members of Council:

**RE: Town of Oakville Official Plan (the "Official Plan")  
Draft Official Plan Amendment No. 326 ("Draft OPA 326")  
Comments – North Oakville Community Builders Inc.  
Statutory Public Meeting – November 25, 2024**

---

We are writing to you as the Group Manager on behalf of the North Oakville Community Builders Inc. ("NOCBI"), which is comprised of landowners within the North Oakville East Secondary Plan area ("North Oakville East") bordered by Highway 407 to the north, generally Third Line to the west, Ninth Line to the east, and Dundas Street to the South. This letter is submitted on behalf of all registered owners of lands located in North Oakville East who are members of the Group. Appendix "A" to this letter provides a current list of the members of the Group.

Over the past few years, NOCBI has had numerous meetings and discussions with planning staff regarding the Neyagawa Urban Core. These discussions also included the challenges within the current planning framework and how the Town's current policies were inhibiting the provision of much needed commercial uses within North Oakville East.

Ruth Victor and Associates, working with urban Metrics has completed a review of this Draft Official Plan Amendment as well as the North Oakville East Commercial Study. Detailed comments on the report and the draft Official Plan Amendment will be submitted to staff directly.

Below is a summary of some of the concerns:

- 1) Specific required minimums of commercial space in each quadrant of the NUC. One of the principles often considered in preparation of Official Plan policies is to focus on vision, goals, objectives and policy framework in Official Plan and to focus minimum numerical development standards within the zoning by-law. This approach ensures that there is some flexibility when processing development applications to ensure the application meets the intent of the Official Plan policies without requiring an amendment to the Official Plan if the specific minimum is not exactly achieved. It is also noted that the minimums set out in the draft OPA do not reflect the opportunity for commercial space within these quadrants. A target for the NUC overall would be



- a more appropriate policy direction.
- 2) Need for clear policy directions that will allow commercial sites to get established and provide much needed retail space AND provide policy direction to intensify and evolve over time. Other strategic growth areas within Oakville have policies in place for this to occur. Similar policies should be included for the NUC OPA. The minimum commercial space provisions as written may prevent this intensification.
  - 3) Mandating the use of LID within storm water management approaches. The Town, at this time, does not have a comprehensive approach regarding the use of LID. Mandating their use is not appropriate at this time and it would be more appropriate to have the use of LID explored and implemented through the EIR process. Policies regarding upgrades to existing roads should be clarified that this is the responsibility of the Town.
  - 4) Mandating urban design policies. We agree with the principles of good urban design and appreciate the process where the town implements these directions through urban design guidelines. The language for the urban design policies is more appropriate as “should” in lieu of “shall”. There is also concern about whether the proposed heights in the draft OPA would constrain achieving the overall objectives for the area. A two-storey minimum retail building is not viable in the market and simply eliminates the opportunities for commercial space being built. A minimum 5 storey-built form all along the north side of Burnhamthorpe Road and along both sides of Neyagawa Boulevard, north of Burnhamthorpe Road will not create the intended variation in built form along that road nor encourage much needed housing to be built in a timely manner.
  - 5) One matter of importance is the proposed policy regarding parkland within the Draft Official Plan Amendment. Attached to our letter is a letter from our solicitor setting out the details of that concern. It is NOCBI’s opinion that the additional public realm space can be resolved through creative and innovative approaches as set out within NOCBI’s discussions with Town staff to date.

As noted previously, detailed comments setting out these matters as well as other matters will be submitted directly to planning staff. We look forward to working with staff to resolve these issues prior to the adoption of the Official Plan Amendment for the NUC.

Sincerely,

*On behalf of the North Oakville Community Builders Inc. (NOCBI)*

Ore Alade, B.E.S  
Project Manager III  
Delta Urban Inc.

Cc North Oakville Community Builders Inc.  
Ruth Victor, Ruth Victor & Associates  
Daniel Steinberg, Loopstra Nixon LLP  
Chris Mark, Director of Parks and Open Space, Town of Oakville



Gabriel Charles, Director of Planning Services, Town of Oakville

Enclosed.      Appendix A – NOCBI Members  
                     Appendix B – Draft OPA 326 Comments Letter – Loopstra Nixon



Appendix A – NOCBI Members

**NORTH OAKVILLE COMMUNITY  
BUILDERS INC.  
PARTICIPATING OWNERS**

**MATTAMY GROUP**

Graydon Banning Ltd.  
Pendent Developments Limited  
Lower Fourth Limited  
404072 Ontario Limited  
Dunoak Developments Inc.  
Bressa Developments Limited  
1564984 Ontario Limited  
Hulme Developments Limited (SGGC)  
The Bar West Realty Corp.  
Mattamy (Kaitting) Limited

**TRINISON GROUP**

Sherborne Lodge Developments Limited  
Docasa Group Ltd.  
Timsin Holding Corp.  
Tribaden Investments Inc.  
River Thames Building Group Corp.  
Flavia Homes Corp. (East)  
Flavia Homes Corp. (West)  
Everton Gates Capital Corp.  
Flavia Homes Corp. (1125/1137/1147)

**REMINGTON GROUP**

Eno Investments Limited  
Oakville 23-2 Inc.  
Ruland Properties Inc.  
Ankara Realty Limited

**MELROSE GROUP**

Star Oak Developments Limited - WEST  
Star Oak Developments Limited - NORTH  
Mel-Oak Developments Inc.  
Mel-Oak Developments (North) Inc.  
Sixth Oak Inc.  
DGB Trafalgar Limited

**WESTERKIRK GROUP**

1816985 Ontario Ltd. (Neyagawa Pty.)  
1816986 Ontario Ltd. (Trafalgar Pty.)

**ARGO GROUP**

Emgo (North Oakville 1) Ltd  
Argo (West Morrison Creek) Limited  
EMGO III Corporation  
Argo (Joshua Creek) Developments Limited  
Argo Oakville Woods Corporation  
Argo Trafalgar Limited Partnership  
Argo Neyagawa Corporation

**GREAT GULF GROUP**

Green Ginger Developments Inc.  
Redoak G & A Inc.  
Capoak Inc.

**CRYSTAL HOMES GROUP**

Trafalgar Road (Oakville) Developments Ltd.  
TWKD Developments Inc.  
TRODL - Diamantkos Property

**KRPAN GROUP**

Sixth Line Corporation  
Crosstrail Estates Inc.  
  
Burhamthorpe/Oakville Holdings Inc. (Sky Property Group)  
  
North Oakville Park Management Inc.  
  
Dunburn Developments Limited/Fieldgate (FCHT)  
  
Dundas - Trafalgar Inc.  
  
Digram Developments Oakville Inc. (Sykiotos)  
  
North West Oakville Holdings Inc. (Tercot)  
  
Martillac Estates Inc.  
  
Branthaven Burnhamthorpe Inc.  
  
DG Farms Burnhamthorpe Inc.  
  
Rampen Holdings Inc.  
  
3275 Traflaagr Road Inc.  
  
Neatt (16 Mile Creek) Inc.



Appendix B – Draft OPA 326 Comments Letter – Loopstra Nixon



**Daniel Steinberg\***  
Tel: 289.904.2374  
Email: [dsteinberg@LN.Law](mailto:dsteinberg@LN.Law)  
\*Daniel H. Steinberg Professional Corporation

**By E-mail to [townclerk@oakville.ca](mailto:townclerk@oakville.ca)**

November 22, 2024

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

Dear Mayor Burton and Members of Council:

**RE: Town of Oakville Official Plan (the “Official Plan”)  
Draft Official Plan Amendment No. 326 (“Draft OPA 326”)  
Comments – North Oakville Community Builders Inc.  
Statutory Public Meeting – November 25, 2024**

We are counsel to North Oakville Community Builders Inc. (“**NOCBI**”), trustee to the North Oakville East Developers Group (the “**Group**”), which is comprised of landowners within the North Oakville East Secondary Plan area (“**North Oakville East**”). This letter is submitted on behalf of all registered owners of lands located in North Oakville East who are members of the Group. Schedule “A” to this letter provides a current list of the members of the Group.

The Town of Oakville (the “**Town**”) and the Group are parties to the *North Oakville East Master Parkland Agreement* dated August 13, 2007 (the “**NOE Master Parkland Agreement**”). The NOE Master Parkland Agreement is a binding and comprehensive agreement that governs all matters pertaining to the dedication of parkland in the North Oakville East area.

### Background

The Group and Town Staff have engaged extensively on matters related to the dedication of parkland for many years, based on a mutual understanding of the role of the NOE Master Parkland Agreement. This engagement is evidenced through correspondence between the Group (and its representatives) and Town Staff throughout the years.



Over the past year, the Group and its representatives have had ongoing discussions with Town Staff on various approaches to ensure there will be no deficit of the total parkland conveyances required under the NOE Master Parkland Agreement and to provide additional public realm space for higher density developments as part of the site plan approval process. The approaches proposed by the Group maintain the integrity of the NOE Master Parkland Agreement and incorporate the delivery of additional public realm space through mechanisms provided under the legislation such as the Community Benefits Charge.

### Town's Parkland Dedication By-Law

The Town's Parkland Dedication By-law 2024-034, which came into effect on April 9, 2024, recognizes the role of the NOE Master Parkland Agreement as pertaining to the dedication of parkland in the North Oakville East area through the inclusion of the following provision:

**7.2 Agreements Apply** – *Notwithstanding any other provisions in this Parkland Dedication By-law, where before, or after the passing of this By-law, the Council of the Town of Oakville has approved or authorized an Agreement with respect to the dedication of parkland and/or the payment-in-lieu of parkland, the terms of that Agreement, including any subsequent amendments to that Agreement, shall remain binding between the parties, and any parkland dedication and/or payment-in-lieu of parkland shall be in accordance with the rates specified in the Agreement, rather than the rates provided for in this Parkland Dedication By-law.*

As noted in my correspondence to Mr. Gabriel Charles dated January 11, 2024, the Group confirmed its understanding that the above-noted Section 7.2 of the Parkland Dedication By-law is a clear affirmation that the NOE Master Parkland Agreement will continue to govern all matters pertaining to the dedication of parkland in North Oakville East.

### Draft Official Plan Amendment No. 326

The Group has reviewed the updated Draft OPA 326 dated November 5, 2024, attached as Appendix A to Town Staff's Public Meeting Report to Planning and Development Council.

The Group is extremely concerned by the following proposed new subsection to Policy 7.7.4.5 of the Official Plan.

**7.7.4.5 (f)** – *In addition to the Master Parkland Agreement, urban squares, promenades, connecting links, and other open spaces may be provided in a variety of ownerships to be determined during the development approval process. Ownership options as outlined in the Town's Parks Plan include:*

- i. Fee simple ownership;*
- ii. Stratified ownership;*



- iii. *Privately owned public spaces (POPS); and*
- iv. *Use Agreements/Easements*

**This proposed policy suggests that the Town intends to enshrine in its Official Plan a policy that could directly contravene the NOE Master Parkland Agreement and the Town’s Parkland Dedication By-law.**

As Town Staff is aware, the terms of the NOE Master Parkland Agreement are clear and unambiguous that the total parkland dedication requirement amount is **fixed** for North Oakville East.

However, the proposed wording of this policy provides that land dedications that include forms of creditable parkland under the NOE Master Parkland Agreement may be provided **“in addition to”** the NOE Master Parkland Agreement. It is not clear from the proposed wording if the Town would expect such dedications to be provided as a requirement or condition of development approval, if the dedications would be part of a Planning Act parkland dedication requirement or be provided pursuant to other legislative tools (such as the Community Benefits Charge), if the dedications would subject to compensation from the Town, or otherwise how this policy would not contravene the NOE Master Parkland Agreement.

As described above, the Group has engaged diligently with Town Staff to address parkland dedication matters for North Oakville East with the goal of coming to mutually acceptable and beneficial solutions. The Group has made proposals to the Town and continues to commit to working collaboratively, in good faith, to address these matters and achieve solutions under the parameters of the NOE Master Parkland Agreement and all governing legislation.

**Accordingly, the Group requests that proposed Policy 7.7.4.5(f) of the Official Plan be removed and or sufficiently re-worded to address the concerns of the Group described in this letter.**



Please provide the undersigned with notice of any decisions made by Council in relation to Draft OPA No. 326. Please note that this letter is only submitted on behalf of the overall Group. Individual landowners within the Group may have other comments to submit.

Yours truly,  
**LOOPSTRA NIXON LLP**

A handwritten signature in black ink, appearing to read 'Daniel Steinberg', with a stylized flourish at the end.

Daniel Steinberg

Copy: Gabriel Charles, Director of Planning Services, Town of Oakville  
Chris Mark, Director of Parks and Open Space, Town of Oakville  
Ruth Victor, Ruth Victor & Associates  
North Oakville East Developers Group

SCHEDULE "A"

**NORTH OAKVILLE COMMUNITY  
BUILDERS INC.  
PARTICIPATING OWNERS**

**MATTAMY GROUP**

Graydon Banning Ltd.  
Pendent Developments Limited  
Lower Fourth Limited  
404072 Ontario Limited  
Dunoak Developments Inc.  
Bressa Developments Limited  
1564984 Ontario Limited  
Hulme Developments Limited (SGGC)  
The Bar West Realty Corp.  
Mattamy (Kaitting) Limited

**TRINISON GROUP**

Sherborne Lodge Developments Limited  
Docasa Group Ltd.  
Timsin Holding Corp.  
Tribaden Investments Inc.  
River Thames Building Group Corp.  
Flavia Homes Corp. (East)  
Flavia Homes Corp. (West)  
Everton Gates Capital Corp.  
Flavia Homes Corp. (1125/1137/1147)

**REMINGTON GROUP**

Eno Investments Limited  
Oakville 23-2 Inc.  
Ruland Properties Inc.  
Ankara Realty Limited

**MELROSE GROUP**

Star Oak Developments Limited - WEST  
Star Oak Developments Limited - NORTH  
Mel-Oak Developments Inc.  
Mel-Oak Developments (North) Inc.  
Sixth Oak Inc.  
DGB Trafalgar Limited

**WESTERKIRK GROUP**

1816985 Ontario Ltd. (Neyagawa Pty.)  
1816986 Ontario Ltd. (Trafalgar Pty.)

**ARGO GROUP**

Emgo (North Oakville 1) Ltd  
Argo (West Morrison Creek) Limited  
EMGO III Corporation  
Argo (Joshua Creek) Developments Limited  
Argo Oakville Woods Corporation  
Argo Trafalgar Limited Partnership  
Argo Neyagawa Corporation

**GREAT GULF GROUP**

Green Ginger Developments Inc.  
Redoak G & A Inc.  
Capoak Inc.

**CRYSTAL HOMES GROUP**

Trafalgar Road (Oakville) Developments Ltd.  
TWKD Developments Inc.  
TRODL - Diamantkos Property

**KRPAN GROUP**

Sixth Line Corporation  
Crosstrail Estates Inc.  
  
Burhamthorpe/Oakville Holdings Inc. (Sky Property Group)  
  
North Oakville Park Management Inc.  
  
Dunburn Developments Limited/Fieldgate (FCHT)  
  
Dundas - Trafalgar Inc.  
  
Digram Developments Oakville Inc. (Sykiotos)  
  
North West Oakville Holdings Inc. (Tercot)  
  
Martillac Estates Inc.  
  
Branthaven Burnhamthorpe Inc.  
  
DG Farms Burnhamthorpe Inc.  
  
Rampen Holdings Inc.  
  
3275 Traflaagr Road Inc.  
  
Neatt (16 Mile Creek) Inc.

## Catherine Buckerfield

---

**From:** [REDACTED]@halton.ca>  
**Sent:** Tuesday, January 7, 2025 4:28 PM  
**To:** Catherine Buckerfield  
**Cc:** Kirk Biggar  
**Subject:** RE: [EXTERNAL] Neyagawa Urban Core Review - Halton Region  
**Attachments:** Preliminary Regional Comments - Neyagawa Urban Core Draft OPA

You don't often get email from tyler.peers@halton.ca. [Learn why this is important](#)

Good afternoon Catherine,

Thank you for circulating the Draft Neyagawa Urban Core Official Plan Amendment (OPA) dated November 5, 2024 and the opportunity to provide comments. Halton Region has the following comments on the Draft OPA:

- Halton Region is undertaking the Integrated Master Plan (IMP) to complete the next region-wide Water, Wastewater and Multi-Modal Transportation Master Plans. The Plan will provide the strategies, policies and tools required to meet the transportation infrastructure needs to 2051, including transit/road infrastructure and active transportation infrastructure requirements which may require additional right-of-way on Neyagawa Boulevard and/or William Halton Parkway/Burnhamthorpe Road. How will these future requirements be protected for? The following modification is suggested (in red):

### 7.6.6.3.1 Transportation

**m) In addition to policies in Section 7.5.4 i), developments shall have regard for the implementation strategies and guidelines set out in the Town and Region's Transportation Master Plans.**

- Further to Section 7.6.6.3.1 Transportation (h), there appears to be no specific policy related to specific Transportation Impact Studies required to support development applications. The need to develop a terms of reference for technical studies such as Transportation Impacts Studies to the satisfaction of the Town and the Region should be included as a policy. The Region's requirements per the Highway Dedication Guideline, Access Management Guideline and Transportation Impacts Study Guidelines should also be referenced. Further, clarification is requested with respect to the approach to the phasing of development – for example, will this be identified as part of a future transportation study?
- The Region plans to initiate the James Snow Parkway Extension ESR Addendum and pre-engineering design from Britannia Road to Highway 407ETR in the Town of Milton and the Town of Oakville in early 2025. The RFP is currently in procurement.
- Regarding the terminology of “wastewater”, please refer to it as one word throughout the OPA for consistency.

In addition to the above comments, please find **attached** the Region's comments in response to the prior Draft OPA (April 27, 2022). Can you kindly advise how the prior comments were considered in the November 2024 Draft OPA?

Should you have any questions, please do not hesitate to contact me.

Thank you,  
Tyler

## Catherine Buckerfield

---

**From:**



**Sent:**

Monday, June 20, 2022 1:07 PM

**To:**

Lara Nelson

**Cc:**

Kirk Biggar; Mahood, Alissa

**Subject:**

Preliminary Regional Comments - Neyagawa Urban Core Draft OPA

Good afternoon Lara,

Hope this email finds you well. Please see the Region's preliminary comments below in response to the Neyagawa Urban Core Draft OPA, in addition to our previous comments to the Background Report:

### Infrastructure Planning

- General Comments:

- Town should complete a future transportation study that considers horizon years including reference to the need for a future Terms of Reference for review and approval by the Town/Region;
- Town should be preparing a Phasing and Implementation policy;
- How does Town/Region review a development that comes ahead of the future transportation study and what requirements we may have from a study perspective.
- Halton Region is responsible for planning, constructing, operating, maintaining, and improving a network of major arterial roads for the transport of goods and people in a safe and efficient manner, in accordance with the Region's Transportation Master Plan, Regional Official Plan, Development Charges Background Study and the Region's Financing Policies for Growth Infrastructure.
- As outlined in Halton's Mobility Management Strategy and Halton's Defining Major Transit Stations Report, **Neyagawa Boulevard has been identified as Mobility Link** through the Region's Mobility Management Strategy for Halton and further refined through the Defining Major Transit Requirements (DMTR) in Halton Study. A 2031 and 2041 Recommended Transit Priority Corridors were identified through the DMTR Study and associated Staff Report LPS45-19/PW-18-19 – Defining Major Transit Requirements in Halton

- Halton Region Integrated Water, Wastewater and Transportation Master Plan:

- Halton Region will be embarking on an Integrated Water, Wastewater and Multi-Modal Transportation Master Plan, starting in 2022, and will reviewing the transportation improvements/solutions to accommodate growth in future horizon years. The Town's planning work, including the Draft OPA for the Neyagawa Urban Core Area Specific Plan, will be considered as part of the background for the upcoming Master Plan.

- Town of Oakville Draft OPA – Neyagawa Urban Core Area Specific Plan:

- A Transportation Report was not completed for the Draft OPA regarding the Neyagawa Urban Core Area Specific Plan.

- Halton Region will require a detailed (intersection) level transportation study for the Town planned growth areas, potentially as part of the Town-wide Transportation Master Plan, or as part of a separate study.

- Other Comments and Proposed Modifications (Shown in Red):

PART 1 – Preamble

B. Purpose and Effect:

...

provide area-specific functional and implementation policies to enable and guide redevelopment consistent with the above, which address matters including urban design, transportation, stormwater management, district energy, and parkland dedication. *Halton Region will require a detailed (intersection) level transportation study for the Town planned growth areas, potentially as part of the Town-wide Transportation Master Plan, or as part of a separate study.*

7.6.6.3.1 Transportation:

a) Development should be accommodated by the existing transportation system or phased in a manner that aligns with the planned transportation system, including higher order transit service, active transportation infrastructure, and measures such as transportation demand management.

...

c) The location of roads will be determined through area design plans, draft plans of subdivision, condominium plans, detailed stormwater management and/or functional servicing studies, to the satisfaction of the Town.

Staff advise the following should be added to this section:

*-the Town should complete a future transportation study that considers horizon years including reference to the need for a future Terms of Reference for review and approval by the Town/Region;  
-the Town should be preparing a Phasing and Implementation policy;  
-...to the satisfaction of Halton Region as well, and, state the requirement for a detailed transportation study, approved terms of reference and adhere to Halton Region’s Access Management Guidelines and Access By-Law 32-17.”*

If you have any comments or concerns regarding the above, please feel free to contact me.

Thank you,

David

## Catherine Buckerfield

---

**From:** [REDACTED]  
**Sent:** Wednesday, November 20, 2024 5:52 PM  
**To:** Catherine Buckerfield; Franca Piazza; Town Clerks  
**Subject:** [EXTERNAL] Re: Town-initiated - Neyagawa Urban Core - File No. 42.15.60, Ward No. 7

Hello,

We, property owners of **4022 Fourth Line**, would like to express our SUPPORT of the Proposed Official Plan Amendment 326 to the 1984 Oakville Official Plan's North Oakville East Secondary Plan and OPA 45 to the Livable Oakville Official Plan.

Thank you,

Charlie and Jenny Korinis  
John and Vivian Tsolos  
George and Vivian Bekiaris  
Gus and Diane Papagiannis  
Anthoula and George Varelas

November 22, 2024

GSAI File: 792-036

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

(Via Email)

Chairman and Members of the Planning and Development Council  
Town of Oakville  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

**RE: Neyagawa Urban Core Review**  
**Town File No. 42.15.60**

---

Glen Schnarr and Associates Inc (GSAI) are the planning consultants to Argo Neyagawa Corporation (the 'Owner') of the lands municipally known as 505 Burnhamthorpe Road West and are legally described as PT LT 20, Concession 2 NDS, Town of Oakville, in the Town of Oakville (the 'Subject Lands' or 'Site'). On behalf of the Owner, we are providing this Comment Letter that outlines concerns in relation to the ongoing Neyagawa Urban Core Review initiative.

***Background:***

GSAI has been participating in various related Town initiatives, including the ongoing Official Plan Review. We understand that when complete, the Neyagawa Urban Core Review initiative (the 'NUC Review initiative') will culminate in a Town-initiated Official Plan Amendment ('OPA') that will modify the policy framework permissions for lands across the North Oakville East community, including the Subject Lands.

The Subject Lands are located on the north side of Burnhamthorpe Road West, west of Neyagawa Boulevard and south of the Highway 407. The Subject Lands have a total area of approximately 11.28 hectares (27.87 acres), with frontage along Burnhamthorpe Road West, Neyagawa Boulevard and Fourth Line. The Site is currently vacant. Mature vegetation and an agricultural field are also present. Based on the in-effect planning policy framework, the Site is located within the Designated Greenfield Area of the Town of Oakville, is located within the Halton Regional Urban Area, is located within a Primary Regional Node which is a Strategic Growth Area (in accordance with Map 1F, Regional Structure) and is located within the North Oakville East Secondary Plan area of the Town. It is designated Urban Area (in accordance with Map 1, Regional Structure) by the in-effect Halton Regional Official Plan and is further designated 'Employment District' (in accordance with Figure NOE 2, Land Use). Based on the above, the

Site has recognized development potential. This is further supported by the Site's inclusion within the Neyagawa Urban Core area and its inclusion within a Primary Regional Node.

When considered collectively, the in-effect policy framework identifies the Subject Lands as an appropriate and desirable location for compact, mixed use development to occur. As is further described in the Planning Justification Report, prepared by Korsiak, dated December 2023, there is also a policy discrepancy currently. More specifically, the Subject Lands are identified as having development potential for compact, mixed-use development by Provincial and Regional policy objectives. However, the local in-effect policy permissions do not reflect the Subject Lands' removal from the restrictive Employment Area land base in accordance with the Minister's approval of Regional Official Plan Amendment No. 49 ('ROPA 49'). The Subject Lands' development potential is strengthened by its removal from the Employment Area land base and its locational characteristics of being in proximity to various services, amenities, facilities and parks to meet the daily needs of residents and support North Oakville East as a vibrant, complete community.

In addition to the above, it is important to note that the Subject Lands are subject to an active Draft Plan of Subdivision ('Draft Plan'), Official Plan Amendment ('OPA') and Zoning By-law Amendment ('ZBA') Application (collectively, the Application, Town File Nos. 24T-24001/1200.02, OPA 1220.02, Z.1220.02). This Application seeks to introduce a modified lot pattern and permissions for compact, mixed use development to occur. This includes permission for a broad range and mixture of built forms and densities to be provided across the Site, including a range and mixture of residential and non-residential land uses. Development blocks are to be organized around a new fine-grain, public road network, the provision of land in support of a future Highway 407 Transitway facility and the provision of a Stormwater Management ('SWM') Pond. Each development block may contain low-, mid- or high-rise built forms in order to support housing choice and compact urban forms.

***Concerns Related to Neyagawa Urban Core Official Plan Amendment:***

We have reviewed the draft Neyagawa Urban Core Official Plan Amendments ('OPAs'), referred to as Official Plan Amendment Nos. 326 and 45, released on November 14, 2024. The draft OPAs propose revisions to the Livable Oakville Plan and the North Oakville East Secondary Plan. More specifically, the draft OPA will introduce a delineation of the Neyagawa Urban Core strategic growth area and will introduce area-specific policies.

Overall, we are supportive of certain aspects of the proposed OPAs. More specifically, we are supportive of the inclusion of the Subject Lands within the parent Nodes and Corridor component of the Town Structure identified in OPA 45 and the introduction of a delineated Neyagawa Urban Core area identified in OPA 326 that includes not only the Subject Lands but surrounding lands as

well. We are also supportive of the general purpose and intent of OPA 326 which will serve to fully implement the previously completed and approved Employment Land Conversion at the Regional level and the increased building height permissions of up to 18 storeys. We are however concerned with other aspects of the proposed area-specific policies, identified in OPA 326. In particular, the following draft policies are concerning:

*'7.6.6.1. The Neyagawa Urban Core Area designation on Figure NOE2 is intended to allow the creation of a core area at the intersection of Neyagawa Boulevard and Burnhamthorpe Road West. The intent of this Area is to create a mixed-use, complete community with densities that support higher order transit, including a 407 Transitway Terminal. ...'*

The above captioned portion of the policy is concerning, we request that the last sentence be modified to reference a potential 407 Transitway Terminal. Furthermore, reference to the potential 407 Transitway Terminal should be modified to allow sufficient flexibility should the Station not be realized, that an appropriate use can be permitted to proceed without further amendment to the Plan. These above-noted revisions would enable consistency with the balance of the policy as drafted which refers to the future 407 Transitway Neyagawa Terminal and would reflect the ongoing efforts to study the proposed transitway facility. Given an approved design and location for the Station facility is not yet available, identification of the Transitway Terminal as being a potential station is key.

*'7.6.6.2.e). Retail and service commercial uses should be located at-grade within mixed-use buildings and oriented towards the public realm.'*

We are concerned with the above-noted policy and request that it be revised. More specifically, the use of the word **should** is concerning and unnecessarily restrictive. We request that the policy be amended to include the phrasing that at-grade non-residential uses, such as retail and service commercial uses, **may be** located at-grade within mixed-use buildings. This phrasing will enable greater flexibility in terms of tenants or users and an ability for developments to effectively respond to current market forces. The policy requirement of **should** is unnecessarily restrictive, does not adequately capture a developer's ability to right-size non-residential spaces based on market trends and tenant preferences and may result in an oversupply of non-residential areas which will create undesirable public realms and areas devoid of pedestrian activity. This would be contrary to the development vision established for the Neyagawa Urban Core.

*'7.6.6.2.g). A minimum of 16,710 square metres of retail and commercial uses shall be required within the Neyagawa Urban Core and further provided per quadrant:*

*ii) A minimum of 3,250 square metres shall be provided in the north west quadrant.'*

The above-noted policy as drafted requires revision. As is further discussed in the Comment Letter, prepared by urbanMetrics, dated November 22, 2024, regarding the Town's Commercial Study, the policy requirement to provide a minimum amount of non-residential floor space is unnecessarily restrictive, is not reflective of market trends or variations and is contrary to good planning practice. We request that the policy as drafted be revised to remove a minimum retail and commercial use floor area being required and furthermore, that no amount of retail and commercial uses be required by quadrant. As drafted, the amount of minimum non-residential space within developments is restrictive, may result in much needed housing not being delivered and may result in an oversupply of non-residential space that is not warranted nor desired by end-users and tenants.

*'7.6.6.3.1. Transportation*

- a) A transit terminal is required to serve inter-regional bus connections along Highway 407 and connect with local transit. The facility shall be located adjacent to the 407 Transitway in the area of Neyagawa Boulevard and Highway 407. It is also intended that this site be integrated with development, and become an anchor for the ongoing redevelopment of Neyagawa Urban Core as strategic growth area.*
- b) The province, the Ministry of Transportation/407 Transitway, the Town and landowners shall co-ordinate the delivery of a transit terminal in the area of Neyagawa Boulevard and Highway 407.*
- f) New road, transit, and active transportation infrastructure shall be provided to accommodate future growth and development.'*

The above-noted policy as drafted is overly restrictive and requires modification. As stated above, there remains uncertainty regarding the delivery of a Transitway Terminal. Given this uncertainty and absence of an approved Transitway Terminal location, the policy as drafted is restrictive. Greater flexibility is required to enable an alternate scenario should the Transitway Terminal not be pursued. Similarly, the requirement for landowners to work collaboratively is contrary to typical processes and would adversely impact the development potential of lands for an indefinite period of time. We request that subsection b) of the above-noted policy be revised to reflect that should the Transitway and Station be pursued, land requirements would be accommodated through an expropriation process. Should expropriation not be required, this would enable the land to be developed in a manner that supports the overall policy objectives for the Neyagawa Urban Core area.

Lastly, subsection f) of the above-noted policy is unnecessarily restrictive. As stated above, there remains significant uncertainty regarding the timing and delivery of higher order transit services. As such, the policy requirement that transit infrastructure be provided should be revised to state that such infrastructure should be encouraged. We acknowledge and agree that in order to accommodate compact, transit-supportive development forms, new roads and active transportation networks are required and should be encouraged. Furthermore, the policy requirement that new roads shall be provided is restrictive and does not enable sufficient flexibility should the classification or alignment of the road network require refinement as the planning processes proceed. Lastly, we request that the policy be modified to include a requirement that the Town of Oakville will be responsible for providing upgrades to existing roads, where such improvements and upgrades are necessary.

*‘7.6.6.3.4. Urban Design*

*Built Form*

- c) Tall and mid-rise buildings shall be designed and sited to maximize solar energy, ensure adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows on the public realm*
- e) Tall and mid-rise buildings shall be designed to the highest architectural quality and detail, and shall ensure a pedestrian-oriented built form, provide active facades oriented to public streets, and contribute to a distinctive skyline.*
- f) For tall buildings, the height of the building base (podium) should generally be equivalent to the building-to-building distance across the adjacent right-of-way, up to a maximum of 25 metres in height, in order to frame the street and enhance pedestrian comfort.*
- h) For tall buildings, the floorplate of each tower (the portion of the building above the base or podium) shall provide a slender tower profile to minimize adverse shadowing, maximize sun exposure and enhance the skyline.*
- i) For tall buildings, the distance between the facing walls of towers shall generally be a minimum of 25 metres at the tower base.*
- j) For tall buildings, the distance between facing walls of podiums, where there are windows on both building faces, shall generally be a minimum of 15 metres.’*

The above-noted policies are unnecessarily restrictive, are concerning and require modification. To begin, as drafted, the policies do not define how a ‘tall’ building is to be understood. More specifically, the draft OPA and the in-effect North Oakville East Secondary Plan do not provide a policy nor definition of what constitutes a tall building. Given this, a ‘tall’ building can be subjective, variable and subject to varying interpretations. This variation can result in unnecessary restrictions and instances where a development that contemplates built forms of specified heights

to be classified as not conforming to the policy. Furthermore, the policy requirement that a built form or built form component relate to a Right-of-Way width on which it fronts is inappropriate. As written, the policy will apply a one-size-fits-all approach to sites across the City, regardless of their location. Furthermore, a limitation of building height to relate to the ROW width is contrary to the practice being implemented in other jurisdictions across the Greater Toronto Area, will challenge the delivery of high-quality, refined, efficient, compact, transit supportive development forms in the desired locations and will hinder the development potential of lands. This policy requires revision to eliminate a universal application of building height limits based on a site's location along a street.

Lastly, the policy requirement that a slender tower floorplate be provided is unnecessarily restrictive and does not afford sufficient flexibility. Flexible tower floorplates is required given individual site characteristics must be considered. As drafted, the policy does not adequately reflect that there are various design strategies that can be employed to enable high-quality, refined built forms to be provided. A policy requiring a slender tower floorplate does not enable sufficient flexibility nor the ability for variable built forms which effectively respond to the deployment of mass, scale and density across a site.

*7.6.6.3.2. Stormwater Management*

- a) *Development shall implement stormwater management techniques and best practices, including low impact development, in accordance with provincial environmental permissions and obligations for municipal stormwater management systems and to the satisfaction of the Town and Conservation Authority.'*

The above-noted policy requires revision. More specifically, the policy as drafted is unnecessarily restrictive. While we are in agreement that appropriate stormwater management techniques are required, the policy phrasing of ***shall*** should be replaced with the phrasing "that appropriate stormwater management techniques, including low impact development, may be encouraged, subject to local conditions and the recommendations of technical studies". As suggested, the policy will enable appropriate stormwater management techniques to be implemented.

*7.6.6.4. Land Use Strategy, Neyagawa Urban Core Area, Land Use Policies*

- b) *Building Heights*
  - i) *Residential and mixed use development within 50 metres from the north side of Burnhamthorpe Road West and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe West right-of-way shall be a minimum height of 5 storeys, excluding podium elements which may be lower*

- ii) *Residential and mixed use development beyond 50 metres from the north side of Burnhamthorpe Road West and the east and west sides of Neyagawa Boulevard north of Burnhamthorpe Road West right-of-way shall be a minimum height of 3 storeys.'*

As drafted, the minimum height requirements for lands along Burnhamthorpe Road West is concerning. More specifically, the minimum height of 5 storeys for those lands within 50 metres of Burnhamthorpe Road West, on either side of Neyagawa Boulevard is overly restrictive. Furthermore, this minimum building height will challenge the ability to provide compact, high-quality built forms of varying heights and densities, in the midst of a Provincial housing crisis. While we support the intent to direct development to frame the street edge and be oriented toward the intersection of Burnhamthorpe Road West and Neyagawa Boulevard, the application of a five (5) storey minimum building height requirement for a significant segment of land beyond the right-of-way limit will challenge the delivery of compact, high-quality built form and housing. It will also adversely impact the ability for development proponents to effectively manage massing, scale and density. We request that the policy as drafted be modified to state that a minimum building height of 5 storeys be required for only the first 20 metres beyond the intersection of Burnhamthorpe Road West and Neyagawa Boulevard, and that a minimum building height of 3 storeys be required for the balance of the Neyagawa Urban Core area, regardless of location. This differentiation in minimum building height requirements will further support the delivery of human-scaled, compact built forms with appropriate massing, scale and density, while also having appropriate regard for local conditions.

*'7.6.6.7.e. Urban squares, promenades, connecting links and other open spaces may be provided in a variety of ownerships to be determined during the development approval process. Ownership options as outlined in the Town's Parks Plan include:*

- i) *Fee simple ownership;*
- ii) *Stratified ownership;*
- iii) *Privately owned public spaces (POPS); and*
- iv) *Use Agreements/Easements.'*

*'7.7.4.5.f).In addition to the Master Parkland Agreement, urban squares, promenades, connecting links and other open spaces may be provided in a variety of ownerships to be determined during the development approval process. Ownership options as outlined in the Town's Parks Plan include:*

- i) *Fee simple ownership;*
- ii) *Stratified ownership;*
- iii) *Privately owned public spaces (POPS); and*

iv) *Use Agreements/Easements.*

The above-noted policies are concerning and require revisions. As drafted, the policies do not sufficiently account for the provisions provided by the executed Master Parkland Agreement nor do they adequately recognize the possibility that no open space is provided. The concerns related to Policy 7.7.4.5.f) are also identified in the accompanying Comment Letter, prepared by Loopstra Nixon LLP, dated November 21, 2024. We request that the above-noted policies be modified to enable sufficient flexibility during the development process.

**Summary**

In summary, we are concerned about the proposed policy directions outlined in draft OPA 326 and request that modifications be made. It is our opinion that many of the proposed policies are overly and unnecessarily restrictive. Thank you for the opportunity to provide these comments. Our Client wishes to be included all further engagement related to the Neyagawa Urban Core initiative and wishes to be informed of updates, future meetings and the ability to review and provide comments on the final Official Plan Amendment prior to adoption.

We look forward to being involved. Please feel free to contact the undersigned if there are any questions.

Yours very truly,

**GLEN SCHNARR & ASSOCIATES INC.**



Jim Levac, MCIP, RPP  
Partner



Stephanie Matveeva, MCIP, RPP  
Associate

cc. Owner  
Catherine Buckerfield, Town of Oakville  
Kirk Biggar, Town of Oakville  
Robert Thun, Town of Oakville



November 22, 2024

Mayor Burton and Members of Council  
Town of Oakville  
1225 Trafalgar Road  
Oakville, Ontario  
L6H 0H3

*Email: [townclerk@oakville.ca](mailto:townclerk@oakville.ca)*

Dear Mayor Burton and Members of Council:

**RE: PUBLIC MEETING - DRAFT OFFICIAL PLAN AMENDMENTS 45 & 326- NEYAGAWA URBAN CORE  
WESTERKIRK CAPITAL INC.  
NORTHEAST QUADRANT OF BURNHAMTHORPE ROAD WEST & NEYAGAWA BOULEVARD,  
TOWN OF OAKVILLE  
OUR FILE: 20262B**

---

Westerkirk Capital Inc. ("Westerkirk") are the registered owner of the lands located at the northeast quadrant of Burnhamthorpe Road West and Neyagawa Boulevard in the Town of Oakville (hereinafter referred to as the "Subject Lands"). The Subject Lands are located within the Neyagawa Urban Core ("NUC") area of the Town. This letter is submitted on behalf of Westerkirk.

Over the past few years, Westerkirk has participated in the Town's process to prepare policies for the NUC. Westerkirk is also a member of the North Oakville Community Builders Inc. ("NOCBI") and have participated in the NOCBI meetings with the Town on the NUC.

This letter provides Westerkirk's comments on the Town's most recent proposed Draft Official Plan Amendments ("OPAs") 45 and 326 for the NUC dated November 5, 2024. Westerkirk is supportive of the Town proceeding with updated policies for the NUC, and appreciates the opportunity to continue meeting with staff to discuss and refine the policy framework based on its concerns.

Westerkirk's concerns include the following:

*Permitted Uses*

Draft OPA 326 proposes a new Policy 7.6.6.2(d) which states the following:

*"Places of entertainment, indoor sports facilities, and hotels may also be permitted provided that the overall development contributes to overall density targets".*

A hotel use should be expressed as a permitted use without conditions. Rather than “may be permitted”, the policy should state that hotels “shall” be permitted as they are considered to be a service commercial use that contributes to the full range of activities, the number of jobs, and the vision of the NUC as a mixed-use urban area.

#### *Retail and Commercial Use Requirements*

Draft OPA 326 proposes a new Policy 7.6.6.2(g) which states the following:

*"A minimum of 16,710 square metres of retail and commercial uses shall be required within the Neyagawa Urban Core and further provided per quadrant:*

- i. A minimum of 9,280 square metres shall be provided in the north east quadrant;*
- ii. A minimum of 3,250 square metres shall be provided in the north west quadrant; and*
- iii. A minimum of 4,180 square metres shall be provided in the south east quadrant."*

The requirements for retail and service commercial uses should be expressed as a target for the whole of the NUC rather than as a minimum prescribed amount or a minimum prescribed amount per quadrant. A target, as a policy objective, can then be implemented through Draft Plans, Site Plans, and through Zoning By-law provisions which can set standards.

#### *Interim Uses*

Throughout the Draft OPA, there are policy references to “interim commercial uses located in standalone buildings” which are expected to support the commercial needs of the NUC, and transition and redevelop over time. Additional policy language is needed to more clearly and effectively define “interim” and “long term” uses and the phasing of development within the NUC. This distinction should then be better clarified in relation to permitted uses, heights, and other design considerations as the current policies are somewhat conflicting.

#### *407 Transitway*

The conceptual location of the 407 transitway is shown on the proposed changes to Figures NOE 1 & 2 of the 1984 Town of Oakville Official Plan for the North Oakville East Secondary Plan. There have been several iterations of the 407 transitway location and alignment since 2005. The 407 transitway alignments, as currently proposed in Figures NOE 1 & 2 are unclear as to the Town’s preferred alignment and should be clarified.

#### *Urban Design*

The Urban Design and Built Form policies provided throughout the Draft OPA are highly prescriptive in nature and restrict the ability for development to provide diversity and variation in architectural design, building placement and profile, as well as site layout through the transition phases. Urban design guidelines should be provided separate from OPA policies to provide flexibility in the consideration of these elements based on context and stage of development.

#### *Minimum Heights*

Policy 7.6.6.4. (d(i)) states that:

*"Residential and mixed-use development within 50 m from the north side of Burnhamthorpe Road West and the east and west side of Neyagawa Boulevard north of Burnhamthorpe Road West shall be a minimum height of 5 storeys".*

An exemption should be added to this policy to not preclude the development of standalone interim service commercial, and retail uses which are permitted and supported by the OPA for lands that will be redeveloped over time.

Policy 7.6.6.4. (d(ii)) states that:

*"Residential and mixed-use development beyond 50 metres from the north side of Burnhamthorpe Rod West and the east and west side of Neyagawa Boulevard north of Burnhamthorpe Road West shall be a minimum height of 3 storeys".*

To allow for a diversity of housing stock, including townhomes, the minimum height for development, beyond 50 metres from the north side of Burnhamthorpe Road West and the east of Neyagawa Boulevard north of Burnhamthorpe Road West right-of-way, should be reduced to a minimum of 2 storeys to allow for townhomes to be built.

#### *Parkland Dedication*

Draft OPA 326 proposes a new Policy 7.7.4.5(f) which states the following:

*"In addition to the Master Parkland Agreement, urban squares, promenades, connecting links and other open spaces may be provided in a variety of ownerships to be determined during the development approval process. Ownership options as outlined in the Town's Parks Plan include:*

- i. Fee simple ownership;*
- ii. Stratified ownership;*
- iii. Privately owned public spaces (POPS); and*
- iv. Use Agreements/Easements".*

We request that the parkland dedication policy be removed as parkland dedication for the North Oakville East Secondary Plan is provided through the North Oakville Master Parkland Agreement.

We thank the Town for providing the opportunity to comment and look forward to further discussions with staff to update the proposed policies.

Yours Truly,

**MHBC**



Dana Anderson, MA, FCIP, RPP  
Partner