

## Appendix A

**From:** Lawrence, Morgan (MTO)  
**To:** [Town Clerk](#)  
**Cc:** [Routledge, Graham \(MTO\)](#)  
**Subject:** Town Initiated Official Plan Amendment Midtown Oakville and Transportation Network Updates  
**Date:** Monday, June 26, 2017 11:32:32 AM

---

Good Morning,

Please keep the ministry in the loop and inform us of any ideas or directions regarding the above noted proposals and updates.

Should you have any further questions, please do not hesitate to ask.

Regards,

**Morgan Lawrence, P.Eng. | Corridor Management Engineer**

Corridor Management Section | Central Region | Ontario Ministry of Transportation

7th Floor, Building D | 159 William Hearst Ave | Toronto, Ontario | M3M 0B7

Telephone: 416-235-5181 | Email: [morgan.lawrence@ontario.ca](mailto:morgan.lawrence@ontario.ca)

Tuesday July 4, 2017

The Town Clerk at Town of Oakville  
Clerk's Department  
1225 Trafalgar Road  
Oakville ON  
L6H 0H3  
[TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)

RE: OFFICIAL PLAN AMENDMENT FOR MIDTOWN OAKVILLE

To the Town Clerk at Town of Oakville,

As a business located in the Midtown Oakville area, we wish to make a written submission regarding the proposed changes to the area.

The proposed road expansions such as the expansion and extension of Cross Avenue to connect with Royal Windsor Drive and the addition of a parallel east-west road between Cross Avenue and South Service Road, will definitely impact our property.

This is therefore a written submission to ensure we have the right to appeal the amendment approved by Council to the Ontario Municipal Board.

If you have any questions, please contact us.

Regards,



Barry Peddie  
Halton Lift Truck  
1054 South Service Road East  
Oakville ON  
L6J 2X7  
905-849-5855

BP/mc

July 7, 2017

Council of the Town of Oakville  
c/o the Clerk's Department  
1225 Trafalgar Road  
Oakville ON L6H 0H3

**Michael S. Polowin**  
Direct +1 613 786 0158  
Direct Fax +1 613 788 3485  
michael.polowin@gowlingwlg.com  
File no. T999636

**Attention: Town Clerk**

**Re: Town-Initiated Official Plan Amendment – Midtown Oakville and Transportation Network  
Updates [Town File: 42-24-005]  
General Electric Canada/GE Lighting Canada  
420 – 468 South Service Road East [Our File: T999636]**

---

We are solicitors to General Electric Canada/GE Lighting Canada ('GE') with respect to the above-noted lands, which are located within the geograp We are solicitors to General Electric Canada/GE Lighting Canada ('GE') with respect to the above-noted lands, which are located within the geographic area to which the Town's proposed Official Plan Amendment ('OPA') would apply. In this regard, we are providing the following submission on behalf of GE regarding this OPA as it affects the GE property.

In terms of context for these comments, we note that the purpose of the Town's OPA (as stated in the preamble of the adopting by-law) as being:

"... an amendment to the Livable Oakville Plan to implement the recommendations of studies related to transportation and municipal stormwater networks, active transportation, parking and urban design to support the planned growth in Midtown Oakville to the year 2031, as well as updates to the transportation network and active transportation master plan south of Dundas Street ..."

The scope of the OPA is further described in the staff report (page 5) as:

"The primary purpose and effect of the proposed OPA is to modify the text and schedules of the Livable Oakville Plan to implement the recommended transportation and municipal stormwater networks from the approved the Midtown EA, and to provide a revised local road network within Midtown Oakville."

#### **Background:**

In 2014, our clients submitted a Part II Order request with respect to the Town's Environmental Assessment for the Midtown area, which request was dismissed in 2015.

Our clients also appealed Official Plan Amendment No. 4 (By-law 2014-013) and By-law 2014-014 (In-Zone) as they apply to the GE lands and these appeals remain outstanding and are subject to ongoing discussions with the Town as to their resolution.

### **Proposed Midtown Official Plan Amendment Process:**

As noted in the staff report, the 2006 Growth Plan for the Greater Golden Horseshoe (“the Growth Plan”) identified Midtown Oakville as an ‘Urban Growth Centre’ and the 2017 Growth Plan maintains the ‘Urban Growth Centre’ designation and density target for Midtown. It is in the context of this Provincial land use designation that the Town, in Liveable Oakville (2009), designates the Midtown area as ‘Growth Area’ and undertook a number of area-specific studies which were completed in 2014.

The Town has advanced this OPA under subsection 22(1) of the Planning Act and therefore, section 17 of the Planning Act applies to such amendment.

However, the proposed OPA advances a detailed transportation and land use framework for the Midtown area. Accordingly, it is our submission that the proposed OPA represents an updating of the Town’s Official Plan undertaken in accordance with subsection 26 of the Planning Act, as it represents a municipally-initiated OPA, the purpose of which is to implement the Provincial Growth Plan.

Therefore, it is our submission that the process under which the Town has advanced this OPA is improper and therefore, Council cannot adopt the OPA pursuant to section 17 of the Planning Act, as proposed.

### **Proposed Midtown Official Plan Amendment as it applies to the GE Lands:**

Notwithstanding the description of the scope of the OPA stated above, as noted on page 5 of the staff report, the OPA also includes (emphasis added):

*“...additional updates to the **land use designations and policies** for Midtown Oakville to implement recommendations of Midtown-related studies, including the Midtown Parking Strategy (2014), Designing Midtown Oakville (2014).”*

Therefore, the proposed OPA goes beyond implementation of the area-specific infrastructure network determined through the 2014 Environmental Assessment process and includes schedules and policies to implement area-specific land designations (including maximum building heights) for the Midtown area, including the GE lands.

**GE has no objection to the OPA only as is applies to implementation of the EA-approved infrastructure network.**

The ‘Employment and Commercial Land Review’ Report (received by Council in October 2016) clearly concludes that North Oakville represents the Town’s most strategic employment land supply and that the Midtown area is appropriate for non-employment uses (emphasis added):

*“4. Enhance the policy framework for Midtown to promote mixed use development: Midtown Oakville is designated as an Urban Growth Centre in Places to Grow, and a mobility hub within the Metrolinx regional transportation plan. **To encourage development the Town should explore policy alternatives that provide the flexibility to***

*consider non-employment uses where deemed appropriate, while maintaining the minimum target for people and jobs.”*

Therefore, within the proper context of advancing the proposed Midtown OPA under subsection 26 of the Planning Act, the municipality is able to advance employment land conversion within the Midtown area at this time.

We note that any concern about compliance with the process set out under the Growth Plan, 2107, are misplaced. The need for an upper tier municipal comprehensive review (“MCR”) is not an issue. The subject lands are not designated for employment uses in the Regional Official Plan, only in the Town Official Plan. As such, a Regional MCR is not required to remove these lands from employment uses.

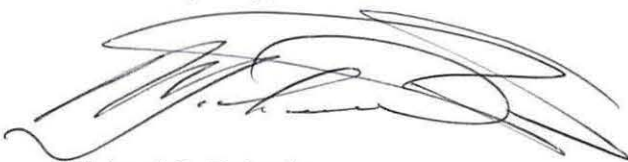
With respect to the GE lands, non-employment uses would be appropriate for a portion of these lands; specifically, in proximity to the planned expansion of the transit station functions east of Trafalgar Road. Such uses would continue to contribute to the achievement of the Urban Growth Centre’s persons and jobs per hectare density target.

We note that with respect to the Growth Plan, 2107, the need for an upper tier municipal comprehensive review (“MCR”) is not an issue. The subject lands are not designated for employment uses in the Regional Official Plan, only in the Town Official Plan. As such, a Regional MCR is not required to remove these lands from employment uses.

In our submission, it is inappropriate to implement the employment designation recommended in the 2014 Midtown study, for the entirety of the GE lands through the proposed OPA. In the alternative, and consistent with the ‘Employment and Commercial Land Review’, a portion of the GE property (located to the southwest portion of the lands) should be designated for mixed use development, including residential uses.

We request notice of Council’s decision respecting the OPA and of any further public meetings relating to the proposed OPA.

Yours very truly,



Michael S. Polowin

MSP:atr



McDonald's Restaurants of Canada Limited  
McDonald's Place  
Toronto, Ontario M3C 3L4  
Telephone: 416-443-1000  
Fax: 416-446-3376

July 7, 2017

Town of Oakville Planning and Development Council  
Town Clerk, Clerk's Department  
Town of Oakville  
Oakville, P.O. Box 310  
1225 Trafalgar Road, Ontario  
L6J 5A6

via email: townclerk@oakville.ca

Dear Chair and Members of Council:

**MIDTOWN OAKVILLE AND TRANSPORTATION NETWORK UPDATES OFFICIAL PLAN  
AMENDMENT  
MCDONALD'S RESTAURANTS OF CANADA COMMENTS  
227 CROSS AVENUE AND 375 IROQUOIS SHORE ROAD, TOWN OF OAKVILLE**

McDonald's Restaurants of Canada Limited operates two McDonald's Restaurants located at 227 Cross Avenue and 375 Iroquois Road, in the Town of Oakville. We recently viewed the notice of the upcoming Statutory Public Meeting for proposed amendments to the Livable Oakville Plan, for proposed amendments to the Midtown Oakville and Transportation Network Policies and Schedules.

We understand that this public meeting will satisfy the statutory meeting requirement under the *Planning Act*, and that no decision on the proposed amendments are being made. Accordingly, we are providing these comments to state our position on key matters that affect our lands and restaurant operations, with the aim that these comments be strongly considered prior to a formal decision being made by Council.

As you may be aware, McDonald's constantly undertakes a variety of building and site modifications in a continual effort to serve the needs of our customers. These works may include minor building modifications, rebranding initiatives, as well as site and drive-thru modifications. It is critical that McDonald's maintain the ability to make such modifications to their restaurant operations.

We have thoroughly reviewed the June 8, 2017 Draft OPA, the draft markup document, and the accompanying staff report under File No 42.25.004. Based on this review, we would like to articulate the following comments and concerns:

1. In a previous letter submitted to the Town, dated June 1, 2009, and attached, we outlined several concerns with respect to proposed policies and schedules. One of those concerns was with the proposed extension/re-alignment of Cross Avenue, as shown on Schedule L3. Based on our review of the update to Schedule L3 in the Draft OPA, our concern remains that the proposed alignment of Cross Ave. will have a significant and detrimental impact to our lands. As noted in the previous letter, the proposed road alignment may require demolition of our existing building, and this concern remains valid. We once again respectfully request that the Town consider an alternative alignment to avoid this scenario.



In addition to the above, we note the proposed road alignment for Iroquois Shore Road on Schedule I. Our review of this material indicates a concern with this proposed alignment, as it will impact our restaurant located at 375 Iroquois Shore Road. While it appears the existing building will not be directly impacted, the proposed road alignment will certainly impact the existing access and vehicular parking area for this site, as well as a portion of the rear of the site. We also respectfully request that the Town consider an alternative alignment as well, to avoid this scenario.

We re-iterate that we believe the proposed road alignments will likely require a lengthy and costly expropriation process and therefore we must urge the Town of Oakville to reconsider the proposed routes.

2. Notwithstanding the above, we note the inclusion of proposed policy 20.4.1 b), which uses the following wording:

*The Town **should** secure rights-of-way on alignments on Schedules C, D and L3 through the planning approvals process. Final rights-of-way shall be determined through detailed transportation studies, environmental assessments where required and the planning approval process (emphasis added)*

Our initial interpretation of this wording indicates that development applications, such as site plan approval, for either site would not necessarily trigger the requirement to convey the full ROW width and alignment for either road. While no criteria is stated for making these decisions, we agree with inclusion of the word "should", as opposed to "shall". However, we also note the wording within proposed policies 20.4.1 d) and 20.4.1 e) i). Again, it is our opinion that alteration to either of the existing restaurants could proceed without the need to secure the full ROW dedications and alignments. We respectfully request that the Town include wording to this general effect within the aforementioned policies, to provide clarity.

3. We note the inclusion of wording within proposed policy 20.4.2 f) i), which states:

*Minimum and maximum building heights shall be permitted in accordance with Schedule L2 and the policies of this Plan. (emphasis added)*

The inclusion of the reference to the policies of the plan would then lead reference to policies 20.7.1 c) & d). In our view, this permits consideration for the existing uses and structures on our lands to remain, and to allow for modifications and/or replacement of such structures. We agree with this approach, and respectfully ask that such policies remain when a formal decision is made.

Please accept these comments on behalf of McDonald's Restaurants of Canada Limited and consider them with significance when making changes or updates to the draft documents and in any formal decisions under the *Planning Act*. We thank you for your consideration.

Yours Truly,

Darcie Lee  
Director, National Property Tax & Asset Management

cc. Lesley E. Gill Woods, Senior Planner – Town of Oakville



McDonald's Restaurants of Canada Limited  
McDonald's Place  
Toronto, Ontario M3C 3L4  
Telephone: 416-443-1000  
Fax: 416-446-3376

June 1, 2009

By Email- [cbest@oakville.ca](mailto:cbest@oakville.ca) and Fax 905 815-2025

Planning and Development Council  
c/o Ms. Cathie Best  
Town Clerk  
Clerk's Department  
Town of Oakville  
Oakville, P.O. Box 310  
1225 Trafalgar Road, Ontario  
L6J 5A6

Dear Madams/Sirs:

**MIDTOWN OAKVILLE PROPOSED OFFICIAL PLAN AMENDMENT;  
MCDONALD'S RESTAURANTS OF CANADA LIMITED  
COMMENTS WITH RESPECT TO MCDONALD'S 227 CROSS AVE, TOWN OF  
OAKVILLE**

McDonald's Restaurants of Canada Limited lease certain lands upon which we operate a McDonald's Restaurant, being located at 227 Cross Avenue in the Town of Oakville. We have extensively reviewed the *Midtown Oakville Review – Draft Official Plan Policies for the Midtown Oakville Growth Area* and find that we do not support the proposed Official Plan Amendment.

We have drawn observations regarding two items of the proposed Official Plan Amendment that have the potential to affect our existing restaurant in an adverse manner.

1. Section 15.5.1 – 'Prohibited Uses' of the draft Official Plan Policies specifically prohibits the use of drive-through facilities of any type within Midtown Oakville;
2. Schedule L3 – 'Midtown Oakville Transportation Network' of the *Midtown Oakville Review – Draft Official Plan Policies for the Midtown Oakville Growth Area* proposes a Cross Avenue Extension which would intersect directly on or adjacent to the McDonald's property at 227 Cross Avenue.





The prohibition of drive-through facilities will make the existing McDonald's Restaurant located at 227 Cross Avenue a legal non-conforming use, in which case an expansion to the existing building will create the need to eliminate the drive-through component from the restaurant. The McDonald's currently operates 18 hours per day from 6am to midnight ( to 1 am on weekends). A large majority of that time drive-through customers are the primary type of patronage of the restaurant, from breakfast time to late night. The drive-through is also the only portion of the Restaurant open from 11pm to closing each day of the week. The elimination of the drive-through at 227 Cross Avenue has the potential to put the McDonald's Restaurant out of business at this location as it relies heavily on drive-through orders throughout the morning, day and night.

We respectfully urge reconsideration of Section 15.5.1 – 'Prohibited Uses' with respect to the prohibition of drive-through facilities as it will have a detrimental impact on the business of the McDonald's Restaurant at 227 Cross Avenue. We believe that the goals of the Official Plan can be achieved without the stated prohibition on drive-through uses.

The proposed Transportation Network, including an extension to Cross Avenue, will also pose detrimental impacts on the existing McDonald's Restaurant. Schedule L3 – 'Midtown Oakville Transportation Network' depicts the Cross Avenue Extension as cutting directly east in a parallel east-west alignment to east of Trafalgar Road while currently Cross Avenue bends southeast just west of the general area of McDonald's.

The proposed Cross Avenue Extension will cut into the McDonald's leased property and may in fact require the demolition of the McDonald's altogether. McDonald's Restaurants of Canada Limited has been a long-standing member of the business community in the Town of Oakville and must respectfully request that the Town of Oakville select an alternative alignment for the Cross Avenue extension which will not disturb the McDonald's leased property or require the demolition of the existing restaurant.

The proposed road alignment will likely require a lengthy and costly expropriation process and therefore we must urge the Town of Oakville to reconsider the proposed route for the Cross Avenue realignment.

Please accept these comments in respect of McDonald's Restaurants of Canada Limited and consider them with significance while determining the location of the Cross Avenue Extension and the necessity of forbidding drive-through facilities in Midtown Oakville.

In addition, please note that in respect of the proposed new Official Plan, we hereby request to be notified of the adoption or status of same, as you proceed accordingly. Also we would request that we be placed on the mailing/distribution list for advisement of any and all decisions, future public meetings, notices or otherwise, to do with this matter.

Yours Truly,

McDonald's Restaurants of Canada Limited



Per:

Mike Smith

Development Representative

c.c. Diane Childs, Senior Planner, Town of Oakville

By Email – [dchilds@oakville.ca](mailto:dchilds@oakville.ca) and By Fax 905 338-4414

Will Ramjass, Asst. General Counsel, McDonalds Restaurants of Canada Limited



**MVL LEASING LIMITED**

1064 South Service Rd. East  
Oakville, ON L6J 2X7  
Tel: 416-253-6995 | 905-849-6995  
Fax: 905-901-3825

July 7, 2017

Town Clerk  
Clerk's Department  
1225 Trafalgar Rd  
Oakville ON L6H 0H3

Dear Sir or Madam:

I, Doug Campbell, am the President of MVL Leasing Limited located at 1064 South Service Road East in Oakville.

I received written notification from O'Connor MacLeod Hanna LLP about the proposed changes to certain roads in Oakville. One of the proposed changes appears to have an impact on our property, although this is not clear.

I am making this submission to preserve my right to appeal and to be advised of any and all notifications regarding changes that may affect our property.

Yours truly,

A handwritten signature in black ink, appearing to read "Doug Campbell", written over a white background.

Doug Campbell  
President  
MVL Leasing Limited

---

O'CONNOR  
MACLEOD  
HANNA LLP

---

Simon Fung  
905-842-8030 X3354  
fung@omh.ca

**Barristers & Solicitors**

Brian J. Hanna	Larry S. Gangbar
Jarvis G. Sheridan	Tanya A. Leedale
Harold R. Watson	Robert Krizman
Orie H. Niedzviecki	James McAskill
Evelyn Perez Youssoufian	Owen J. Duguid
Alexandra Manthorpe	Kellie Gray
Megan Cheema	Simon Fung
Kaleigh Dryla	

Paul D. Stunt, in association

June 29, 2017

MVL Leasing Limited  
1064 South Service Rd E  
Oakville, Ontario  
L6J 2X7

Dear Madam/Sir:

**Re: Important information for Midtown Oakville property owners and tenants**

You are receiving this letter as you appear to be the owner or a tenant of property in the Midtown Oakville area. I am a land-use planning lawyer with the law firm O'Connor MacLeod Hanna LLP and I would like to advise you of some important changes proposed for the lands in this area.

As you may have heard, the Town of Oakville has recently released a draft *Midtown Oakville and Transportation Network Official Plan Amendment* that proposes to change planning for this area. A copy of the draft Official Plan Amendment can be obtained by visiting the Town's website or by contacting me.

The most significant change proposed with this Official Plan Amendment is to road network in the Midtown Oakville area. A map illustrating these proposed changes is enclosed with this letter (the proposed changes are colored in a darker shade). Some of these changes include:

- The expansion and extension of Cross Avenue to connect with Royal Windsor Drive
- The addition of a parallel east-west road between Cross Avenue and South Service Road
- The addition of a parallel east-west road to the south of Cross Avenue
- The addition of three parallel north-south roads connecting South Service Road East to the new east-west road to the south of Cross Avenue
- The addition of a north-south road to the east of Trafalgar to connect with Iroquois Shore Road
- The expansion and extension of Iroquois Shore Road to connect with Royal Windsor Drive
- The expansion of North Service Road East

These proposed road changes will impact a number of properties. Some of the proposed road expansions will intrude onto lands currently owned by businesses, while some roads are even proposed where buildings currently exist. It is recommended that you carefully review the proposed road network to determine what impact the proposed changes may have on you.



*Piper Foods Inc.*

---

August 11, 2017

To Whom It May Concern;

I would like to be on record again, that I am against the proposed Midtown development. This development will now severely affect two of my location. The Cross Ave. location, as you know, appears to no longer exist. The new roadway goes through the site. The addition of the new road through the college property on Iroquois Shore will now have impact on my Iroquois Shore location. Both proposed changes seem to have total disregard for the businesses that have been part of these communities for years. I believe if the planners where given direction to create a plan that did not disrupt the existing businesses in the community they would have been able to do so and still achieve the towns desired outcome of growth.

If you require any additional information please feel free to contact me.

Sincerely,

John Piper  
Owner/Operator  
McDonald's Restaurants Oakville  
905 842 4549



Ruth Victor  
& Associates

481 North Service Road West  
A-33, Oakville, ON L6M 2V6  
rvassociates.ca  
P 905-257-3590  
E admin@rvassociates.ca

July 10, 2017

Lesley Gill Woods  
Senior Planner, Policy  
Town of Oakville  
1225 Trafalgar Road  
Oakville, ON  
L6H 0H3

Dear Ms. Gill Woods:

**Re: Public Meeting Report – Town-initiated Official Plan Amendment: Midtown Oakville and Transportation Network Updates (Livable Oakville)**  
1137528 Ontario Limited

On May 27, 2014 comments were submitted to the Town of Oakville regarding the proposed Official Plan Amendment and Zoning By-law Amendment for Midtown Oakville.

Presently, the Town of Oakville is proceeding only with an Official Plan amendment for the transportation network and related policy changes and will be proceeding with the remainder of the amendments as part of the broader Official Plan review process.

In the current Official Plan Amendment, the local road network was revised to remove one road previously of concern. Cross Avenue is planned as a “28m Minor Arterial Road” running from Lyons Lane to Chartwell Road and has been redesigned to intersect with Trafalgar Road at a 90-degree angle. The realignment of Cross Avenue will negatively affect these lands and adversely impact the ongoing viability of the current business operation.

In the previous submission to the Town, several additional concerns were identified that will be addressed within the future Livable Oakville Amendment. We look forward to discussing those concerns with staff later.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ruth Victor', is written over a horizontal line.

Ruth Victor, MCIP RPP MRTPI

May 27, 2014

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

Dear Mayor and Members of Council,

**Re: Official Plan Amendment (Livable Oakville) Midtown Oakville Update 2014 and Amendment to Comprehensive Zoning By-law 2014-014 to introduce new zoning for all lands located within Midtown Oakville. Report PD-009-14 and Midtown Oakville Transportation and Stormwater Environmental Assessment - Draft Study Report PD-046-14**

We are writing to you on behalf of our client, 1137528 Ontario Limited, owners of 217 Cross Avenue and the Swiss Chalet Restaurant, with respect to the Proposed Official Plan and Zoning By-law Amendments as noted above and recommendations set out within the Midtown Environmental Assessment Draft Study Report.

We previously provided comments with the Town of Oakville on May 6, 2014 regarding the recommendations of the Environmental Assessment Study recommendations. A copy of that letter is attached. The proposed Official Plan Amendment incorporates the proposed road network as set out within that study. The concerns noted previously in the May 6, 2014 letter regarding the recommended concept apply also to the Official Plan Amendment. In addition to these comments, it is our position that the amendment should be revised to ensure that the policies state that new development standards such as minimum height restrictions apply to new development only.

Regarding the proposed Urban Design Guidelines, Designing Midtown Oakville, September 2013, it is not clear from the document how this document integrates or interfaces with the new Livable by Design Manual recently adopted by Council as the format, language, and approach is not fully consistent. As Section 20.4.2 requires that development must address both documents, it is critical that the two documents work seamlessly together.

Section 14 of the proposed zoning by-law imposes a Holding provision that precludes the erection of new *buildings* or *structures* or the expansion or replacement of existing *buildings* and *structures* until such time proposed holding provision is lifted. In the event that a property owner was interested in doing a minor expansion to their building or in the event their building was destroyed by fire, the proposed provision would preclude any expansion, irrespective of how minor without satisfying a number of very onerous conditions. It is submitted that in these instances, the conditions for lifting the holding provision in section 14 of the by-law are unreasonable.

For example, Conditions d) and e) as it relates to the conveyance of rights of way could result in a situation where if an owner wanted to do a minor expansion for the purpose of complying with accessibility legislation, they could not do so without conveying to the Town free and clear of all encumbrances, any road rights of way or pedestrian facilities as shown in the municipal EA document. Our client is concerned that If a road right of way is required to be dedicated, condition d) would require the demolition of any existing buildings and dedication of the lands much earlier in the planning process, as part of the lifting of the holding provision.

The Planning Act is very specific as to the circumstances of when a municipality can require the dedication of lands for the purpose of road right-of-way widening, realignment, and future *road* improvements. The proposed Holding provision purports to do something not directly authorized under the Planning Act.

Condition b) requires the acknowledgment of the Ministry of Environment that a Record of Site Condition is provided. A Record of Site Condition is only required in specific instances on specific sites. To broaden circumstances where a Record of Site Condition is to be preferred is contrary to Provincial Regulations and Region of Halton's Protocol and must be revised.

The specifics of storm water management are typically addressed through the site plan approval process as well as land dedication such as new roads and widenings. All of these matters are appropriately matters of site plan approval and not matters of zoning approval. The language of these conditions will not work based on current Town practices.

The conditions for the lifting of the holding provisions, as set out within Section 14 of the proposed by-law, should be reconsidered and revised prior to adoption.

We look forward to working with Town staff to resolve these concerns.

Yours truly,



Ruth Victor MCIP RPP

cc. 1137528 Ontario Limited.



**BRECHIN & HUFFMAN**  
BARRISTERS AND SOLICITORS

GREGORY A. BRECHIN, B.A., LL.B.  
HERBERT E. HUFFMAN, B.A., LL.B.  
B. SCOTT HENDERSON, B.A., LL.B.  
DANIEL M. COUTTS, B. COMM., LL.B.  
KRISTIN A. GREEN, B. COMM., LL.B.  
GERALDINE C. HEWITT, BB.A., LL.B.  
CHRISTOPHER S C HENDRY, B.A., JD

3365 HARVESTER ROAD  
SUITE 109  
BURLINGTON, ONTARIO  
L7N 3N2

TELEPHONE  
905 681-2476  
FAX 905 333-4298  
E-MAIL [shenderson@bhhlaw.net](mailto:shenderson@bhhlaw.net)

July 10, 2017

BY EMAIL TO [fung@omh.ca](mailto:fung@omh.ca)

O'Connor MacLeod Hanna LLP  
700 Kerr Street  
Oakville, ON L6K 3W5

Attention: Simon Fung

Dear Sir,

**RE MIDTOWN OAKVILLE PROPERTY - OFFICIAL PLAN AMENDMENT**

Please be advised that we are the solicitors for the Assured group of companies. Our client owns and operates an automotive repair and collision centre and other commercial activity out of the property known municipally as 359 Davis Road, Oakville. The property is owned by 861866 Ontario Inc.

Please be advised that the Town's proposed amendment will have devastating effects on our client's business, likely rendering it incapable of carrying on at that location, costing our client not only large amounts of lost capital dollars, but a revenue source as well.

It is for this reason that our client will be retaining independent planning professionals to study the Official Plan Amendment proposed by the Town of Oakville and provide further comments and objections as they relate to our client's property and business. Our client is of the view that the Official Plan Amendment is not in accordance with good planning principles and is not in the best interests of the local business owners.

We hope to provide these comments and objections in due course as the process unfolds.

Yours very truly,

**BRECHIN & HUFFMAN**

**B. SCOTT HENDERSON**

BSH/js  
cc Client

**BRECHIN & HUFFMAN**  
BARRISTERS AND SOLICITORS

GREGORY A. BRECHIN, B.A.,LL.B.  
HERBERT E. HUFFMAN, B.A.,LL.B.  
B. SCOTT HENDERSON, B.A.,LL.B.  
DANIEL M. COUTTS, B. COMM.,LL.B.  
KRISTIN A. GREEN, B.Comm.,LL.B.  
GERALDINE C. HEWITT, BB.A.,LL.B.  
CHRISTOPHER S C HENDRY, B.A., JD

3365 HARVESTER ROAD  
SUITE 109  
BURLINGTON, ONTARIO  
L7N 3N2

TELEPHONE  
905 681-2476  
FAX 905 333-4298  
E-MAIL [shenderson@bhhlaw.net](mailto:shenderson@bhhlaw.net)

July 10, 2017

BY EMAIL TO [TownClerk@oakville.ca](mailto:TownClerk@oakville.ca)

Clerk's Department  
Corporation of the Town of Oakville  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

Attention: Laura Pennal

Dear Madam,

**RE MIDTOWN OAKVILLE PROPERTY - OFFICIAL PLAN AMENDMENT**

The writer's earlier letter addressed to Simon Fung may have been misleading.

Our client's understanding was that Mr. Fung was in fact the Town's counsel. Mr. Fung has advised that this is not in fact the case.

Accordingly, our letter should have been addressed to the Town Clerk's Department. The contents of our letter remain the same. Our client is objecting to the Official Plan Amendment and is retaining its own Planner to study the Amendment and report our client's concerns and suggestions with respect to the same.

Our client's preliminary assessment is that this Amendment will have devastating consequences to its business activities on Davis Road.

I apologize for any confusion my earlier correspondence may have caused.

Yours very truly,

**BRECHIN & HUFFMAN**

  
**B. SCOTT HENDERSON**

BSH/js

cc Client  
Simon Fung



**GLEN SCHNARR & ASSOCIATES INC.**  
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

**Planning and Development Council**  
**July 10, 2017 – Re: Item 7**  
**Distributed at the meeting.**

PARTNERS:  
GLEN SCHNARR, MCIP, RPP  
GLEN BROLL, MCIP, RPP  
COLIN CHUNG, MCIP, RPP

ASSOCIATES:  
JASON AFONSO, MCIP, RPP  
KAREN BENNETT, MCIP, RPP  
CARL BRAWLEY, MCIP, RPP  
JIM LEVAC, BAA, MCIP, RPP

July 10, 2017

Refer To File: 616-002

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

Attention: Mayor Burton and Members of Council

**Re: Town-initiated Official Plan Amendment:**  
**Midtown Oakville and Transportation Network Updates**  
**(Livable Oakville) – Town File No. 42.25.004**  
**Impacts on 354 Davis Road, Oakville**

We are the planning consultants representing Algonquin Power & Utilities Corp. (“Algonquin”), and Davis Road L.P., a related party owner of the existing 6 storey multi-tenant office building located at 354 Davis Road in Oakville. Algonquin purchased the property from First Gulf and undertook standard business due diligence leading up to the property’s closing on January 3, 2014. We were previously active and involved in the Midtown Oakville Class EA study on behalf of our client in 2014-2015. At that time, our client was a recent purchaser of 354 Davis Road and had serious concerns about the proposed new road network for the Midtown area and its potential impacts on the subject property.

Our client was actively involved in the Class EA process, and expressed their extreme concern that the road network proposed through the Midtown studies would have tremendous impacts to 354 Davis Road. The potential impacts were particularly alarming given that the building was approved by the Town of Oakville in 2012, and constructed in Spring 2013. Throughout 2014, we met with staff on several occasions and attended the Public Meeting for the previous version of the Official Plan Amendment on May 27, 2014 on behalf of our client. Our client ultimately filed one of the three ‘Part Two Order’ requests which were dismissed by the Minister in 2015.

10 KINGSBRIDGE GARDEN CIRCLE  
SUITE 700  
MISSISSAUGA, ONTARIO  
L5R 3K6  
TEL (905) 568-8888  
FAX (905) 568-8894  
www.gsai.ca



We have always understood that the objectives of the Class EA Study and related Midtown Oakville Official Plan Amendment include providing vital transportation and pedestrian links to Trafalgar Road. We have reviewed the proposed schedules for the 2017 Midtown Oakville Official Plan Amendment and we note that they are very similar to those that were presented in May 2014 as it relates to the subject lands and lands in the vicinity. Accordingly, our client continues to have serious concerns related to the proposed road network illustrated on the Draft Schedules. Specifically, we are concerned that the proposed relocated Cross Avenue Extension will have a serious negative impact on the building due to the close proximity of the road to the northwest corner of the existing building. As well, the future of the existing access driveways into the property from South Service Road and Davis Road are in question as the new road network appears to eliminate those access points. Furthermore, the proposed relocated Cross Avenue Extension and the proposed Bus Access Road from Cross Avenue will both negatively impact the parking lot and pedestrian walkability around the building.

When our client examined the schedules presented in May 2014 (which appear to be very similar), they had determined that the proposed plans would result in the elimination of approximately 20% of the existing parking spaces on the property, and that the impact would be significantly more if a landscaping buffer between our client's property and the proposed Bus Access Road was required. This reduction in existing parking has obvious negative implications.

We have recommended that our client engage an independent transportation consultant to review the road realignment opportunities in the vicinity of 354 Davis Road in the context of the Midtown Oakville studies. Specifically, the road network proposed in the vicinity of 354 Davis Road must be reexamined prior to Council's consideration of the Midtown Official Plan Amendment, to ensure that negative impacts to the multi-tenant office building and surrounding parking area at 354 Davis Road are minimized or eliminated.

Until our client can review its options thoroughly from a transportation and impact perspective, Council's consideration of the Official Plan Amendment is premature. Our client is opposed to the road network layout presented in the draft Official Plan Amendment schedules. If the process continues to swiftly move forward along the parameters proposed in the preferred design of the project, efforts at mitigating the impacts on our client's property will be significantly undermined, and the Owner's statutorily compensable damages will be substantial.



**GLEN SCHNARR & ASSOCIATES INC.**  
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

Thank you for the opportunity to provide our comments on this important project. We look forward to the opportunity to meet with staff soon to discuss our concerns.

Please ensure we are on the formal record for making a submission at the Public Meeting pursuant to the Planning Act and keep us apprised as this process proceeds.

Yours very truly,

**GLEN SCHNARR & ASSOCIATES INC.**

Karen Bennett, MCIP, RPP  
Associate

Cc: Lesley E. Gill Woods, MCIP, RPP, Senior Planner, Policy Planning  
Councillor D. Gittings (Town Councillor, Ward 3)  
Councillor N. Hutchins (Town and Regional Councillor, Ward 3)  
J. Tindale, Chief Legal Officer, Algonquin



PARTNERS:

**GLEN SCHNARR, MCIP, RPP**  
**GLEN BROLL, MCIP, RPP**  
**COLIN CHUNG, MCIP, RPP**

ASSOCIATES:

**JASON AFONSO, MCIP, RPP**  
**KAREN BENNETT, MCIP, RPP**  
**CARL BRAWLEY, MCIP, RPP**  
**JIM LEVAC, BAA, MCIP, RPP**

July 10, 2017

Refer To File: 616-002

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

Attention: Mayor Burton and Members of Council

**Re: Town-initiated Official Plan Amendment:  
Midtown Oakville and Transportation Network Updates  
(Livable Oakville) – Town File No. 42.25.004  
Impacts on 354 Davis Road, Oakville**

We are the planning consultants representing Algonquin Power & Utilities Corp. (“Algonquin”), and Davis Road L.P., a related party owner of the existing 6 storey multi-tenant office building located at 354 Davis Road in Oakville. Algonquin purchased the property from First Gulf and undertook standard business due diligence leading up to the property’s closing on January 3, 2014. We were previously active and involved in the Midtown Oakville Class EA study on behalf of our client in 2014-2015. At that time, our client was a recent purchaser of 354 Davis Road and had serious concerns about the proposed new road network for the Midtown area and its potential impacts on the subject property.

Our client was actively involved in the Class EA process, and expressed their extreme concern that the road network proposed through the Midtown studies would have tremendous impacts to 354 Davis Road. The potential impacts were particularly alarming given that the building was approved by the Town of Oakville in 2012, and constructed in Spring 2013. Throughout 2014, we met with staff on several occasions and attended the Public Meeting for the previous version of the Official Plan Amendment on May 27, 2014 on behalf of our client. Our client ultimately filed one of the three ‘Part Two Order’ requests which were dismissed by the Minister in 2015.



We have always understood that the objectives of the Class EA Study and related Midtown Oakville Official Plan Amendment include providing vital transportation and pedestrian links to Trafalgar Road. We have reviewed the proposed schedules for the 2017 Midtown Oakville Official Plan Amendment and we note that they are very similar to those that were presented in May 2014 as it relates to the subject lands and lands in the vicinity. Accordingly, our client continues to have serious concerns related to the proposed road network illustrated on the Draft Schedules. Specifically, we are concerned that the proposed relocated Cross Avenue Extension will have a serious negative impact on the building due to the close proximity of the road to the northwest corner of the existing building. As well, the future of the existing access driveways into the property from South Service Road and Davis Road are in question as the new road network appears to eliminate those access points. Furthermore, the proposed relocated Cross Avenue Extension and the proposed Bus Access Road from Cross Avenue will both negatively impact the parking lot and pedestrian walkability around the building.

When our client examined the schedules presented in May 2014 (which appear to be very similar), they had determined that the proposed plans would result in the elimination of approximately 20% of the existing parking spaces on the property, and that the impact would be significantly more if a landscaping buffer between our client's property and the proposed Bus Access Road was required. This reduction in existing parking has obvious negative implications.

We have recommended that our client engage an independent transportation consultant to review the road realignment opportunities in the vicinity of 354 Davis Road in the context of the Midtown Oakville studies. Specifically, the road network proposed in the vicinity of 354 Davis Road must be reexamined prior to Council's consideration of the Midtown Official Plan Amendment, to ensure that negative impacts to the multi-tenant office building and surrounding parking area at 354 Davis Road are minimized or eliminated.

Until our client can review its options thoroughly from a transportation and impact perspective, Council's consideration of the Official Plan Amendment is premature. Our client is opposed to the road network layout presented in the draft Official Plan Amendment schedules. If the process continues to swiftly move forward along the parameters proposed in the preferred design of the project, efforts at mitigating the impacts on our client's property will be significantly undermined, and the Owner's statutorily compensable damages will be substantial.



**GLEN SCHNARR & ASSOCIATES INC.**  
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

Thank you for the opportunity to provide our comments on this important project. We look forward to the opportunity to meet with staff soon to discuss our concerns.

Please ensure we are on the formal record for making a submission at the Public Meeting pursuant to the Planning Act and keep us apprised as this process proceeds.

Yours very truly,

**GLEN SCHNARR & ASSOCIATES INC.**

Karen Bennett, MCIP, RPP  
Associate

Cc: Lesley E. Gill Woods, MCIP, RPP, Senior Planner, Policy Planning  
Councillor D. Gittings (Town Councillor, Ward 3)  
Councillor N. Hutchins (Town and Regional Councillor, Ward 3)  
J. Tindale, Chief Legal Officer, Algonquin



Simon Fung  
905-842-8030 X3354  
fung@omh.ca

**Barristers & Solicitors**

Brian J. Hanna	Larry S. Gangbar
Jarvis G. Sheridan	Tanya A. Leedale
Harold R. Watson	Robert Krizman
Orie H. Niedzviecki	James McAskill
Evelyn Perez Youssoufian	Owen J. Duguid
Alexandra Manthorpe	Kellie Gray
Megan Cheema	Simon Fung
Kaleigh Dryla	

Paul D. Stunt, in association

July 10, 2017

**DELIVERED VIA EMAIL [townclerk@oakville.ca]**

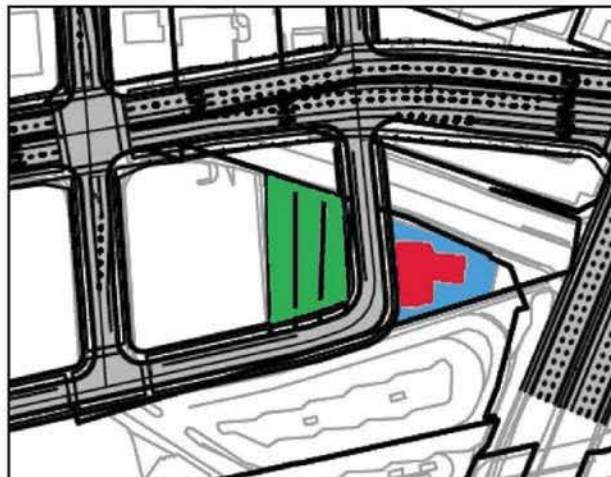
Town Council c/o Town Clerk  
Town of Oakville, Clerk's Department  
1225 Trafalgar Road  
Oakville, Ontario L6H 0H3

Dear Sir/Madam:

**Re: Midtown Oakville and Transportation Network Official Plan Amendment  
526874 Ontario Limited o/a Carpet Warehouse – 238 Cross Avenue & 222 Cross Avenue**

We act for 526874 Ontario Limited o/a Carpet Warehouse ("Carpet Warehouse") with respect to the above captioned matter. Pursuant to s. 17(24) of the *Planning Act*, the following are written submissions to Town Council on behalf of Carpet Warehouse regarding the draft Midtown Oakville and Transportation Network Official Plan Amendment (the "OPA").

Having reviewed the draft OPA and its schedules, Carpet Warehouse is concerned about the impact of the proposed transportation network to its properties located at 238 Cross Avenue and 222 Cross Avenue (the "Subject Properties"). Schedule L3 of the draft OPA proposes a "Future 19m Local Road" that will run through the Subject Properties. At the public information session for this OPA on June 21, 2017, a "Road Layout" map provided more detail of the impact the proposed local road will have on properties in the Midtown Oakville area. A snippet of this map focusing on the Subject Properties is provided below:



Blue: 238 Cross Avenue  
Green: 222 Cross Avenue  
Red: Carpet Warehouse's building

As shown, the proposed local road is planned to occupy a large portion of the west side of 238 Cross Avenue and the east side of 222 Cross Avenue. It is clear that our client will be negatively impacted by this change. Some of the effects that are evident at this time include:

- A reduction to the size of the Subject Properties
- Negative impact to the building located on 238 Cross Avenue
- The elimination of the parking area on the west side of 238 Cross Avenue

It's likely that our client's business at 238 Cross Avenue will not be viable if the proposed transportation network in this area is implemented. Having operated its business at this location since 1986, our client is now concerned about the future of its business if this OPA is passed by Town Council.

Accordingly, our client asks that Town Council protect its business by removing or minimizing the negative impact of the proposed transportation network in proximity to the Subject Properties. As it currently stands, our client asks that Town Council not pass the proposed transportation network as reflected by Schedule L3 of the draft OPA.

Please contact the undersigned should you have any questions

Yours truly,

**O'CONNOR MACLEOD HANNA LLP**

A handwritten signature in black ink, appearing to be 'Simon Fung', written over a diagonal line that extends from the top left to the bottom right.

Simon Fung

## Midtown Oakville

### Proposed additions to the Public Meeting Report – Town-initiated Official Plan Amendment: Midtown Oakville and Transportation Network Updates (Livable Oakville) – File No. 42.25.004

- That all detailed maps of Midtown area show the Wyecroft Road and Kerr Street side of 16 Mile Creek.
- All proposed Midtown infrastructure intersections, not have the intersections automatically marked with signalised traffic intersections, but have a symbol for either roundabouts or signalised traffic intersections.
- That the Trafalgar / Cornwall intersection be added to the mix of intersections to review as part of the Midtown infrastructure development.
- That a possible connection between Cross Avenue and Wyecroft Road be added as a possibility to be further explored. The engineering teams who developed the Midtown infrastructure recommended that at least two more lane capacities be added to the west over 16 Mile Creek and with recommendations from cyclists on the Active Transportation Master Plan (ATMP) also suggesting a connection between Cross Avenue and Wyecroft Road, this linkage to Wyecroft Road should be further explored.

Nick Hutchins

07/10/2017

## Active Transportation Master Plan (ATMP)

I understand from some members of the cycling community that, when used in the middle of the road to denote cycling areas that Sharrows are unsafe, as they may lead to conflict with motorists?

That they are worth using when they mark the left turning at intersections (to remind motorists that bicyclists also use the road there)?

**Why this being approved tonight not just received?**

**Instead of being approved, can this report be received so that further input from the stakeholders can be undertaken?**

---

**If the report is not to be received but is to be approved then:**

**Motion to Add;**

- **That:** A cycling/pedestrian/ bridge be constructed near the QEW, eliminating the 16 Mile Creek Valley by providing a level crossing, connecting 6th line to Kerr Street or cycling lanes added to a possible connecting bridge from Cross Avenue to Wycroft Road, as part of the Kerr Street Grade Separation project.
- **That an Interim Solution I2 from the ATMP Map 9:** (Lakeshore Road East of Downtown to Winston Churchill) be changed from continuous sharrows to “The area between the key intersections be redrawn so that the middle lane running the length of Lakeshore be removed and space redistributed to the sides as bike lanes and that Sharrows only be used through the key intersections to maintain a left hand turn lane for Motorists”.
- **That the Final Solution for Lakeshore Road East be;** that Lakeshore be widened at the key intersections to allow full continuous safe cycling lanes and left hand turn lanes for motorists to be completed within the first 10 years of the plan.
- **That:** After the completion of the In-boulevard trail from Allan St to Morrison Road, that the extension of the In-boulevard trail from Morrison Road to Winston Churchill be advanced from the long term, so that it can more quickly meet up with the equivalent Mississauga cycle lanes.

# EMBEE ARGUS

LIMITED

88 Sheppard Avenue W, Suite 200  
Toronto ON M2N 1M5  
tel 416.250.5858  
fax 416.250.5860

July 10, 2017

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

**Without Prejudice**

Town of Oakville  
1225 Trafalgar Road  
Oakville ON L6H 0H3

**Re: Town Initiated Official Plan Amendment  
Midtown Oakville and Transportation Network Updates  
File: 42.25.004**

Embee Argus Limited is the registered owner of 587, 589, 591, 593 and 595 Argus Road.

We attended your Public Information Meeting on June 22, 2017. We have reviewed the documentation prepared by staff.

Embee Argus Limited objects to the proposed Official Plan Amendment and Transportation Network Updates.

The proposed road pattern shown on Schedule L3 (and others) will render our existing buildings 100% unsustainable.

We would welcome the opportunity to review this with staff.

We request that we receive written notice of any and all further actions by the Town with regard to this file.

Yours truly,

**EMBEE ARGUS LIMITED**



Michael Baker  
President

MB:bk

cc: Mr. Gord Lalonde  
Ms. Jane Clohecy  
Ms. Lesley Gill Woods

July 10, 2017

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

Attention: Lesley E. Gill Woods,  
Senior Planner, Policy Planning

Dear Ms. Gill Woods:

**Re: Public Meeting Report – Town-initiated Official Plan Amendment :  
Midtown Oakville and Transportation Network Updates (Livable Oakville)  
File No. 42.25.004**

We are counsel for Fine Time Holdings Inc., (“Client”) owners of property located at 389 Davis Road, in the Town of Oakville, (the “Property”).

On May 24, 2014 comments were submitted to the Town of Oakville regarding my Client’s concerns with the proposed Official Plan Amendment and Zoning by-law Amendment for the Midtown Area that was put forward by the Town at that time.

Since that time, the Town of Oakville has refocused the amendment process and as we understand it, is proceeding at this time with an Official Plan Amendment for only the transportation network and limited policy changes, and will be proceeding at a future date with the remainder of the amendments to address other land use and urban design matters within the Midtown Area.

Through the new proposed OPA for Midtown, some of my Client’s concerns that were raised in the 2014 correspondence have been addressed. However, the Schedules to the proposed OPA still demonstrate that the use of my Client’s property will be negatively affected as there is now a road proposed to cut through my Client’s property in an east west direction which will eliminate the ability for my Client to use the Property in any manner whatsoever.

We would like the opportunity to meet with staff to discuss these concerns prior to this matter proceeding to Council for a decision.

**Denise Baker**  
Partner  
T: 905-829-8600  
dbaker@weirfoulds.com

File 16523.00001

I look forward to hearing from you.

Yours truly,

**WeirFoulds LLP**

A handwritten signature in black ink that reads "DBaker". The signature is written in a cursive, flowing style.

Denise Baker

DB/mw

cc Client

10665198.1

Stephen F. Waqué  
T 416.367.6275  
F 416.367.6749  
swaque@blg.com

Borden Ladner Gervais LLP  
Bay Adelaide Centre, East Tower  
22 Adelaide Street West  
Toronto, ON, Canada M5H 4E3  
T 416.367.6000  
F 416.367.6749  
blg.com



July 10, 2017

**Delivered by Email**

Town of Oakville  
Clerk's Department  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

Dear Sirs:

**Re: Public Meeting before the Planning and Development Committee of  
Council on Monday, July 10, 2017  
Midtown Oakville and Transportation Network Updates**

Please be advised that we are instructed by Oak-Lane Park Investments Inc. to make a brief deputation to Council with respect to the proposed Midtown Oakville policy updates.

We understand from discussions with Staff, that the Town also has underway a more comprehensive process with respect to the next phase of conformity to the Growth Plan.

It is our respectful submission that the land on the west side of Trafalgar Road will achieve more appropriate long term development, if more intense mixed use re-development is permitted and land-use designations are not restricted to office development.

Based on our discussions with Staff, we understand that because of the transportation planning emphasis of this set of updates, this is not the appropriate time for Council to consider land-use changes on this basis.

However, we did not want Council to draw the conclusion that because of a lack of response to the transportation boundary related land-use changes, that landowners were satisfied with the land-use designations and thought that they provided a platform for a vigorous and healthy community centre. Rather, we continue to look forward to working with the Town to evolve a stronger long-term vision for redevelopment of this critical part of the City Centre.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'Stephen F. Waqué', is written over a horizontal line.

Stephen F. Waqué  
SFW:cm



July 10, 2017

Lesley E. Gill Woods, MCIP, RPP  
Senior Planner, Policy Planning  
Planning Services Department  
Town of Oakville  
1225 Trafalgar Road  
Oakville, Ontario  
L6H 0H3

Dear Ms. Gill Woods:

**RE: TOWN-INITIATED OFFICIAL PLAN AMENDMENT  
MIDTOWN OAKVILLE AND TRANSPORTATION NETWORK UPDATES  
IMPACTS TO TRAFALGAR VILLAGE SHOPPING CENTRE  
OUR FILES Y132'A' AND 9316'AT'**

---

We are the planning consultants for Centre City Capital Limited and Home Depot Holdings Inc. who own the lands known as Trafalgar Village Shopping Centre (as two separate property owners).

Trafalgar Village Shopping Centre was redeveloped in the early 2000s for a Home Depot and No Frills anchored open air retail centre. During the various processes leading to the current Midtown Oakville policies, it was recognized that Trafalgar Village Shopping Centre would redevelop gradually over time and that the future road network through the centre would occur as part of a comprehensive site redevelopment. This recognition is enshrined in the current Midtown Oakville policies as per Exception Policy 20.6.4 as well as Phasing / Transition Policy 20.7.1. We reiterate the importance to our clients of these policies vis-à-vis incremental development and intensification / modifications to their site. We therefore request confirmation from the Town that these policies will not be undermined by the proposed Official Plan Amendment and that any proposed road locations will not preclude building additions, alterations and / or replacements which are not part of a comprehensive site redevelopment but rather are part of the normal operations of the site as a shopping centre.

While we believe there is no intent for Exception Policy 20.6.4 or Phasing / Transition Policy 20.7.1 to be modified by the proposed Official Plan Amendment, our clients are concerned with

the roads shown through the Trafalgar Village Mall lands which do not appear to have taken either the existing driveway system, existing building nor property boundaries into account. The roads as shown on the proposed Schedule L-3, if required to be located as shown on the schedule, would result in orphaned lands being created. Attached is an overlay of the proposed Schedule L-3 on the site plan for Trafalgar Village Mall which illustrates our clients concerns.

We therefore request that the roads as shown on Schedule L-3 be revised to reduce future property boundary issues. Further, we request that a policy be added to the Midtown Oakville policies stating that the road locations are approximate and can be adjusted without need for an Official Plan Amendment when a comprehensive site redevelopment occurs.

We would be pleased to meet with Town staff to discuss our clients concerns.

Please ensure that we are notified of any future meetings and / or other reporting to Council on this matter.

Thank you.

Yours truly,  
**MHBC**



David A. McKay MSc, MCIP, RPP  
Vice President and Partner

cc: Town Clerk  
Clients




Data Source: Town of Oakville Draft OPA- Schedule L3: Proposed Midtown Oakville Transportation Network (2017)


## Town of Oakville Draft OPA

Schedule L3:  
Proposed Midtown  
Oakville Transportation  
Network


Trafalgar Village Mall  
Oakville, Ontario

### LEGEND

 Subject Lands


 Growth Area Boundary

 Future 28m Minor  
Arterial Road

 Future 22m Local Road

 Future 19m Local Road

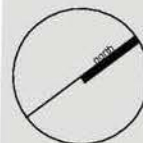
 Future Ramp

 Refer to Part E, Midtown  
Oakville Exceptions

DATE: July 7, 2017

SCALE 1:2000

N:\1128\11287\July\1\green\1128- Figure Mapping- 7 July 2017.dwg



**MHBC** PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 8G7  
P: 905 761 5588 F: 905 761 5589 | WWW.MHBCPLAN.COM

July 10, 2017

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

Attention: Lesley E. Gill Woods,  
Senior Planner, Policy Planning

Dear Ms. Gill Woods:

**Re: Public Meeting Report – Town-initiated Official Plan Amendment : Midtown  
Oakville and Transportation Network Updates (Livable Oakville)  
File No. 42.25.004**

**Denise Baker**  
Partner  
T: 905-829-8600  
dbaker@weirfoulds.com

File 16474.00001

We are counsel for Woodworth Holdings Limited (“Client”), owners of property located at 234 South Service Road East, in the Town of Oakville.

On May 24, 2014 comments were submitted to the Town of Oakville regarding my Client’s concerns with the proposed Official Plan Amendment and Zoning by-law Amendment for the Midtown Area that were put forward by the Town at that time.

Since that time, the Town of Oakville has refocused the amendment process and as we understand it, is proceeding at this time with an Official Plan Amendment for only the transportation network and limited policy changes, and will be proceeding at a future date with the remainder of the amendments to address other land use and urban design matters within the Midtown Area.

Through the new proposed OPA for Midtown, some of my Client’s concerns that were raised in the 2014 correspondence have been addressed. However, the Schedules to the proposed OPA still demonstrate that the use of my Client’s property will be negatively affected by the proposed Future Ramp from the QEW to both Trafalgar Road as well as the proposed Cross Avenue extension (as seen on Schedule L3) and by the pedestrian crossing proposed to be located just to the north of my Client’s property.

We would like the opportunity to meet with staff to discuss these concerns prior to this matter proceeding to Council for a decision.

I look forward to hearing from you.

Yours truly,

**WeirFoulds LLP**

A handwritten signature in black ink that reads "DBaker". The signature is written in a cursive, flowing style.

Denise Baker

DB/mw

cc client

10665283.1

July 11, 2017

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

**Denise Baker**  
Partner  
T: 905-829-8600  
dbaker@weirfoulds.com

File 16523.00001

Attention: Mayor Burton and Members of Council

Dear Mayor Burton and Members of Council:

**Re: Public Meeting Report – Town-initiated Official Plan Amendment :  
Midtown Oakville and Transportation Network Updates (Livable Oakville)  
File No. 42.25.004**

We are counsel for Fine Time Holdings Inc., (“Client”) owners of property located at 389 Davis Road, in the Town of Oakville, (the “Property”).

On May 24, 2014 comments were submitted to the Town of Oakville regarding my Client’s concerns with the proposed Official Plan Amendment and Zoning by-law Amendment for the Midtown Area that was put forward by the Town at that time.

Since that time, the Town of Oakville has refocused the amendment process and as we understand it, is proceeding at this time with an Official Plan Amendment for only the transportation network and limited policy changes, and will be proceeding at a future date with the remainder of the amendments to address other land use and urban design matters within the Midtown Area.

Through the new proposed OPA for Midtown, some of my Client’s concerns that were raised in the 2014 correspondence have been addressed. However, the Schedules to the proposed OPA still demonstrate that the use of my Client’s property will be negatively affected as there is now a road proposed to cut through my Client’s property in an east west direction which will eliminate the ability for my Client to use the Property in any manner whatsoever.

We would like the opportunity to meet with staff to discuss these concerns prior to this matter proceeding to Council for a decision.

I look forward to hearing from you.

Yours truly,

**WeirFoulds LLP**

A handwritten signature in black ink that reads "DBaker". The signature is written in a cursive, flowing style.

Denise Baker

DB/mw

cc Client

10672223.1

July 11, 2017

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

**Denise Baker**  
Partner  
T: 905-829-8600  
dbaker@weirfoulds.com

File 16474.00001

Attention: Mayor Burton and Members of Council

Dear Mayor Burton and Members of Council:

**Re: Public Meeting Report – Town-initiated Official Plan Amendment : Midtown  
Oakville and Transportation Network Updates (Livable Oakville)  
File No. 42.25.004**

We are counsel for Woodworth Holdings Limited (“Client”), owners of property located at 234 South Service Road East, in the Town of Oakville.

On May 24, 2014 comments were submitted to the Town of Oakville regarding my Client’s concerns with the proposed Official Plan Amendment and Zoning by-law Amendment for the Midtown Area that were put forward by the Town at that time.

Since that time, the Town of Oakville has refocused the amendment process and as we understand it, is proceeding at this time with an Official Plan Amendment for only the transportation network and limited policy changes, and will be proceeding at a future date with the remainder of the amendments to address other land use and urban design matters within the Midtown Area.

Through the new proposed OPA for Midtown, some of my Client’s concerns that were raised in the 2014 correspondence have been addressed. However, the Schedules to the proposed OPA still demonstrate that the use of my Client’s property will be negatively affected by the proposed Future Ramp from the QEW to both Trafalgar Road as well as the proposed Cross Avenue extension (as seen on Schedule L3) and by the pedestrian crossing proposed to be located just to the north of my Client’s property.

We would like the opportunity to meet with staff to discuss these concerns prior to this matter proceeding to Council for a decision.



I look forward to hearing from you.

Yours truly,

**WeirFoulds LLP**

A handwritten signature in black ink that reads "DBaker". The signature is written in a cursive, flowing style.

Denise Baker

DB/mw

cc client

10672258.1

August 18, 2017

Received  
August 21, 2017

Lesley E. Gill Woods, MCIP, RPP  
Senior Planner, Policy Planning  
Planning Services Department  
Town of Oakville  
1225 Trafalgar Road  
Oakville, Ontario  
L6H 0H3

Dear Ms. Gill Woods:

**RE: TOWN-INITIATED OFFICIAL PLAN AMENDMENT  
MIDTOWN OAKVILLE AND TRANSPORTATION NETWORK UPDATES  
IMPACTS TO TRAFALGAR VILLAGE SHOPPING CENTRE  
OUR FILES Y132'A' AND 9316'AT'**

---

We are the planning consultants for Centre City Capital Limited and Home Depot Holdings Inc. who own the lands known as Trafalgar Village Shopping Centre (as two separate property owners). Further to our letter dated, July 10, 2017, and our meeting with Town staff on August 15, 2017, we would like the Town to consider the following language with respect to the road alignments shown on Schedule L3:

*"The general location of future roads is identified on Schedule L3. Modifications to the location and alignment of planned roads are permitted without amendment to this plan. The need, precise location, alignment and design of the roads identified on Schedule L3 shall be determined by the Town **in a phased manner** through the development application process."*

We believe the above-noted language ensures the road alignments as contemplated by the Town and at the same time gives comfort to our clients with respect to flexibility for the actual position of the roads.

We also appreciate Town staff for confirming that they recognize that development will occur gradually over time and that the future road network through the centre would occur only as part of a comprehensive site redevelopment. **It is likely that the redevelopment of the property will occur in a phased manner and the actual road network would thus be**

**implemented in the same phased approach.** This recognition is enshrined in the current Midtown Oakville policies as per Exception Policy 20.6.4 as well as Phasing / Transition Policy 20.7.1, which per our meeting is understood that these policies are not being affected by any of the changes proposed. Please ensure that we are notified of any future meetings and / or other reporting to Council on this matter

Should you have any questions, please feel free to call.

Yours truly,

**MHBC**



David A. McKay MSc, MCIP, RPP  
Vice President and Partner



Oz Kemal, BES, MCIP, RPP  
Partner

cc: Town Clerk  
Clients