

**Distributed at the Special Planning and Development Council Meeting of February 2, 2021
Re: Item 1 - Discussion Report - Council Workshop on the Proposed Official Plan
Amendment for the Hospital District (File No. 42.15.57)
Written submission (correspondence provided by email on January 13, 2021)**

Oakville Green Development Inc
53 Shorewood Place
Oakville, Ontario
L6K 3Y3

RE: Follow up to the December 17, 2020 Meeting

Dear Mr. Simeoni,

Thank you for taking the time to meet with us on December 17, 2020. We request that you send this letter to the participants of the staff-initiated workshop, before it is held. We similarly request that anyone involved in future work in the proposed amendment should also receive a copy of this letter. I believe that making this letter available to all individuals involved in this process is critical as it seems that the retained consultants who conducted the study either did not have any knowledge of the intensive amount of work done by Oakville Green Development Inc (OGDI), the Town of Oakville (ToFO), Halton Region (HR), and Conversation Halton (CH), or did not take it into consideration in preparing their report.

The following is a summary of the important events and dates pertaining to the development of the lands held by the OGD I family of companies:

1. OGD I developed its Masterplan between 2014 and 2017, in full cooperation with, and under the guidance of, the ToFO, HR, and CH.
2. The ToFO, HR, and CH fully supported the developed Masterplan vision and gave OGD I every needed assurance that the correct process was being followed. OGD I conducted 20 extensive studies requested by them, incurring several millions of dollars of cost.
3. The extensive applications made by OGD I for the Local Official Plan Amendment (LOPA), the Regional Official Plan Amendment (ROPA), and the rezoning of the entire OGD I site was first submitted in May 2017. Additional traffic study and economic impact studies were performed, and the application was deemed complete in November 2017. Approval was anticipated in early 2018, unfortunately, the Provincial government stepped in and put a pause on the whole plan. The Provincial government insisted on having a Municipal Comprehensive Review (MCR) before any residential component could be included in the application.
4. To continue advancement of the Masterplan vision and at the direction of the ToFO, OGD I withdrew its application and agreed with a phased approach to the Masterplan suggested by the ToFO and HR. This plan consisted of rezoning the northwest portion of the Masterplan which already complied with the existing Official Plan policy, as far as height, density and use permissions. A rezoning and draft plan of subdivision application were approved and draft approved respectively in the fall of 2019. The second part of the mutually agreed process was that HR would undertake the required MCR to permit non-residential uses within the Masterplan as part of the broader Hospital District. The third part of the agreed process was that ToFO would undertake their own study to introduce a Mixed Use District on the OGD I's land and other parcels around the new hospital. That study was supposed to have the Masterplan developed by OGD I as its starting and guiding reference, as everyone involved committed to preserve the vision, size and character of this plan.
5. After the approval and draft approval of phase one rezoning and subdivision in fall of 2019, OGD I made the first engineering submission to the ToFO at the end of October 2020 for servicing Phase 1 of the OGD I lands.

Given the history of the OGDl Masterplan development, we were caught by surprise by the content, finding and recommendations of the Hospital District Area Specific Plan (ASP) report. At no point was OGDl consulted directly for input into the study, which was very concerning giving the history summarized above and given that OGDl is the only entity that is ready to execute its plan. Simply stated, the recommendations presented in this report jeopardizes the viability of OGDl's agreed upon Masterplan.

We requested that we meet before the workshop on February 1st, to ensure that your team has all the vital information, however, you asked us to forego this request. We are concerned that we may not have enough time to ensure the proper recommendations are present to the council in March.

We would like to present the table below that summarizes what the ASP is recommending, as compared to the OGDl Masterplan:

Table 1: Comparisons of ASP vs OGDl Masterplan

	Hospital District Area Specific Plan	Oakville Green Masterplan
Total Square Footage	2.5 Million sq-ft	4.5 Million sq-ft
Density (FSI)	Block 44 (Phase 1) - 3.0 FSI Block 41 - 2.0 FSI mid-rise Block 42 - 2.5 FSI mid-rise Block 43 - 2.0 FSI mid-rise (Mid-rise is 6-12 storeys) (Reference - Page 95 of Area Specific Plan: A Future for Health & Innovation (Oakville Hospital District Final Report)) Note: Existing FSI as of right is 3.0; the area specific plan appears to be down-designating density	Block 44 (Phase 1) – 3.0 FSI Block 41 – 5.2 FSI Block 42 – 6.0 FSI Block 43 – 4.5 FSI For individual towers, the FSI ratio ranged between 2.8 and 6.0. Note Phase 1 with 1 million sq-ft was done at an FSI of 3.0. This means that the average FSI on the remaining Phase 2 & 3 (Blocks 41-43) is between 5.0 and 6.0
Building Height	Block 44 (Phase 1) – up to 15 storeys Block 41 – Mid-rise 6-12 storeys Block 42 – Mid-rise 6-12 storeys Block 43 – Mid-rise 6-12 storeys (Reference – Page 95)	Block 44 (Phase 1) – Up to 15 storeys Block 41 – 20-28 storeys High-rise Block 42 – 20-28 storeys High-rise Block 43 – 28-32 storeys High-rise
Total Residential Sq-ft/Condo units	875K sq-ft out of 2.5 million sq-ft, or 35% of total which is the threshold for the Innovation precinct. This translates to approximately 900 condo units (Reference – Page 66 of Area Specific Plan: A Future for Health & Innovation (Oakville Hospital District Final Report))	2.0 million sq-ft residential out of 4.5 million total or 45% of total. This translates to 2,000 condo units
Underground Parking	Requirement for underground parking is there without the required condo units, or FSI	Underground parking was only viable economically with 2000 condo units and a district size of 4.5 million sq-ft
Roads	Directive is to develop on public roads as a starting point, and justification is required for private roads	A combination of both public and private roads, which Phase 1 has already implemented

In our opinion, the ASP was fundamentally flawed for several reasons including:

1. **ASP was and is now outdated** - Several changes to the APS Precincts in the greater Hospital District area have occurred before the ASP was presented such as:
 - Precinct 1 - this office focused precinct is now designated long-term care
 - Courthouse - this institutional project has been canceled
 - District Energy Lands - the ASP designates these lands as the transitional precinct with 80% residential and 20% non-residential, ignoring the requirements of having a district energy plant on this land
2. **Growth Targets** - the ASP reduces the size of ODGI's Masterplan by about 50%, which contradicts the Provincial and Regional growth targets. Also, the ASP penalizes ODGI by placing restrictions incompatible with the agreed upon vision post-approval of Phase 1 for no apparent reason. Furthermore, ODGI's privately owned site which is in development as opposed to the other sites in the greater Hospital District area owned by Infrastructure Ontario which are not in development.
3. **Placement of Residential Concentration** – the highest residential density in the APS is the furthest point away from the transit corridor along Dundas Street and is highly restricted on ODGI's lands.
4. **Underground Parking Requirements** - this requirement for non-residential buildings coupled with the lower SFIs as described by the APS makes underground parking not financially viable.
5. **Building Heights** - the ASP reduces the building heights with no defensible rationale and with little to no consideration of the economic impact which was thoroughly studied in ODGI's submission.

As the owners of ODGI, we are requesting the following:

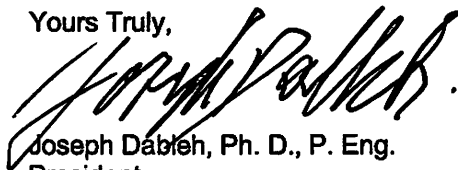
1. **Minimum 50% Residential Threshold:** Extensive analysis of the ODGI Masterplan clearly indicated that a minimum of 2.25 million SF of residential is necessary to support the employment use of 2.25 million SF. This residential threshold is also necessary to deal with traffic concerns and provide sufficient space for a live/work district. The percentages of residential to non-residential should be distributed more equally across the APS.
2. **Density of 4 to 6.0 FSI:** This is necessary to accommodate the total district size of 4.5 million SF required for employment, retail and residential components. Please note that the original design by highly experienced architects was 6.25 million SF. It was reduced to 4.5 million SF to accommodate the requests of the ToFO, HR and CH.
3. **Building Heights:** Out of the 18 towers in the ODGI Masterplan, two buildings are 28 and 32 stories high, and the remaining 16 towers are 26 stories high or less. We can limit the height to 25 stories if the SFI is such that the total size of the district of 4.5 million SF can still be delivered. We will work with you to address any new concern that is caused by the height of the buildings and will be seeking a pre-consultation to discuss these opportunities.
4. **Underground Parking:** The cost of underground parking is one of the significant constraints, especially for non-residential buildings. If the density restrictions remain, the requirement for fully underground parking should be relaxed and surface parking that complies with architectural guidelines and considers financial development viability for certain uses, should be allowed. The provision for private roads will assist in supporting underground parking to achieve parking under multiple blocks to help reduce required levels of underground parking.

OGDI remains fully committed to work with the Town staff so that the Oakville Masterplan is enhanced and can help achieve the goals of the ToFO. OGDl hopes to have shovels in the ground in the summer of 2021 for servicing its first phase and believes its lands will be the quickest route to fulfilling not only its vision but also that of the ToFO, HR and the Province of Ontario.

OGDI believes we can work together to achieve these logical changes to the draft ToFO OPA such that it can meet its targeted dates for the process of the by-law through the Region and additionally reward the ToFO with timely high quality development going forward.

We remain available to meet on these draft by-law changes anytime.

Yours Truly,



Joseph Dableh, Ph. D., P. Eng.
President

CC;

Mayor Rob Burton, Town of Oakville
Denise Baker, WeirFoulds LLP
Carly Dodds, Town of Oakville
Geoff Abma, Town of Oakville
Lesley Gill Woods, Town of Oakville
Tony Dableh, P. Eng., OGDl
Eldon Theodore, MHBC