

From: Fenghai Sui [REDACTED]
Sent: Tuesday, January 30, 2018 8:56 PM
To: Town Clerk
Subject: Statutory Public Meeting

From: Wu/ Yu Ning and Sui/Fenghai
[REDACTED] Larry Cres
Oakville, ON L6M 0T1
[REDACTED]

To: the Planning and Development Council
Jan. 30, 2018

Dear Friends,

Thank you for invitation to attend and provide input to the meeting hosted by Planning and Development Council.

We hope to build a community center including public library and swimming pools in new area in west of sixth line.

Thanks

Fenghai Sui/Yuning Wu



Virus-free. www.avg.com

[REDACTED]

From: James Xu [REDACTED]
Sent: Thursday, February 01, 2018 4:46 PM
To: Town Clerk
Subject: Opposing Item 4, Section 7.6.5.3 of the Proposed OPA - North Oakville East Secondary Plan

Good afternoon,

My name is James and I am one of the residents in Rural Oakville.

First, I would like to thank you for the opportunity to express my opinion of the Proposed OPA - North Oakville East Secondary Plan.

I am generally happy with the proposal, except item 4, section 7.6.5.3, regarding allowing a bonus up to 4 storeys beyond the maximum permitted building height.

I am opposing it because I feel this actually blocks a lot of the beautiful views of people who live right behind those buildings and especially when the max height is 8 storeys already, adding an extra 4 storeys to that seems a bit too much, and based on the census data you provided, it does not seem necessary to reach the density target by allowing this clause.

Thank you.

Best regards,
James

February 12, 2018

**Mayor and Members of Council
Town of Oakville**
1225 Trafalgar Road
Oakville, ON
L6H 0H3
Attention: Vicki Tytaneck, Town Clerk

MGP File: 16-2471
Your File:

Council@oakville.ca

Dear Mayor and Council:

**RE: North Oakville Secondary Plan
File No. 41.15.56**

RECEIVED
FEB 12 2018
CLERK'S DEPT

I am the planner for the Great Gulf Group of Companies who, under the operating company name of Green Ginger Development Inc., owns lands on the west side of Trafalgar Rd. north of Dundas St. The attached map illustrates the location of my client's lands. Great Gulf Group of Companies as owners and Malone Given Parsons Ltd. as their planners have participated in the Town's lengthy planning and development approval process over the past 20 years. Comments made herein reflect a knowledge of that history and are intended to allow a dialogue with staff to continue prior to Council adopting any amendments to the North Oakville Secondary Plan.

1. **Timing**

The process of consultation with the landowners has not allowed sufficient time for my client to agree to the changes proposed. The Provincial Growth Plan requires municipalities to bring their Official Plans into conformity with the Growth Plan by 2022. There are still 4 years left to perfect these policy changes. The changes proposed by staff will, if built as proposed, create an indelible urban landscape that will endure for years along the main north south avenue in Oakville. We have time to get it right.

2. **Changes Proposed Are Arbitrary and Inflexible**

Staff's proposal to implement the Growth Plan mandated minimum density of 160 persons and jobs within 500m of Trafalgar Road would have a gradation of heights and densities cascading down from 8-15 storeys in the first 100m, 6 storeys from 100m to 300m and 4 storeys beyond 300m. This simplistic control to a complex situation will limit flexibility for design and lead to repetitive and monolithic building forms flanking this important avenue. My client understands that density is necessary to achieve the Growth Plan objectives but good density requires a more thoughtful approach than the arbitrary measures proposed by Town staff.

3. **Some Building Heights Are Impractical**

The proposed minimum heights of 6 and 4 storeys for the interior rows of density are reminiscent of an era when the Ontario Building Code and accessibility requirements didn't exist or were less restrictive. Building 4 and 6 storeys apartments under current codes and regulations is challenging for builders as their costs escalate while market rates are not keeping pace. This practical consideration should be discussed with those you expect to implement the Town's vision to find solutions that can be realized without relying on bonusing.

4. **Prohibiting Stormwater Ponds Within 100m Arterial Roads and Transit Corridors is Contrary to Approved Locations**

The location of stormwater ponds on Green Ginger's property was the subject of detailed study in the Town's subwatershed study. This led to lengthy and detailed negotiations between Green Ginger, the Town, province and Conservation Halton. This resulted in Minutes of Settlement being signed setting out where the ponds are to be located. The Town's efforts to maximize transit accessibility has resulted in a policy that will prohibit stormwater ponds within 100m of arterial roads and transit corridors. If implemented pond locations approved following years of study would have to be moved upstream of their logical and approved locations. This change will require extensive study and new approvals that will delay the delivery of housing and could lead to the Town actually frustrating the achievement of the Growth Plan mandated 2031 population targets.

The preceding are some of the concerns that require further dialogue with staff before Council adopts a revised Secondary Plan. There is plenty of time to "get it right" and I urge Council to direct staff to undertake further consultation on the proposed Secondary Plan.

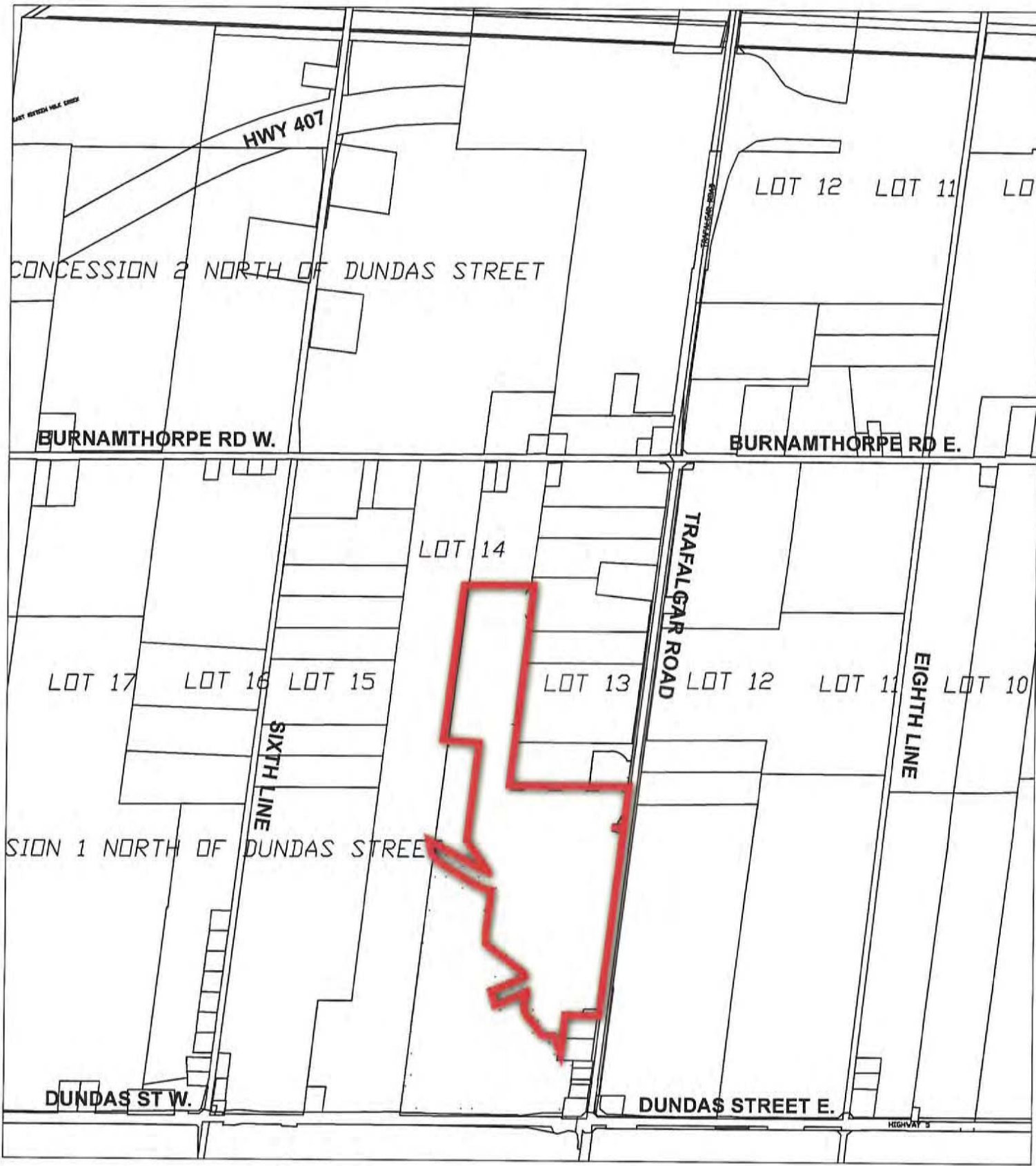
Yours very truly,
MALONE GIVEN PARSONS LTD.




Don Given, MCIP, RPP
dgiven@mgp.ca

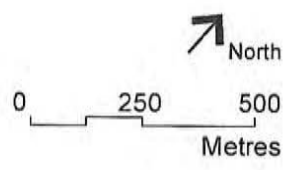
Attachment

cc: K. Schofield
C. Barnett
K. Beckman



**Attachment #1 to Don's Letter
February 12, 2018**

 Green Ginger Lands



February 8th, 2018

Mr. Kirk Biggar, MCIP, RPP
Senior Planner, Policy Planning
Planning Services
The Town of Oakville
1225 Trafalgar Road
Oakville, ON
L6H 0H3

Via email: kirk.biggar@oakville.ca

Dear Mr. Biggar:

**RE: North Oakville East Secondary Plan Review
Our File No. PAR 37825**

Further to your notification of the North Oakville Secondary Plan review December 12, 2017, we offer the following comments.

TransCanada PipeLines Limited (TransCanada) has one high pressure natural gas pipeline crossing the North Oakville East Secondary Plan area. TransCanada is regulated by the National Energy Board (NEB). As such, certain activities must comply with the National Energy Board Act (the "Act") and the National Energy Board Damage Prevention Regulations (the "Regulations").

We request Policy 9.1.10 of Livable Oakville is added to the North Oakville East Secondary Plan as follows:

Any development within 200 metres of a high pressure natural gas pipeline shall be reviewed and subject to appropriate setbacks.

In addition, we request the Town consider the following for inclusion in the Secondary Plan:

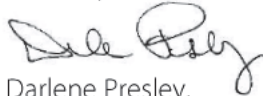
1. Written consent is required by TransCanada prior to undertaking the following activities within 30 metres of the pipeline centreline:
 - conducting a ground disturbance;
 - constructing or installing a facility across on or along the pipeline right-of-way;
 - driving a vehicle, mobile equipment or machinery across the right-of-way; and
 - the use of explosives.
2. The pipeline right-of-way should be dedicated as passive open/green space or parkland, such as part of a linear park system. Features such as, but not limited to, pedestrian pathways may be permitted as

long as they do not impede TransCanada's access along its right-of-way for operational or maintenance activities and are subject to conditions.

3. No permanent building or structure may be located within 7 metres of the pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.

Thank you for the opportunity to comment on the Secondary Plan review. If you have any questions or require any additional information please don't hesitate to contact our office.

Sincerely,



Darlene Presley,
Planning Coordinator
On behalf of TransCanada PipeLines Limited



ZELINKA PRIAMO LTD

A Professional Planning Practice

VIA EMAIL

February 12, 2018

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

Attention: Town Clerk

Dear Sir/Madam:

**Re: Town-Initiated Proposed Official Plan Amendments - North Oakville East
Secondary Plan and North Oakville West Secondary Plan - North Oakville
Secondary Plans Review File No. 41.15.56
Preliminary Comments on Behalf of Choice Properties REIT
Oakville, ON
Our File: CHO/OAK/17-01**

We are the planning consultants for Choice Properties REIT ("CP REIT") for the Town of Oakville initiated Proposed Official Plan Amendments - North Oakville East Secondary Plan and North Oakville West Secondary Plan - North Oakville Secondary Plans Review.

CP REIT is the owner of the existing Fortinos supermarket at 493 Dundas Street West, which is designated "Dundas Street Urban Core Area" under the current North Oakville East Secondary Plan.

On behalf of CP REIT, we have preliminary comments as outlined below and we will continue to review the draft North Oakville East Official Plan Amendment in more detail and may provide further comments as required.

At this time, our preliminary comments are as follows:

- In order to safeguard the existing CP REIT's operations, we respectfully suggest that any revisions to land use permissions should be worded to provide flexibility and/or recognition of all the existing legal permitted development rights, including flexibility for any minor changes or incremental changes over time.

We appreciate your consideration of our comments, and we will continue to participate in the Official Plan Amendment review process. We may provide additional comments as required in the future.

Please also accept this letter as our request for notice or any decision made in respect to this matter. Should you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.



per: Dave Hannam BRP, MCIP, RPP
Associate

cc. Mr. Peter Kulkarni, CP REIT (Via Email)

February 12, 2018

Planning and Development Council
Town of Oakville
1225 Trafalgar Road
Oakville, Ontario, L6H 0H3

Dear Members of Council:

**Re: *Proposed Official Plan Amendments – North Oakville East
Secondary Plan and North Oakville West Secondary Plan – North
Oakville Secondary Plans Review, File No.41.15.56***

We are the planning consultants for Dundas-Trafalgar Inc. and Minto Communities Inc. (herein referred to as “our client”), the owners of lands generally located at the northeast corner of Dundas Street East and Trafalgar Road.

Our client has participated in the passage of a number of planning documents and policies in the Town of Oakville, have worked through the development approvals application process with the Town and currently have development approvals underway with the Town. In addition, two Ontario Municipal Board (OMB) appeals are underway related to zoning by-law amendment applications for lands in the North Oakville East Secondary Plan, including outstanding appeals for portions of the lands municipally known as 3075 Trafalgar Road (OMB Appeals PL170666 and PL131293). The property is part of a larger draft plan of subdivision which was approved in 2014 along with implementing zoning provisions.

We have been following Liveable Oakville (Official Plan) Council Sub-Committee’s North Oakville Secondary Plans Review process, including the recent efforts to enact a Town-initiated proposed Official Plan Amendments (“OPA”) to the North Oakville East Secondary Plan and the North Oakville West Secondary Plan (File No. 42.15.56).

We have undertaken a partial review of the Report to Planning and Development Council including its associated Appendices, dated January 22, 2018, regarding the North Oakville Secondary Plans Review (“the Report”) as well as the earlier reports to the Liveable Oakville (Official Plan) Council Sub-Committee on this matter. We understand that this Report will be presented to Planning and Development Council on February 12, 2018. We have undertaken our review within the broader context of Provincial policies and plans, the Region of Halton Official Plan and the Town’s Official Plan.

It is our opinion that the proposed Official Plan Amendments to the North Oakville East Secondary Plan and the North Oakville West Secondary Plan are not consistent with the Region of Halton Regional Official Plan (2009) and Provincial Policy Statement (2014), nor do they conform to the Growth Plan for the Greater Golden Horseshoe (2017). Specifically, our client has identified concern with the

proposed policies listed below; however, additional issues may be identified at a later date.

1. In our opinion, the proposed Official Plan Amendments are premature. The Report states that development in North Oakville is planned in three successive phases and that the first phase is nearing completion. The Town has indicated that 13% of the planned residential growth and 10% of the planned employment growth has occurred to date in the Secondary Plan area and that the approved development met the minimum policy requirements. Despite this, the Report states that ‘staff is of the opinion that future development could better achieve the community vision, objectives and policy intent of the North Oakville Plans’ and are therefore proposing modifications to the policies. These amendments will fundamentally change the direction of the plan and have not been thoroughly tested or consulted on with stakeholders and the public. For example, the proposed amendment to remove back-to-back and stacked townhouses from the permitted building types from High Density Residential Development was not presented at the Livable Oakville Subcommittee meetings or at the Public Information meeting on December 6, 2017.
2. In the Report, the Town indicates that in accordance with the Growth Plan (2017), the Trafalgar Road corridor is a Major Transit Station Area (“MTSA”) and planned for higher order transit. This assumption is used by the Town as the basis for the proposed amendments related to density and built form types, with the lands designated as Trafalgar Urban Core (“TUC”) and Trafalgar Road Corridor contained within the TUC identified as an MTSA. The Town asserts that this approach conforms to the Growth Plan (2017). However, the Growth Plan (2017) clearly states that it is the responsibility of the upper-tier municipality, in consultation with the lower-tier municipality to delineate the boundaries of MTSA’s. The Town’s proposed amendments, including the delineation of the MTSA, has been prepared in the absence of the Region’s delineation of the MTSA study and therefore does not conform to Growth Plan policies.
3. In revised policy 7.6.4.8.e, the proposed amendment precludes Medium Density Residential Development from within 100 metres of the Trafalgar Road right-of-way in the Trafalgar Urban Core and restricts Medium Density Residential development to less than 30 percent of the total number of units in the area between 100 metres and 300 metres of the Trafalgar Road right-of-way. Further, policy 7.10.13 (Definitions), item l) and item m) revise the list of buildings and permitted uses in Medium Density Residential Development and High Density Residential Development, such that townhouses, back-to-back townhouses, block townhouses and stacked townhouses are proposed to be permitted in only the Medium Density Residential Development land use whereas back-to-back and stacked townhouses are permitted in the High Density Residential Development land use in the in-force Official Plan. There is no demonstration that the housing forms being prohibited are inconsistent with

achieving the stated objective of achieving certain density targets. With the restrictions on the location of Medium Density Residential Development uses, as well as the limits on the permitted built form types in these uses, the proposed amendment does not support Provincial policy direction with respect to a mix of housing types and complete communities.

We are continuing to review the available documentation and can provide supplementary correspondence as required. However, based on the foregoing, it is our opinion that the proposed amendments should not be adopted in their current form. If you have any questions, please do not hesitate to ask the undersigned or Caitlin Allan of our office at (416) 947-9744.

Yours truly,

Bousfields Inc.



Emma West, MCIP RPP

cc. *Michael Foderick, McCarthy Tetrault
Bronwyn Anderson, Minto Communities*



February 12, 2018

GSAI File # 1036-001

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

Attention: Ms. V. Tytaneck - Town Clerk

Dear Ms. Tytaneck

**Re: Livable Oakville Official Plan Review
Commentary on Official Plan Review – North Oakville
3056 Neyagawa Boulevard
Town of Oakville**

Glen Schnarr & Associates Inc. is the planning consultant for the [REDACTED] family, owners of the above noted property and herein referred to as the “subject property.” The subject property is located at the northwest corner of Dundas Street West and Neyagawa Boulevard and is approximately 9.3 acres (3.75 ha) in size. The subject property is adjacent to the Sixteen Mile Sports Complex to the north and the St. Peter and Paul Serbian Orthodox Parish Church (the “Serbian Church”) to the west. As part of the Official Plan review public consultation process, we are pleased to submit comments as they relate to our client’s property and the ongoing review of the Official Plan and associated North Oakville Secondary Plans.

The subject property is currently designated “Dundas Street Urban Core Area” in the Town of Oakville Official Plan, North Oakville East Secondary Plan (the “Secondary Plan”). A “Secondary School Site” overlay designation also applies to the subject property. The School Site overlay designation also applies to the Serbian Church and to 1013 Dundas Street West. The Dundas Street Urban Core Area designation is intended to allow for a mixed-use development at medium and high densities, with a clustering of retail and service commercial uses, with high-density buildings at the intersections of major north/south streets. The Secondary School Site designation is a conceptual designation intended to recognize general potential locations for publicly funded elementary and secondary schools. It is an objective of the Official Plan to locate schools adjacent to parks, community facilities and recreation centres with the intention of maximizing the utility of the land and to allow for the shared use of facilities and spaces.



We understand that the North Oakville Secondary Plan(s) review will include recommendations to remove duplications and inconsistencies with the Livable Oakville Plan and to ensure conformity with Provincial and Regional plans. As we understand matters, the North Oakville Secondary Plan policies will ultimately be consolidated with the Livable Oakville Plan after the conformity exercise and public consultation process is complete. As school site overlays are not found in the Livable Oakville Plan and school sites are generally permitted in all designations in south Oakville, we are formally requesting that the School Sites overlay designation be removed from the North Oakville Secondary Plans and the future consolidated Livable Oakville Plan. This will ensure consistency throughout the Livable Oakville Plan.

As the Livable Oakville Plan was prepared to conform with the Province of Ontario's Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") the update and incorporation of the North Oakville East and West Secondary Plan areas into the Livable Oakville Plan should be consistent with the objectives and requirements of the Growth Plan. The Growth Plan establishes population and employment growth distribution requirements, of which the Region of Halton is expected to accommodate a population growth of 820,000 in the year 2031, 911,000 by the year 2036 and a total population of 1,000,000 persons by the year 2041.

Section 2.2.1 of the Growth Plan establishes intensification criteria for the management and allocation of the forecasted population growth. The vast majority of growth is to be directed to Settlement Areas within the built boundary that have existing or planned municipal and wastewater systems and can support the achievement of complete communities. Municipalities are required to undertake integrated planning to create an urban form that optimizes infrastructure, public services facilities, transit and to create complete communities while allocating the forecasted growth outlined in the Growth Plan. The subject property is located in the "Dundas Street Urban Core Area," an area identified by the Town of Oakville to accommodate medium and high density residential uses, office/retail or mixed use development. Both Dundas Street West and Neyagawa Boulevard are designated "Major Arterial / Transit Corridors" by the North Oakville East Secondary Plan. The Growth Plan encourages intensification along major arterial roads and transit corridors, where they exist currently or are planned. The North Oakville East Secondary Plan currently envisions the subject property for medium and high density residential, commercial or mixed uses. It is our opinion that the Secondary School Sites overlay restricts the development potential of the subject property and as such may limit the accommodation of future growth targets required by the Province.

Furthermore, Section 2.2.2.4 of the Growth Plan states that *"All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout the delineated built up areas which will –*



- a. encourage intensification generally to achieve the desired urban structure;*
- b. identify the appropriate type and scale of development and transition of built form to adjacent areas;*
- c. identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;*
- d. ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
- e. prioritize planning and investment in infrastructure and public service facilities that will support intensification; and*
- f. be implemented through official plan policies and designations, updated zoning and other supporting documents.”*

Given the subject property’s prominent location at the intersection of two major arterial roads, two transit corridors and its location within the Dundas Street Urban Core, significant growth and urbanization should be expected at this location. It is a requirement of the municipality to create official plan policies and designations that are supportive of the intensification target and complete communities. It is our opinion that locating a Secondary School or similar institution at this location would run counter to the objectives of the Growth Plan and the planned urban structure for this area.

We respectfully request that as part of the Official Plan Review process, the Town of Oakville consider removing the School Sites designation from the future consolidated Livable Oakville Plan.

In support of our request, we have attached herewith a concept showing an as-of-right development concept for the subject property. The development concept contemplates 10 residential buildings of up to 8 storeys. The development concept includes a range of residential built forms including mid-rise apartment buildings and rear lane townhouses. The development concept achieves a residential FSI of 2.06. The as-of-right development scenario achieves the maximum building height however does not achieve the maximum FSI of 2.5 which is contemplated in the Dundas Urban Core land use designation. We feel that this concept illustrates the potential scale and urban form envisioned by the Dundas Street Urban Core Area and contributes to the Growth Plan objectives of creating complete communities in areas well served by transit, existing public service facilities and infrastructure.

Additionally, for illustrative purposes, we have prepared a development concept which contemplates the development of the subject property with a higher FSI than what is permitted within the Dundas Urban Core land use designation. The development concept contemplates the development of the subject property with three high-rise residential buildings of 20, 15 and 12

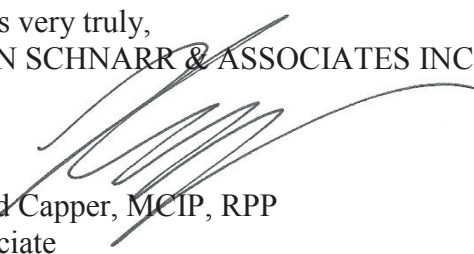


storeys located along Dundas Street and Neyagawa Street. Additionally, the development concept includes two six storey building and rear lane townhouses located in the interior of the site. The development concept achieves a residential FSI of 3.5. The increase in FSI and building height could be achieved through the Town's Bonusing provisions contained in the North Oakville Secondary Plan and the 2006 Parent Town of Oakville Official Plan. We are of the opinion that this development concept represents the highest and best use of the property and assists the Town of Oakville in achieving the aforementioned growth objectives established in the Growth Plan and Provincial Policy Statement. Furthermore, the development concept will assist in achieving the planned residential densities within the North Oakville Secondary Plan area which, as identified by Town Planning Staff, have not been achieved to date.

In summary, it is our opinion that development of either of the attached development concepts would result in a better use of the subject property and one which would be more aligned with the policies contained in the North Oakville Secondary Plan. As such we respectfully request that the north Oakville Secondary Plans be aligned with the Livable Oakville Plan by removing the Secondary School site overlay designation from the North Oakville Secondary Plans and that school sites be permitted generally throughout all land use designations with the exception of Open Space designations.

We thank you for the opportunity to submit comments during the Official Plan review process and we appreciate the Town's consideration of this request. If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,
GLEN SCHNARR & ASSOCIATES INC.



David Capper, MCIP, RPP
Associate

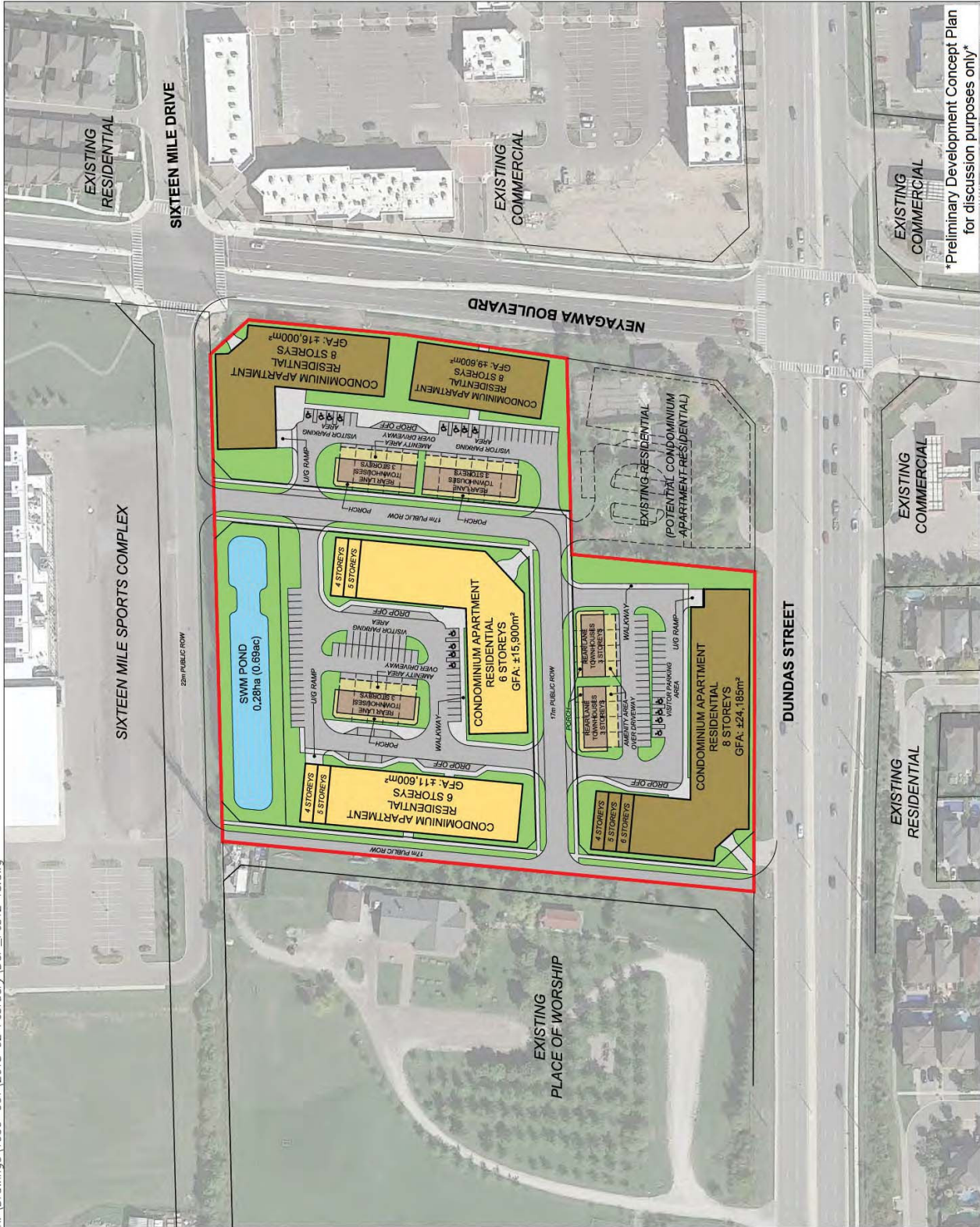
Cc: Dianne Childs, MCIP, RPP, Manager – Policy Planning and Heritage
Kirk Biggar, MCIP, RPP, Senior Planner, Policy Planning

Appendix 1 – As-of-right Development Concept
Appendix 2 – Highest and Best Use Development Concept



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

Appendix 1 – As-of-right Development Concept



*Preliminary Development Concept Plan
for discussion purposes only*



DEVELOPMENT CONCEPT PLAN

3056 NEYAGAWA BOULEVARD
PART OF LOT 21, CONCESSION 1, N.D.S.
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON

Development Statistics

Site Area:
Residential Area: 3.74ha (9.24ac)
SWM Pond Area: 0.28ha (0.69ac)
Road Area: 0.64ha (1.58ac)

Residential Statistics

Total Condominium Apartment GFA: ±77,285m²
Total Rear Lane Townhouses: 24 Units



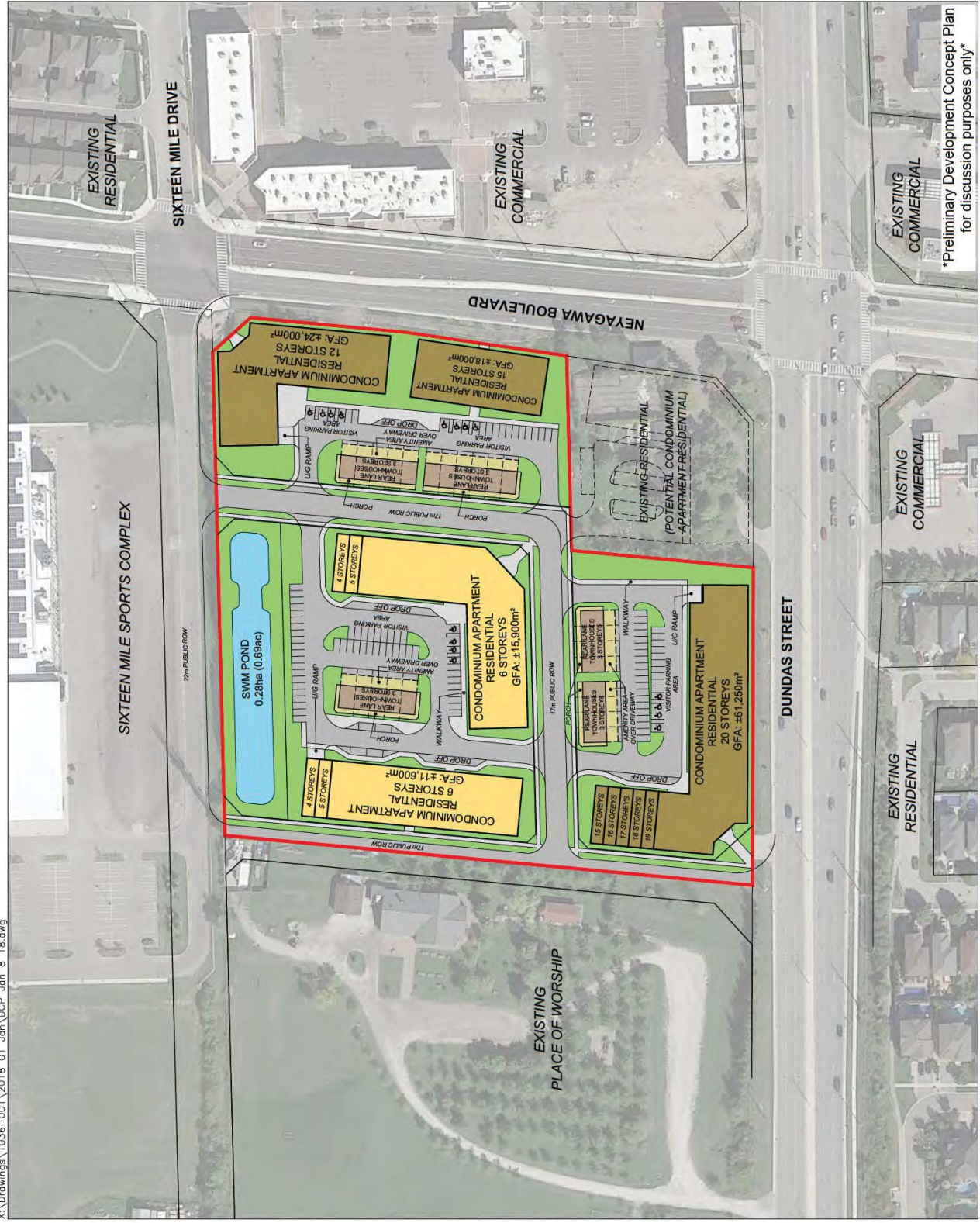
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February 12, 2018

GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNING, LAND DEVELOPMENT CONSULTANTS
SHEPPARD AVENUE EAST, SUITE 201, MARKHAM, ONTARIO, L3R 3K6
TEL: (905) 476-8888 FAX: (905) 476-8994 www.gsa.ca



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

Appendix 2 – Highest and Best Use Development Concept



*Preliminary Development Concept Plan
for discussion purposes only*



DEVELOPMENT CONCEPT PLAN

3056 NEYAGAWA BOULEVARD
PART OF LOT 21, CONCESSION 1, N.D.S.
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON

Development Statistics

Site Area:
 Residential Area: 3.74ha (9.24ac)
 Residential Area: 2.82ha (6.97ac)
 SWM Pond Area: 0.28ha (0.69ac)
 Road Area: 0.64ha (1.58ac)

Residential Statistics

Total Condominium Apartment GFA: ±130,750m²
 Total Rear Lane Townhouses: 24 Units



Scale 1:1500
January 8, 2018



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNING, LAND DEVELOPMENT CONSULTANTS
SUITE 200 25 BRIDGEWOOD CIRCLE
MISSISSAUGA, ONTARIO L4R 3K6
TEL: (905) 566-0888 FAX: (905) 566-0874 WWW.GSIC.COM

Scott Snider
Professional Corporation
15 Bold Street
Hamilton Ontario Canada L8P 1T3
Receptionist 905 529 3476 (905 LAW-FIRM)
Facsimile 905 529 3663
ssnider@tmalaw.ca

February 12, 2018

Email to: townclerk@oakville.ca

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

Attention: Mayor Rob Burton and Town of Oakville Council Members

**Re: Proposed Official Plan Amendment for North Oakville East Secondary Plan – Planning and Development Council Statutory Public Meeting, Monday, February 12, 2018
Bressa Developments Limited, Dunoak Developments Inc., Graydon Banning Ltd., Pendent Developments Limited, Lower Fourth Limited, 1564984 Ontario Limited, 404072 Ontario Limited, The Bar West Realty Corp., Hulme Developments Limited
Mattamy Development Corporation
Our File No. 13260**

We are counsel to Bressa Developments Limited, Dunoak Developments Inc. and Graydon Banning Ltd. ("Mattamy"), which have current applications in front of the Ontario Municipal Board ("Board" or "OMB") for approval. Mattamy has ownership of additional properties in North Oakville that are not appealed to the OMB. Mattamy is also an active member of North Oakville Community Builders Inc. ("NOCBI").

We are writing in respect of the proposed Official Plan Amendment ("OPA") for the North Oakville East Secondary Plan ("NOESP"). According to the Town's Notice of Statutory Public Meeting, we understand the purpose of the OPA is *"to implement policy directions focused on areas of concern to be addressed in the short-term through the North Oakville Secondary Plan Reviews."*

The Town's "short-term" approach is premature, with little consideration of any engineering or environmental work that has been undertaken over the past decade with the Town, Halton Region and the Conservation Authority.

REQUEST

As noted in the staff report, there were a number of meetings held with NOCBI to review concerns prior to this OPA coming forward. It is not clear how staff have integrated the extensive background material provided at those meetings. As a result, we see a number of outstanding technical and policy issues that have not been properly considered and that could have unintended consequences for planning in the NOESP area. As such, it is our request that Council direct staff to continue to discuss the various outstanding issues with NOCBI with the goal of refining or amending the proposed amendments to the NOESP area.

DISCUSSION

Our clients own nine properties within the NOESP, three (3) of which are subject to OMB appeals. Three landowners filed plan of subdivision and re-zoning applications: Bressa's applications were deemed complete on October 30, 2012, Dunoak's on October 30, 2012 and Graydon Banning's on November 19, 2015. All of the applications were appealed to the Board on May 30, 2017. The Board has already conducted prehearings for all of the appeals and there are Board Orders for each setting out a process for either resolving or clarifying the issues with respect to each property.

Clearly these current appeals must be resolved based on the in force NOESP policies: all of the applications, including their supporting studies, were submitted based on the existing NOESP policies. Mattamy's environmental impact report ("EIR") is virtually complete after more than 3 years of time and effort. The proposed policy would almost certainly result in major amendments to this work further delaying development in an area that is already lagging behind the Region's Best Planning Estimates ("BPE's") as well as the target dates established in the Region's Allocation Agreements. Furthermore, there are Minutes of Settlement between our clients and the Town that reflect very lengthy and detailed settlement discussions as part of the resolution of the NOESP appeals. At least some of the proposed changes would be inconsistent with the Minutes of Settlement.

Nevertheless, the concerns set out below apply generally to the overall development of the proposed amendments to the NOESP.

The proposed OPA for the NOESP raises the following specific concerns:

Stormwater (7.6.2.2):

The proposed change to restrict stormwater management ("SWM") facilities from locating within 100m of Arterial/Transit Corridors in the Trafalgar, Dundas and Neyagawa Urban Core areas raises several unanswered questions. There appears to be no technical engineering work provided to support this amendment. If it was prepared it has not been made available publicly. In addition, this proposed policy change does not appear to have taken into consideration the extensive work completed and approved in the Subwatershed Study ("SWS") as required in Policy 7.6.2.2. It is unclear if the NOESP will still meet the objectives and directions set out within the SWS with this new policy.

This policy change also raises a number of other significant technical questions such as:

- How are Region of Halton storm water requirements for accommodating drainage from these major roads to be addressed? In all instances, the Region (and Town) require the Dundas Street ROW drainage to be accommodated within SWM ponds on adjacent development lands. Locating the SWM Pond 100m upstream of Dundas Street would require conveyance of the Dundas Street road drainage 100m north to the SWM pond and require an additional 100m of SWM Pond outlet piping to convey the pond controlled flows back to the outlet at Dundas Street. All of this infrastructure is to be ultimately owned by the municipality upon assumption and as such the policy may have negative impacts on taxpayers through increased maintenance and replacement costs.
- Will the policy be contrary to Environmental Assessments that have already been completed? For instance, the Region of Halton through the Environmental Assessment for Dundas Street, William Halton Parkway and Trafalgar Road has stormwater management ponds proposed within 100m of these major arterial roads. How will this process be impacted by this change?
- How much development land will be lost and what will the implications be for accommodating projected growth? The most efficient use of infrastructure and preserving land for development purposes is to locate the SWM Pond facilities at the lowest point in the drainage system which is adjacent to Dundas Street. The additional infrastructure described above will require additional lands in the form of easements or drainage blocks. Greater drainage distances may necessitate larger SWM facilities.
- How will the policy affect technical and urban design issues? Technical design advantages for storm flow may be lost by creating this stringent and arbitrary distance requirement where water must now drain uphill. This would almost certainly create cascading issues, such as for grading and servicing including the need for extensive placement of fill along Dundas Street which has a whole host of other urban design and site plan implications.
- What are the implications for open space policies as SWM facilities are part of the Natural Heritage System?

Height/Density Requirements – Dundas Urban Core (7.6.5.3):

The maximum density set out within Section 7.6.5.3(b) needs to be increased to correlate with the increase in height permissions in a similar manner to the revisions proposed to the Trafalgar Urban Core area policies. Clarification is also required as to how this policy will work within the context of the bonusing policies of the 1984 Official Plan as the bonusing policies of the Livable Oakville Plan do not apply to North Oakville.

Lack of Flexibility:

It is possible that some of the concerns raised with the proposed amendments could be addressed if the OPA created greater flexibility. As currently written, it is extremely prescriptive in terms of how the Town will require achievement. This could limit the ability to achieve a complete community with a true range and mix of housing forms and unit sizes.

Location of Commercial Designations in the Nodes (7.6.7.1):

The Neighbourhood Area policies propose a mandatory requirement for a minimum of one “*mixed use or single use commercial building*” despite prior agreement with Town staff that previous commercial lands studies did not look into the issues of commercial uses in North Oakville in sufficient detail. This change is premature prior to further work being completed.

A single commercial use may not be viable and broader study is required prior to requiring commercial uses. “Mixed Use” in the Nodes has been added and it should be clarified if this will allow for “live/work” units which use category has been deleted. This term should be defined to clearly include live/work.

Medium-Density Definition (7.10.13(D)):

One of the consequences of this proposed change is the land use permitted within the Neighbour Centre Areas, which are long narrow stretches along the local collector network. The effect of this definition change is to limit the built form to townhouses and rear-lane townhouses. With the introduction of all these townhouses on collector roads, there will be many single car driveways on units with limited frontage (ie. approx. 6.0m in proximity) creating many conflicts in traffic movement and on-street parking challenges. Collector roads in many instances serve as transit routes. Has the Town considered the potential traffic or safety impacts of all of these cars entering and exiting driveways on collector roads? Have any of these policy changes been vetted through the Town’s engineering staff who have traditionally been very active in promoting safe movement, on-street parking, traffic calming techniques and public and private traffic patterns?

Permitting only townhouses and rear-lane townhouses on local collector roads can impact and restrict grading. Townhouse units and rear-lane townhouse units are typically grade intolerant housing product, and the preference for adjacent road slopes is 1.5% or less. If road slopes exceed 1.5% there are issues with driveway slopes being too shallow at one end of the townhouse block and too steep at the other end of the block. Long stretches of road with only townhouses or rear-lane townhouses that have road grades exceeding 1.5% will also lead to the foundations of units having to be stepped much more frequently, which creates both urban design issues and the possible need for retaining wall(s). Prescribing townhouses and rear-lane townhouses on collector roads will also restrict how those roads are graded. A mix of units generally helps to transition slopes. Has the Town considered how creating long corridors of grade intolerant housing product may impact the ability to effectively complete grading design? From an urban design perspective, having only one dominant built form along a long, continuous street front is not desirable.

High-Density Definition (7.10.13(m)):

Stacked Townhouses should not be removed from the high density definition as they are built at a density that is considered a high density residential use. With the proposed addition of apartments to the medium density category as a permitted use, there will be overlap in the built form within the definitions. This policy change to the high density definition is inconsistent and requires more flexibility.

Further to the issues identified herein, we are respectfully requesting that the Town defer consideration of the proposed OPA. Our clients are committed to meeting with Staff and engaging in meaningful dialogue to find appropriate solutions for Staff's concerns with the current policy framework.

By way of this correspondence, we are requesting future notice, including Notice of all Committee and Council meetings where the proposed OPA will be considered and any related decisions.

If you have any questions, please do not hesitate to contact us.

Yours truly,



Scott Snider

cc: Kirk Biggar, Senior Planner, Planning Services Department
G. Gregoris and M. Dickie, Mattamy Corp.

SS:sk:nd
13260/10

February 12, 2018

VIA COURIER AND E-MAIL

Mayor and Members of Council
Corporation of the Town of Oakville
Oakville Town Hall
1225 Trafalgar Road
Oakville, Ontario
L6H 0H3

Your Worship and Members of Council:

**Re: Statutory Public Meeting for Proposed Official Plan Amendments to the North Oakville East Secondary Plan
North Oakville Secondary Plans Review**

We are counsel to Star Oak Developments Limited, Mel-Oak Developments Inc., and Mel-Oak Developments (North) Ltd., all of whom are owners of land within the North Oakville East Secondary Plan area ("NOESP"). All three of our clients are members of the North Oakville Community Builders Inc., which has as a whole, expressed concerns with the proposed Official Plan Amendments to the NOESP, in a letter sent by Kim Beckman of Davies, Howe on behalf of the entire group. We adopt and support the concerns expressed by Ms. Beckman in her letter on behalf of the development community in North Oakville.

Our clients have serious concerns with the proposed OPAs in their current form, and we would respectfully ask that Council not proceed to consider any amendments to the NOESP until there has been further opportunity for consultation between the affected landowners and Town staff, that would hopefully result in revisions to the proposed amendments as they now stand.

We can advise that Mel-Oak Developments Inc. and Mel-Oak Developments (North) Ltd. own properties that are within the Trafalgar Urban Core Area designation, and that front onto the west side of Trafalgar Road between Dundas Street East and Burnhamthorpe Road East. Both of these parcels are directly impacted by the proposed prohibition on stormwater management facilities within 100 metres of Trafalgar Road and various transit corridor roads. It is also not clear to our clients what exactly an "Arterial/Transit Corridor" refers to.

Royal Building
277 Lakeshore Road East, Suite 211
Oakville ON L6J 1H9



Toronto Meeting Rooms
Brookfield Place, 161 Bay Street, Suite 2700
Toronto ON M5J 2S1

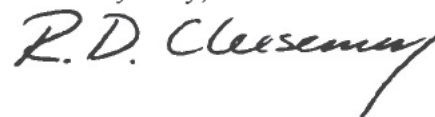
Storm Water Management Pond 29, is proposed to be located on the Mel-Oak Developments Inc. property, which is consistent with the approved North Oakville East Creeks Subwatershed Study and the North Oakville East Master Plan. As you are aware, Pond 29 has been through a rigorous Environmental Implementation Report/Scoped Stormwater Management Study, which has taken place over the past six (6) years, and which has had input from the appropriate staff of the Town of Oakville, Region of Halton and Halton Region Conservation Authority. The culmination of that detailed review was the approval of the East Morrison Creek Tributary (EM4) EIR/SWM report by the Town of Oakville and Conservation Halton, and resulted in the location of SWM Pond 29 on the Mel-Oak Developments Inc. property. It is this location that is now arbitrarily being disallowed by the proposed OPA. This arbitrary action is being made contrary to many years of cooperative efforts by the private and public sectors, and is being made without regard to the recommendations of the approved subwatershed study, and contrary to the EIR/SWM report. This is totally unacceptable to our clients.

Mel-Oak Developments Inc. and Mel-Oak Developments (North) Ltd.'s properties are also directly impacted by the proposed Trafalgar Urban Core Area OPAs. Our clients are concerned that the proposed policy changes have not been sufficiently analysed by Oakville staff, and that they have in fact been hastily drafted without sufficient consideration of what the unintended consequences might be. We believe that the proposed OPA should be revisited by Town staff with the input from North Oakville landowners.

Star-Oak Developments Limited owns property south-west of the intersection of Sixth Line and Burnhamthorpe Road West which is designated for Neighbourhood Centre Area uses, and shares a central activity node. Our client believes that the policy revisions proposed for the central neighbourhood node and the Neighbourhood Centre Area need further discussion among the affected landowners, and need to be validated by further research by Town staff to bring forward a comprehensive commercial/retail strategy for the North Oakville East Community.

We trust that the foregoing is clear, and that you will take our clients' concerns into account in your deliberations at the public meeting. If you have any questions or require any clarification, please do not hesitate to contact the undersigned.

Yours very truly,



Russell D. Cheeseman

cc. Mr. Silvio Guglietti (via e-mail)
Adam Cairns (via e-mail)
Mr. David Faye (via e-mail)

February 12, 2018

By E-mail to TownClerk@oakville.ca

Mayor Rob Burton and Members of Town Council
c/o Town Clerk
Corporation of the Town of Oakville
Oakville Town Hall
1225 Trafalgar Road
Oakville, Ontario
L6H 0H3

Dear Mayor Burton and Council:

**Re: Statutory Public Meeting for proposed Official Plan Amendments to the
North Oakville East Secondary Plan
North Oakville Secondary Plans Review**

We are counsel to North Oakville Community Builders Inc. ("**NOCBI**"), the trustee representative of the North Oakville East Developers Group (the "**Group**") made up of the owners (the "**Landowners**") of the majority of the lands located within the North Oakville East Secondary Plan area ("**NOESP**"). Each individual Landowner is listed in Schedule "A" to this letter.

The proposed Official Plan Amendments to the NOESP (the "**Proposed OPAs**") were released on January 23, 2018, and the Group has thus far had one meeting with Town Staff since the text of the Proposed OPAs was released. Despite the limited opportunity to engage with Town Staff, the Group has been advised that the final form of the Proposed OPAs may be brought forward to Council for adoption as early as April.

The Group has serious concerns with the Proposed OPAs in their current form, and asks that Council not proceed to consider any amendments to the NOESP until there is an opportunity for further dialogue among the Landowners and Town Staff to consider appropriate revisions to the Proposed OPAs.

Many of the Proposed OPAs, in their current form, would have a profound impact on the ability of many of the Landowners to develop their lands, and on the overall development of the NOESP. Moreover, some of the Proposed OPAs appear to give little or no consideration to more than a decade's worth of comprehensive engineering and environmental work that has been undertaken by the Landowners collectively with the Town, the Region, Conservation Halton and other government agencies.

Without limitation, some of the concerns of the Group with regard to the Proposed OPAs are summarized below:

1. The Proposed OPAs that would prohibit any stormwater management facility from being located within 100 metres of most Arterial/Transit Corridors and Urban Cores raises major concerns, including:
 - a. The NOESP requires stormwater management facilities to be located in accordance with the directions established in the North Oakville Creeks Subwatershed Study and more than 10 years of environmental and functional servicing work that has been (and is still being) undertaken on this basis. The proposed policy is certain to be inconsistent with the requirements of the North Oakville Creeks Subwatershed Study, and would similarly be inconsistent with many environmental impact reports and functional servicing studies that have been completed or are ongoing.
 - b. There is no engineering or technical basis for the requirement. In fact, the proposed policy is likely to create serious issues of compliance with technical requirements and policies, including compliance with Regional storm control requirements and overland flow impacts.
 - c. The proposed policy does not provide for any flexibility on a case-by-case basis to consider solutions that could address the policy objectives in another manner.
 - d. The proposed policy does not reflect the terms contained comprehensive Minutes of Settlement that the Town entered into prior to the approval of the NOESP. Those Minutes of Settlement expressly addressed the location of stormwater management facilities within the NOESP.
2. The Proposed OPAs that alter the definition of “Medium Density Residential” and impose minimum height and density requirements are rigid and do not allow for any flexibility to consider the nuance of a specific site or area. There are opportunities to achieve the Town’s density requirements with many types of housing product, but the Proposed OPAs provide no flexibility in this regard due to the corresponding height requirements. Paradoxically, this will result in a lack of housing diversity in affected areas and could have significant negative impacts on the Town’s stated urban design objectives.
3. The Proposed OPA that would make it mandatory to include mixed use or commercial buildings in each Neighbourhood Activity node is not commercially viable. In prior consultations with the Town, the Landowners have repeatedly stated this fact, and the need for the Town’s commercial study to look at the

issue for the NOESP in depth. The Proposed OPA would be premature in advance of the completion of this analysis.

4. Generally, the Proposed OPAs are arbitrary and have been produced without adequate supporting analysis or studies, and without due consideration being given to the significant amount of background information that has been provided to the Town by the Landowners. This is particularly concerning given that many of the Proposed OPAs are completely rigid and provide no flexibility.
5. It is unclear how the Proposed OPAs might be implemented for development plans that are currently in process and/or being pursued. The proposed changes are substantial, and clarity with regard to the potential impact on current developments is imperative.

For all of the above reasons, NOCBI asks that the Town commit to further review, analysis and meaningful dialogue with the Landowners before any further steps are taken with regard to the Proposed OPAs.

Yours truly,
DAVIES HOWE LLP



Kimberly L. Beckman

copy: North Oakville East Developers Group
Ruth Victor and Associates

Schedule "A"
North Oakville East Developers Group

HULME DEVELOPMENTS LIMITED
PENDENT DEVELOPMENTS LIMITED
LOWER FOURTH LIMITED
GRAYDON BANNING LTD.
BRESSA DEVELOPMENTS LIMITED
DUNOAK DEVELOPMENTS INC.
404072 ONTARIO LIMITED
1564984 ONTARIO LIMITED
MATTAMY (KAITTING) LIMITED
THE BAR WEST REALTY CORP.
DAVIS-MINARDI HOME CORP.
DOCASA GROUP LTD.
SHERBORNE LODGE DEVELOPMENTS LIMITED
SHIELDBAY DEVELOPMENTS INC.
TRIBADEN INVESTMENTS INC.
TIMSIN HOLDING CORP.
RIVER THAMES BUILDING GROUP CORP.
EVERTON GATES CAPITAL CORP.
FLAVIA HOMES CORP.
RULAND PROPERTIES INC.
ENO INVESTMENTS LIMITED
OAKVILLE 23-2 INC.
STAR OAK DEVELOPMENTS LIMITED
MEL-OAK DEVELOPMENTS INC.
MEL-OAK DEVELOPMENTS (NORTH) LIMITED
GREEN GINGER DEVELOPMENTS INC.
REDOAK G & A INC.
CAPOAK INC.
EMGO (NORTH OAKVILLE I) LTD.
ARGO (WEST MORRISON CREEK) LTD.
1816985 ONTARIO INC.
1816986 ONTARIO INC.
DUNBURN DEVELOPMENTS LIMITED
DUNDAS-TRAFALGAR INC.
SIXTH LINE CORPORATION
BURNHAMTHORPE/OAKVILLE HOLDINGS INC.
DIGRAM DEVELOPMENTS OAKVILLE INC.
BRANTHAVEN BURNHAMTHORPE INC.
TWKD DEVELOPMENTS INC.
TRAFALGAR ROAD (OAKVILLE) DEVELOPMENTS LIMITED
NORTH WEST OAKVILLE HOLDINGS INC.
MARTILLAC ESTATES INC.
103 DUNDAS CORPORATION
NORTH OAKVILLE COMMUNITY PARK INC.

HUMPHRIES PLANNING GROUP INC.

Celebrating 15 years 2003-2018

February 12, 2018
HPGI File: 16435

By E-Mail to townclerk@oakville.ca & kirk.biggar@oakville.ca

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

Attention: Kirk Biggar, Senior Planner
Vicki Tytaneck, Town Clerk

**Re: Comment Letter - North Oakville Secondary Plans Review
Statutory Public Meeting for proposed Official Plan Amendments to
the North Oakville East Secondary Plan
1359 Dundas Street West - Martillac Estates Inc.**

On behalf of Martillac Estates Inc., the owner of 1359 Dundas Street West, Humphries Planning Group Inc. (HPGI) is submitting comments on the proposed Official Plan Amendments (OPA's) to the North Oakville East Secondary Plan area (NOESP).

We note that a new draft policy has been introduced, specifically 7.6.5.3 - Dundas Urban Core:

b) Increases of up to 4 storeys beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.

Urban Core Designations within the plan are to reflect the most urban part of the NOEP and are to provide for the densest development and the highest order activities.

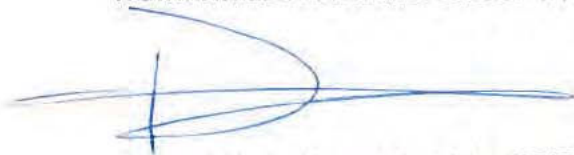
The subject site is located within the Dundas Urban Core and is 200m from the Health Oriented Mixed Use area and 600m from the Oakville Trafalgar Memorial Hospital. Given its location, official plan policy criteria along with more recent provincial policy direction, it is our opinion that greater height permissions should be provided for in the Dundas Urban Core Area designation as of right. Further to such, with the understanding that the Trafalgar Urban Core is intended to be the focus of the Core designation it is also appropriate to ensure that proposed height and density increases remain respectful of such.

Given the above noted considerations, it is appropriate to provide for a height permission for the subject site that allows building heights up to 12-15 stories or more that will facilitate the development of high density housing forms with the provision for bonusing (4 stories), subject to Section 7.10.2.

The accommodation of the additional height as being requested is reflective of good planning principles and will provide for greater flexibility in terms of delivering a more diversified housing product which is also referenced as an urban design objective in the NOESP.

Should you have any questions feel free to contact the undersigned at extension 244.

Yours truly,
HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP
President

cc. Martillac Estates Inc.

February 12, 2018

BY EMAIL

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

Attention: Ms. Vicki Tytaneck, Town Clerk

Dear Mr. Mayor and Council Members:

***Re: Proposed Amendments to the North Oakville West Secondary Plan
Town of Oakville Official Plan Amendments (File No. 41.15.56)***

We are planning consultants to Newmark Developments Limited (Rosko/Finer Group) ("Newark"). Newark owns land known municipally as 3069 Dundas Street West in the Town of Oakville, which generally comprises the majority of the northwest quadrant of the intersection of Bronte Road and Dundas Street West, extending up to Highway 407 (the "Newmark Lands").

Newmark remains a site-specific appellant of OPA 289 (North Oakville West Secondary Plan), OPA 306 (Palermo Village North Urban Core Area), and ROPA 38 (Sustainable Halton). All of these appeals are currently adjourned sine die to allow Newark to consult directly with Town Staff regarding the development potential of the Newmark Lands.

We have received notice of the proposed official plan amendment (OPA's) to the North Oakville West Secondary Plan. Our client is concerned about the potential impact the amendments will have in the context of the above-noted appeals and the development potential of the Newmark Lands.

Our client had previously submitted detailed comments to the Town in respect of its Urban Structure OPA. Our client's submission in this regard is attached. Many of the issues raised in that submission remain issues for our client for any proposed amendments to the North Oakville West Secondary Plan as part of the Town's ongoing Official Plan Review. We would be pleased to discuss these issues with Town Staff to continue our ongoing dialogue concerning the future development of the Newmark Lands.



Please ensure that our office is provided with notice of any future Committee or Council meetings concerning the proposed amendments.

Yours very truly,

Bousfields Inc.

A handwritten signature in black ink, appearing to read 'L. Tinker', is written over a light grey circular watermark.

Louis Tinker, MCIP, RPP

cc: *Michael Shapira – Newmark*
Peter Smith – Bousfields
Steve Zakem – Aird & Berlis
Patrick Harrington – Aird & Berlis

AIRD BERLIS

Patrick J. Harrington
Direct: 416.865.3424
E-mail: pharrington@airdberlis.com

September 19, 2017

BY EMAIL

Our File No. 104079

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

Attention: Ms. Vicki Tytaneck, Town Clerk

Dear Ms. Tytaneck:

**Re: Written Submission by Newmark Developments Ltd. (Rosko/Finer Group)
Town of Oakville Official Plan Amendments
Urban Structure Review (File No. 42.15.52)**

We act on behalf Newmark Developments Ltd. (Rosko/Finer Group) ("Newmark"). Newmark owns land known municipally as 3069 Dundas Street West in the Town of Oakville, which generally comprises the majority of the northwest quadrant of the intersection of Bronte Road and Dundas Street West, extending up to (and beyond) Highway 407 (the "Newmark Lands").

Newmark remains a site-specific appellant of OPA 289 (North Oakville West Secondary Plan), OPA 306 (Palermo Village North Urban Core Area), and ROPA 38 (Sustainable Halton). All of these appeals are currently adjourned *sine die* to allow Newmark to consult directly with Town Staff regarding the development potential of the Newmark Lands. While these discussions remain ongoing, Town Staff have indicated a desire to process the outcome of the Town's employment and commercial lands study (undertaken as part of the larger Urban Structure Review) before making any final determinations respecting the Newmark Lands.

We note that the Urban Structure Review has now progressed to recommended draft Official Plan Amendments to Livable Oakville. Appendix C to the draft Official Plan Amendment to Livable Oakville, which is attached to a report to Planning and Development Council dated September 12, 2017, presents the new "Schedule A1 - Urban Structure" for the Town. Schedule A1 shows a number of identifications¹ and overlays that are proposed to apply to the Newmark Lands, including the following:

¹ We say "identifications" because the proposed OPA makes it clear that the urban structure elements being added to Livable Oakville "are not intended to be land use designations".

1. **Employment Areas** – The underlying identification of the northwest quadrant of Bronte Road and Dundas Street West (including the Newmark Lands) is proposed to be *Employment Areas*. However, the other three quadrants to this important intersection are identified as *Nodes and Corridors* (associated with Palermo Village).

Submissions:

- a. Lands identified as *Employment Areas* “are generally located along the provincial highways” and are intended for a mix of employment uses including manufacturing, warehousing, offices, and associated retail and ancillary facilities. The Newmark Lands are well separated from accesses to the provincial highways and are functionally more related to Dundas Street West, Bronte Road, and the Palermo Village. As previously expressed to the Town and the Region, Newmark submits that identifying all of the Newmark Lands as *Employment Areas* represents a significant underutilization of the site and a lost opportunity to realize important provincial policy goals regarding transit-supportive uses and densities.
 - b. Lands identified as *Nodes and Corridors* are described as key areas that the Town has identified as the focus for mixed use development and intensification. Newmark submits that *Nodes and Corridors* would be a more appropriate identification for the Newmark Lands and would be consistent with the other three quadrants of Bronte/Dundas. We note that the intersection of Trafalgar/Dundas, which is also identified as *Nodes and Corridors* (Uptown Core), has all four quadrants so identified. It is not clear why the Newmark Lands in the northwest quadrant of Bronte/Dundas is the lone quadrant proposed to be treated differently.
2. **Nodes and Corridors For Further Study** – Schedule A1 shows a *Nodes and Corridors For Further Study* overlay applying to a radius surrounding the intersection of Bronte/Dundas. A portion of the Newmark Lands is included within this overlay despite its underlying identification as *Employment Area*. The legend to Schedule A1 also contains the following note: “*In addition, the south side of Dundas is recognized as having the potential for intensification subject to further study to more precisely delineate the extent of such areas.*”

Submissions:

- a. The “note” should be expanded to include the northwest quadrant of Bronte/Dundas, thereby incorporating the Newmark Lands. The lands north of Dundas on the east side of Bronte are subject to the same *Nodes and Corridors* identification and the same *Nodes and Corridors For Further Study* overlay as the lands south of Dundas. The “note” should therefore apply to lands within the entire radius.

3. **Proposed Regional Transit Node** – Schedule A1 shows an additional radii around the Bronte/Dundas intersection denoting a *Proposed Regional Transit Node*. This appears to be the only *Proposed Regional Transit Node* in the Town.

Submissions:

- a. Newmark is generally supportive of locating a Regional Transit Node on or proximate to the Newmark Lands. We submit this makes the Newmark Lands a superior candidate for mixed use, transit-supportive development as opposed to a pure *Employment Areas* use.

4. **Transit Priority Corridor** – Schedule A1 identifies both Dundas Street West and Bronte Road as *Regional Transit Priority Corridors*. Proposed policy 3.12 indicates that *Regional Transit Priority Corridors* provide a key focus for *transit-supportive* development.

Submissions:

- a. The 2017 Growth Plan defines *transit-supportive* as follows:

Relating to development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Transit-supportive development will be consistent with Ontario's Transit Supportive Guidelines.

- b. The Newmark Lands are at the corner of two *Regional Transit Priority Corridors* and are within the Town's only *Proposed Regional Transit Node*. The Newmark Lands are accordingly an ideal candidate for increased mixed-use densities to take advantage of local and regional investments in transit along these roads. To reserve the entirety of the Newmark Lands solely for employment development is a sub-optimal plan that does not further provincial policies respecting higher-density, mixed-use development on and near transit priority corridors.

5. **Natural Heritage System** – Schedule A1 continues to show a natural heritage connection originating on the east side of Bronte Road and crossing the Newmark Lands at its mid-point.

Submissions:

- a. There are no land forms, functions or features on this portion of the Newmark Lands that support the proposed NHS linkage. Absent evidence of any environmental feature associated with this portion of the Newmark Lands, our client asks that the NHS identification be removed.

Please ensure that our office is provided with notice of any future Committee or Council meetings concerning the Urban Structure Review so that we may understand how our client's submissions are being processed by staff and received by Town Council. Please also add our office to the circulation list for notice of all OPAs adopted by Town Council as part of the Urban Structure Review.

Yours truly,

AIRD & BERLIS LLP



Patrick J. Harrington
PJH/np

cc M. Shapira, Newmark Developments Ltd. (Rosko/Finer Group)
P. Smith, Bousfields
S. Zakem, Aird & Berlis LLP
K. Biggar, Senior Planner, Town of Oakville

29824813.3

AIRD BERLIS



March 9, 2018

via e-mail only

Council
c/o Town Clerk
Corporate Services Department
Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

Re: North Oakville Secondary Plans Review (NOSPR)

Dear Mayor Burton and Council,

Metropolitan Consulting Inc. (Metropolitan) represents Kaybot Holdings Inc. (KHI), owners of land north of Burnhamthorpe Road and east of Trafalgar Road located within the North Oakville East Secondary Plan (NOESP) area (see attached map). We have had the opportunity to review the draft Official Plan Amendment (OPA) for the NOESP and, while generally supportive of the changes being proposed, have some concerns as well. We have also reviewed various staff reports on the NOSPR which were presented to the Planning and Development Council meeting on February 12, 2018, and the Livable Oakville (Official Plan) Council Sub-committee on November 6, 2017 and May 15, 2017, as well as the staff reports on the Employment and Commercial Review (E&CR) presented to the Planning and Development Council meeting on November 6, 2017, and Livable Oakville (Official Plan) Council Sub-committee (LO(OP)CS) meetings on March 21, 2016, September 6, 2016 and November 1, 2016.

As noted on the attached map, the KHI property is designated "Employment District" in the NOESP. While the proposed OPA deals primarily with the "Trafalgar Urban Core Area" designation, the property is within 500 metres of Trafalgar Road (± 370 metres) and, as a result, similar policy changes as proposed in Section 7.6.4.8 of the draft OPA, which would require a minimum of 4 storeys for development beyond 300 metres of Trafalgar Road, should be considered when the future OPA is drafted for the employment lands.

In addition, as noted in the various reports on the E&CR, consideration should be given to allowing for a broader range of amenities (i.e. personal and professional services) within employment areas and designating additional "Business Commercial" lands along major arterial roads including along the new Burnhamthorpe Road (William Halton Parkway). The KHI property is located on the south side of the future William Halton Parkway.

Finally, as noted in Policy 7.7.2.1b) of the NOESP, there should be flexibility in establishing the exact location of the Avenue/Transit Corridor that is east of and running parallel to Trafalgar Road so that it abuts the western boundary of the KHI property. In addition, due to the limited size of the property, the proposed road shown on the North Oakville Master Plan (Appendix 7.3) should be eliminated.

Your consideration of these concerns would be greatly appreciated and we look forward to working with the Town in the future to resolve these concerns. We request that we be notified of any future meetings on the matter and that we receive notice of any decisions.

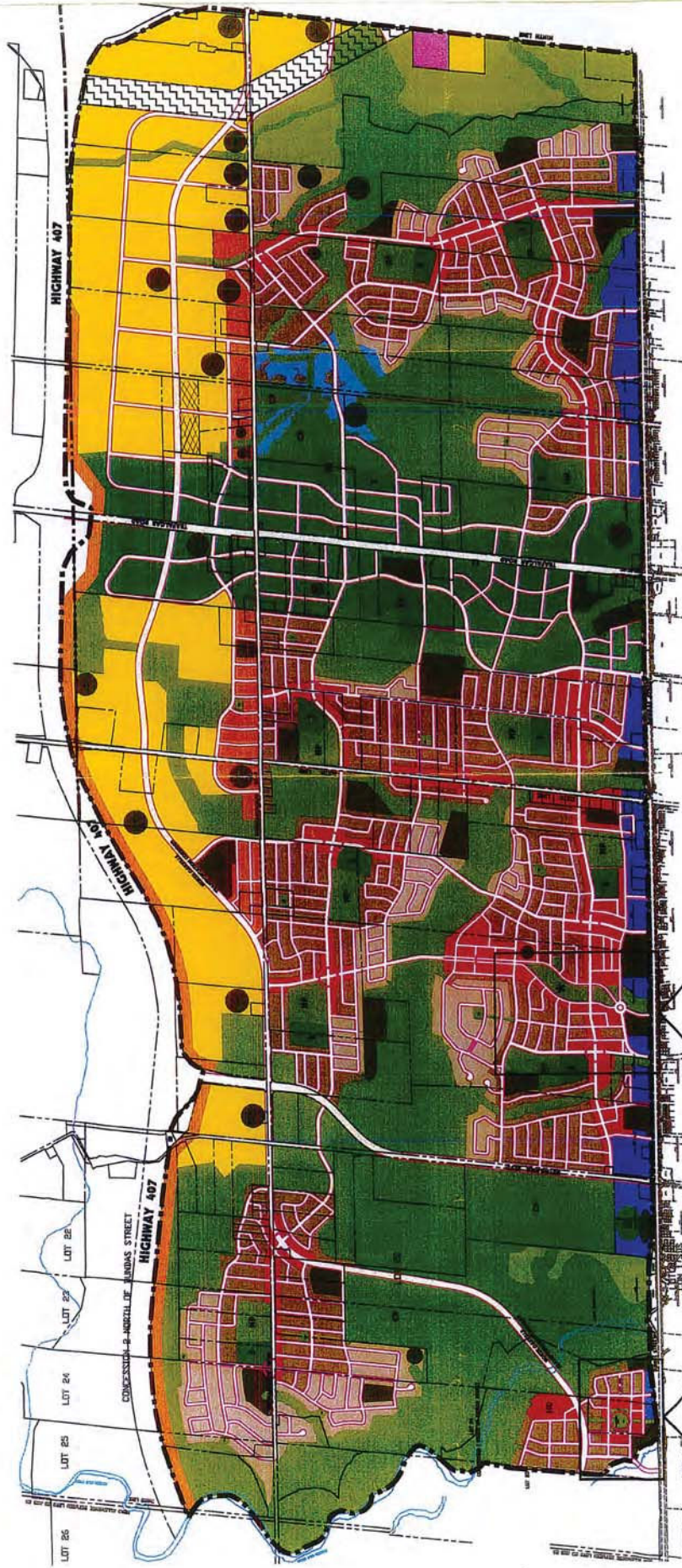
Yours truly,



Peter De Iulio, MCIP, RPP
Manger of Planning

PD:pd

c.c. Joe Srebovic, Kaybot Holdings Inc.
Karl Gonnsen, P.Eng, MCIP, RPP
Kirk Biggar, MCIP, RPP, Senior Planner

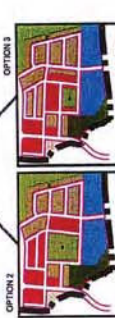


- UTILITY CORRIDOR
- NEIGHBOURHOOD ACTIVITY NODE
- CEMETERY AREA
- NEIGHBOURHOOD CENTRE AREA
- GENERAL URBAN AREA
- SUB URBAN AREA
- HIGH DENSITY RESIDENTIAL AREA
- POLICY REFERENCE - SEE POLICY SECTION 7.4.7.2

- INSTITUTIONAL AREA
- STORMWATER MANAGEMENT FACILITY (final location to be)
- COMMUNITY PARK AREA
- NEIGHBOURHOOD PARK AREA
- VILLAGE SQUARE/URBAN SQUARE
- ELEMENTARY SCHOOL SITE
- SECONDARY SCHOOL SITE
- JOSHUA CREEK FLOODPLAIN AREA

- SECONDARY PLAN AREA BOUNDARY
- OAKVILLE / MILTON MUNICIPAL BOUNDARY
- TRANSITWAY
- DUNDAS STREET URBAN CORE AREA
- HEYAGAWA BLVD. URBAN CORE AREA
- TRAFALGAR ROAD URBAN CORE AREA
- TRANSITIONAL AREA
- EMPLOYMENT AREA
- NATURAL HERITAGE SYSTEM AREA

- LEGEND
- OPTION 1
- OPTION 2
- OPTION 3



Town of Oakville

Appendix 7.3

North Oakville Master Plan

February 2008

NOTE: This Master Plan was prepared in accordance with the provisions of Section 7.4.12 of the Secondary Plan

May 14, 2018

VIA EMAIL

Clerk's Department
Town of Oakville
1225 Trafalgar Road
Oakville, Ontario, L6H 0H3
Attention: Ms. V. Tytanek – Town Clerk

Paul B. Scargall
Direct Line: 416 869-3417
paul.scargall@sokllp.com

Guillaume Lavictoire
Direct Line: 416 597-5407
guillaume.lavictoire@sokllp.com

Dear Ms. Tytanek:

**Re: Livable Oakville Official Plan Review
Commentary on Official Plan Review – North Oakville
3056 Neyagawa Boulevard
Town of Oakville**

We are the solicitors for the St. Peter and Paul Serbian Orthodox Parish Church (the “Church”), the owner of the lands known municipally as 1039 Dundas Street West (the “Subject Lands”). The Subject Lands are located adjacent and to the west of the above-referenced lands owned by the [REDACTED]

The Church has recently become aware of a letter submitted to the Town as part of the Livable Oakville Official Plan Review process on behalf of the [REDACTED] by their planning consultants, Glen Schnarr & Associates (the “Schnarr Letter”). The purpose of the Schnarr Letter is to request that the Town delete the Secondary School Site overlay designation from the [REDACTED] Lands as part of the Official Plan Review process. While our client is still considering its position on that request, we are writing to advise the Town of the Church’s concerns arising from the development concepts attached to the Schnarr Letter as justification for the request.

As you are aware, since 2010 the Church has been in discussions with the Town of Oakville and Halton Region regarding the development of the Church’s lands. As you are also aware, since 2014 there have been discussions with the Halton District School Board regarding the expropriation/conveyance of a part of the Church’s lands to the Board and to facilitate the joint development of the resultant parcels for school and church uses. As the result of significant efforts on the part of numerous parties, a joint development concept has been developed, which contemplates the Church being left with a minimum of 3 acres of uninterrupted serviceable land to enable it to continue to serve its congregation and the community as a whole. Discussions between the Church, the School Board and both levels of government continue as to the usage pattern regarding the Church’s lands, and addressing the School Board's needs and the Church’s needs for its congregation and community.

There are two development concepts for the [REDACTED] Lands attached to the Schnarr Letter. The first is described as an “as of right” development concept, although it appears that *Planning Act* applications would be required to realize the road pattern upon which the concept is based. This concept contemplates 10 residential buildings of up to 8 storeys and achieves a residential F.S.I. of 2.06. The second, described as the “highest and best use” development concept shows taller buildings served by the same road pattern and achieving a density of 3.5 F.S.I. The Schnarr Letter takes the position that this density, which exceeds the permitted density of 2.5 F.S.I. could be attained through the bonusing provisions of the Official Plan. We take no position on that assertion at this time.

We are not aware that any applications have been submitted to the Town seeking approval of any development based on either of these concepts and would ask that the Town advise us whether any such applications have been made or when any may be made in future. Any comments on the density, massing, height or other characteristics of the proposed development will be made as part of any development approval process.

The Church has also reviewed road patterns in a preliminary manner with the Town and the Region. The Church understands that further review and consultation will occur.

Both [REDACTED] concepts show a north/south road with a 17 metre right-of-way straddling the mutual property line between the Subject Lands and the [REDACTED] Lands. [REDACTED] proposed that one half of the 17 metre right-of-way is on the Subject lands. Our client is concerned with this depiction of the future road. This road is not required for the future development of the Subject Lands if they are jointly developed with the School Board as contemplated. If the road is required for the development of the [REDACTED] Lands, it should be located entirely on those lands. The location of the road straddling the property line allows for more density to be built on the [REDACTED] Land, to the detriment of what little lands are left for the Church to serve the community. The Church does not wish lose useable area for a road that it does not need, and have its anticipated three-acre parcel further reduced unnecessarily.

Both [REDACTED] concepts also show an internal road with a 17 metre right-of-way within the [REDACTED] development. This L shaped road proceeds southward from the westerly extension of Sixteen Mile Drive and then makes a 90 degree turn and proceeds westward to the proposed north/south road. Any further extension of this road westward on the other side of the north/south road would be inconsistent with the campus style concept proposed by the Church and the Board for the development of the Subject Lands. This road should only be considered if: (a) the north/south road is located entirely within the [REDACTED] Lands; and, (b) that some mechanism, such as a one foot reserve, is employed to prevent the future westward extension of this road without the consent of the Church.

We thank you for taking the time to consider our comments on the [REDACTED] comments on the Official Plan Review. If you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

SCARGALL OWEN-KING LLP

A handwritten signature in blue ink, appearing to read 'Paul B. Scargall' followed by a flourish.

Paul B. Scargall/Guillaume Lavictoire