

Appendix E – Comment Report dated April 16th, 2020

Comments Report (1st Submission)

Date:	April 16 th , 2020	# OF PAGES: 29
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From:	Paul Barrette Senior Planner, Planning Services Department	
Contact Info:	T: 905-845-6601 ext. 3041 F: 905-338-4414 E: paul.barrette@oakville.ca	
Re:	Zoning By-law Amendment Comments (1st submission)	
Application:	Oakville Developments (2010) Inc.	
Description:	Three sixteen storey buildings inclusive of a 6 storey podium comprising of a total of 472 dwelling units with 2,415 m ² of commercial uses at grade and 624 parking spaces in six underground parking levels.	
Address:	550 Kerr Street	
File #:	Z.1616.55	

Comments:

The above-noted application has been circulated to various municipal departments and external agencies for review. Comments which have been received with respect to the application are included below. Please be aware that comments from some departments and/or agencies may still be pending.

Revised and coordinated plans and documents which fully address the attached comments must be submitted to my attention at the Planning Services department at the Town of Oakville at your earliest convenience. You are also required to submit the following items (forming a complete resubmission package):

- an **cover letter** describing how each comment within this report has been addressed.
- a **transmittal listing the materials submitted**, with the titles and information presented in the following format: “drawing title, drawing number, revision number and date, name of consultant”
- all reports, documents and drawings submitted must:
 - be in both paper and digital (PDF) format,
 - be presented in metric measure that can be accurately scaled,
 - be folded to ‘letter’ or ‘legal’ size format (8.5”x11” or 8.5”x14”), and
 - be prepared, stamped and signed by a qualified professional architect (for site plan and architectural drawings), engineer (for site plan and engineering drawings/reports), or landscape architect (for landscape and tree protection drawings/reports)

Circulation Comments:

PLANNING SERVICES – WEST DISTRICT

1 Current Planning Paul Barrette

Circulation 1

Comprehensive Development Plan

- A comprehensive development plan is required to be developed in accordance with the Livable Oakville Plan. This Plan must apply to all lands designated Urban Core at the northwest corner of Speers Road and Kerr Street (5 properties) (section 23.7.1).
- It is necessary for the Comprehensive Development Plan to be developed within the context of the Livable Oakville policies (this includes, but is not limited to, urban design, transportation, sustainability, Kerr Village growth area policies, and the urban core land use designation (including building height)). The Plan will also be evaluated in accordance with the urban design direction provided in the Livable by Design Manual, as amended, to ascertain conformity with the urban design policies of the Livable Oakville Plan (section 6.1.2).
- The town hosted two landowner coordination meetings, since the Zoning By-law Amendment application was submitted, and staff has provided detailed policy and other requirements for which the Plan will be evaluated against in addition to providing feedback on other landowner plans, and responding to requests for clarification.
- It is strongly encouraged to amend the block plan submitted with the Zoning By-law amendment application. The plan needs to conform to the Livable Oakville Plan, Livable by Design Manual, and other requirements which have been provided by staff equally to all 5 landowners.
- For background, the following summary regarding the development of the required comprehensive development plan was provided in advance of the landowner's coordination meeting hosted by the Town on December 11th, 2019. Excerpts of the Livable by Design Manual were also provided in advance of the meeting.

General Comments:

1. *The comprehensive development plan must apply to all lands designated Urban Core at the northwest corner of Speers Road and Kerr Street (5 properties) (section 23.7.1)*
2. *The comprehensive development plan, must be developed within the context of the Livable Oakville policies (this includes urban design, transportation, sustainability, Kerr Village growth area policies, and the urban core land use designation (including building height)).*

Urban Park:

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1. *One (1) new public park must be shown on the Block Plan (section 23.8.3 c)) which may be located within the site bound by the Shepherd Road extension to the north, Kerr Street to the east, Speers Road to the south and St. Augustine Road extension to the west.*
 2. *The comprehensive development plan should show mid-block pedestrian connections from Kerr Street, Speers Road and the north Gateway leading to the park (section 23.8.3 c) iii)) These connections may be privately owned but must be publically accessible.*
 3. *It is a standard requirement for public parks to have at least one frontage on a public road.*
 4. *Based on Parks and Open Space staff's initial review, this urban park should be at least 0.8 ha (2 acres) in size.*
 5. *A shadow study must demonstrate that public sidewalks, public plazas and public parks receive at least 5 hours of continuous sunlight per day on April 21, June 21 and September 21. Depending on the design, this may limit building height and massing adjacent to the park. For further guidance, see link to the shadow impact analysis terms of reference: (https://www.oakville.ca/assets/2011%20planning/DAG_Shadow%20TOR_V.DE2017_FINAL.pdf).*

Built Form / Height / Land Use

1. *In accordance with Section 12.5.2 of the Livable Oakville Plan, building heights shall be a minimum of eight (8) storeys and a maximum of twelve (12) storeys.*
2. *Section 23.8.2 of the Livable Oakville Plan provides that the Town may allow up an increase of up to four (4) storeys, without amendment to the Plan, on the lands designated urban core, north of Speers Road, west of Kerr Street (for a total of sixteen (16) storeys), in exchange for the provision of public benefits as listed in section 28.6.2, with priority given to those public benefits noted in section 23.8.2 d).*
3. *There are two gateway location provided on Schedule 02 (Kerr Village Urban Design). These gateway treatments need to be provided on the comprehensive development plan. See sections 23.5.4 and 6.6.1 of the Livable Oakville Plan).*
4. *Building height should transition to the lower density residential neighbourhood to the south (section 23.2.3).*
5. *The comprehensive development plan should be informed by and will be evaluated in accordance with the urban design direction provided in the Livable by Design Manual.*
6. *The most current version of the built form section of the Livable by Design Manual (attached to this email), including minimum tower separation of 25 m.*
7. *Surface parking should be limited (section 23.4.1 (c)).*
8. *It is necessary for the general built form, massing and height of buildings to be reflective of current urban design standards as provided in Section 6.9 of the Livable Oakville Plan (and the Livable by Design Manual). This includes:*
 1. *6.9.1 Buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping and signage.*
 2. *6.9.2 Building design and placement should be compatible with the existing and planned surrounding context and undertaken in a creative and innovative manner.*
 3. *6.9.3 To achieve compatibility between different land uses, development shall be designed to accommodate an appropriate transition through landscape buffering, spatial separation, and compatible built form.*
 4. *6.9.4 In Growth Areas and along intensification corridors, buildings should incorporate distinctive architecture, contribute to a sense of identity and be*

positioned on and oriented towards the street frontage(s) to provide interest and comfort at ground level for pedestrians.

5. *6.9.5 Buildings should present active and visually permeable façades to all adjacent streets, urban squares, and amenity spaces through the use of windows, entry features, and human-scaled elements.*
6. *6.9.6 Main principal entrances to buildings should be oriented to the public sidewalk, on street parking and transit facilities for direct and convenient access for pedestrians.*
7. *6.9.7 Development should be designed with variation in building mass, façade treatment and articulation to avoid sameness.*
8. *6.9.8 Buildings located on corner lots shall provide a distinct architectural appearance with a high level of detailing and articulated façades that continue around the corner to address both streets.*
9. *6.9.9 New development shall ensure that proposed building heights and form are compatible with adjacent existing development by employing an appropriate transition of height and form from new to existing development, which may include setbacks, façade step backs or terracing in order to reduce adverse impacts on adjacent properties and/or the public realm.*
10. *6.9.10 Continuous street walls of identical building height are discouraged. Variety in rooflines should be created through subtle variations in roof form and height.*
11. *6.9.15 Buildings should be sited to maximize solar energy, ensure adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows.*

- ix. *On Schedule 02 (Kerr Village Urban Design) Speers Road and part of Kerr Street are ‘primary streets’, and the Shepherd Road extension is a ‘secondary street’. See the related policies in Section 23.5.3 regarding building treatment, orientation and land use on ground floor. Any additional roads within the comprehensive development plan area should be treated as a ‘secondary street’.*
- x. *In accordance with section 2.7.1 of the Livable Oakville Plan, based on staff’s review of the 550 Kerr Street development application, commercial uses should be added at grade (using ultimate grades after the Kerr Street grade separation project is complete).*
- xi. *Pursuant to Section 23.6.2 of the Livable Oakville Plan, the maintenance of a food store in any redevelopment of lands within the Urban Core designation shall be encouraged. The location of the food store should be shown on the comprehensive development plan.*
- cii. *Safe setbacks must be provided to the rail line, utilities and any pipelines.*

Road Network / Servicing

1. *The westerly extension of Shepherd Road along the northern portion of the subject lands is planned to connect with the northerly extension of St. Augustine Drive. This has been provided for on both Block Plans.*
2. *The road network must meet minimum standards for fire safety (access points, adequate turn-around for fire trucks, etc...).*
3. *Public roads are preferred for a number of reasons, private roads are generally discouraged. If condominium roads are proposed, a more comprehensive transportation impact study would be required to justify the same.*
4. *The new roads should be wide enough to provide a full urban cross section appropriate for a ‘secondary street’.*

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5. *It is unclear how the overall lands will be serviced, especially stormwater management, and whether this will have impacts on the design of the Block Plan. An area servicing plan should inform the block plan.*

Transit / Active Transportation

- i. *Section 23.4.1 a) of the Livable Oakville Plan provides for transit service improvements to be introduced at an early stage in the development of Upper Kerr Village District. As the revitalization of this district evolves it will be serviced by the extension of improved transit levels of service, including transit priority measures and infrastructure required to create an efficient and attractive transit environment. To support the foregoing, it may include transit passenger amenities, minimal surface parking, and other travel demand management strategies to encourage transit ridership . Further, access to parking and servicing areas should not occur from Kerr Street but from local streets, service lanes and to the side or rear of buildings . Bicycle facilities are also encouraged throughout Kerr Village with the appropriate signage and infrastructure such as bicycle racks and bicycle lockers .*
- ii. *The MTO Transit-Supportive Guidelines should also be applied to the comprehensive development plan.*

Phasing

1. *Section 23.8.1 of the Livable Oakville Plan provides that development within Kerr Village will likely occur gradually over the long-term and be coordinated with the provision of infrastructure, including: transit; transportation improvements; water and wastewater services; stormwater management facilities; pedestrian and cycling facilities; and, utilities. Further, all of the properties within the comprehensive development plan are subject to a holding provision which provides for sufficient water and wastewater services to be available, service agreement(s) to be entered into with the town regarding stormwater management, the completion of detailed design drawings required for the construction of road and infrastructure improvements, the registration on title of a Section 37 Agreement (if applicable), and for all required land conveyances to have been undertaken before the holding provision can be lifted. The comprehensive development plan should consider phasing, and how that could be achieved without adverse impact.*
- In response to additional clarification sought after the landowner coordination meeting hosted by the Town on December 11th, 2019 regarding the public vs. private roads and parks within the required comprehensive development plan, the following clarification was provided:
 1. **Public vs. Private Road:** *To be clear, my December 5th email states that public roads are preferred for a number of reasons, private roads are generally discouraged. As explained at the December 11th, 2019 meeting, staff reviewed the Block Plan dated May 30th, 2019 and the three (3) and four (4) parcel Block Plans prepared by Urban Strategies on behalf of the other three owners of the Upper Kerr Village Plaza, and had concerns with the mid-block roads proposed on both plans, although for different reasons. Based on the information available at that time, these concerns included: inadequate intersection separation distance to, and potential adverse vehicle queuing through the Kerr St. / Speers Road intersection; inadequate emergency vehicle access; inability of some of the proposed buildings to meet OBC standards regarding fire access (and obtain a building permit); concerns about buildings fronting a surface parking lot with parking spaces which back directly on the proposed roadway without a drive aisle; concern that some of the buildings will not be able to be serviced by water or wastewater due to inability to*

meet Halton Region servicing policies; potential concerns with width and design of the roadway; and the feasibility of relying on one private road crossing lot lines serving a number of potential condominium corporations, which could be redeveloped years or decades apart in time. This list is not inclusive. It is further noted that none of the options presented by the landowners are supported by a transportation engineer as part of comprehensive transportation study submitted to the Town which is necessary to further evaluate these concerns.

The road layout of the comprehensive development plan is an important component of the plan, and staff view the foregoing issues as resolvable. An alternative option for the road network was presented to the landowners by staff at the December 11th, 2019 meeting which provided a mid-block crescent public road. Based on the information available, the mid-block public road crescent is viewed as the most viable option. This should not be interpreted as meaning that the public road crescent is the only option staff will consider, however the landowners are strongly encouraged to use this option as a basis to move the comprehensive development plan forward. If there are alternative options put forward by the landowners, staff will review those options, however they need to address concerns, conform to the Livable Oakville Plan, and meets other applicable policy and standards. Of course, such a review would not be prejudiced by the public road crescent option put forward by staff.

As an aside, the other 3 owners of the Upper Kerr Village Plaza are proposing a mid-block public road which they appear to believe address overall transportation and stormwater needs within the context of the easements registered on title.

2. **Park:** *As noted in my December 5th email, Section 23.8.3 of the Livable Oakville Plan requires a new 'urban park' to be developed which may be located within the site bound by the Shepherd Road extension to the north, Kerr Street to the east, Speers Road to the south and St. Augustine Road extension to the west. Section 23.5.5 (urban square), requires an urban square which is referred to as a 'park' in the policy itself. For context, these lands are occupied by commercial plazas, next to employment land to the west, and a relatively new residential development to the east. Given the location of these lands, there are no public parks within walking distance. While no indication of the number of units are people are provided the Block Plan dated May 30th, 2019, the four parcel plan provided to staff by Urban Strategies indicated a total of 1,375 units, likely approximately 1,500 units extrapolated on the 5 parcels, or around 3,000 people/jobs, with no public park in walking distance. The Town has used a provision target of 2.2 hectares of "active parkland" per 1,000 residents when planning new development. The Livable Oakville policy requirement for a new urban park, conforms to the 'complete communities' policies, and overall principle, of the Growth Plan.*

Again, staff view this issue as resolvable, and at the December 11th, 2019 meeting provided additional guidance to meet the Town's parkland policies and the overall need for park land in the area. It is likely that the 2.2 hectares of "active parkland" per 1,000 residents will not be met on this site alone, so staff provided an alternative option to the landowners of a public park that is 2 acre in size. In staff's view, this is reasonable and it would be of an appropriate size to fit all necessary facilities for the comprehensive development plan. To be clear, the secondary connections to the park, could be privately owned with a public easement for access, and/or could be incorporated in an enhanced streetscape. Landowners are also encouraged to provide private amenity space for future residents as well. This does not mean the minimum size for a public park is 2 acres. Staff will considered other size, configuration and locations of the public

park within the comprehensive development plan, however alternative options need to address the parkland needs for the area, conform to the Livable Oakville Plan, and other applicable standards and requirements. Again, this review would not be prejudiced by the park option put forward by staff at the December 11th, 2019 meeting.

- Your position regarding the public park, road layout and building height measures were detailed in a letter provided on January 28, 2020.
- A second landowner coordination meeting was hosted by the Town on February 18th, 2020 in response to refinement of a Comprehensive Development Plan by Urban Strategies on behalf of the remaining owners of the Upper Kerr Village Plaza, and the owner of the cinema lands to the west, based on discussion and feedback provided at the last landowners coordination meeting on December 11th, 2019. Verbal comments were provided at the meeting with respect to the other landowner's plan, and staff understands, as stated at the meeting, that they intend to submit development applications to permit increased building height.
- The block plan submitted with the Zoning By-law Amendment application and the plan submitted by the other landowners do not align, and would conflict with each other especially with respect to road layout, parks and building massing.
- Should it be helpful, staff can reconvene another landowner coordinating meeting to assist with development of a Comprehensive Development Plan within the context of the Livable Oakville policies (this includes urban design, transportation, sustainability, Kerr Village growth area policies, and the urban core land use designation (including building height)). The Plan will also be evaluated in accordance with the urban design direction provided in the Livable by Design Manual, as amended, to ascertain conformity with the urban design policies of the Livable Oakville Plan (section 6.1.2).

Easements

- As previously provided through email correspondence, you stated that the proposed redevelopment will not violate any of the easements on title of the property. Additional information was sought by staff to understand this assessment and any relevance of the easements in relation to the zoning by-law amendment application.
- As previously noted in an email dated November 14th, 2019, information with respect to the location and nature of any easements affecting the land is included in the list of prescribed information required as part of a zoning by-law amendment application (O. Reg. 545/06). Easements impose constraints on development which may impact what is possible on the site.
- It is understood that this additional information sought will not be provided to staff at this time, and it is intended to be provided at the site plan stage of development.

Holding Removal and Phasing

- Detailed justification for removing the holding zone needs to be provided. It has not been demonstrated how the criteria has been fully satisfying such as registration of a Section 37 agreement under the Planning Act, dedication of all land conveyances to the Town, and completion of detailed design drawings required for the construction of road and infrastructure improvements, amongst other matters.
- Phasing details are needed for a better understanding of how the proposed development, within the existing and planned context would practically function. For example:
 - maintenance of access to the remainder of the commercial plaza during and after construction considering the road improvements and realignment of Kerr Street proposed as part of the grade separation project and any related access agreements registered on title;

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- stormwater infrastructure during and after construction including any related easements registered on title of the property;
 - appropriateness / feasibility of interim reliance of access to the site through lands being expropriated by Metrolinx to form the new alignment of Kerr Street as part of grade separation project; and,
 - suitability of longer-term reliance of lands being expropriated by Metrolinx to provide access to the commercial plaza which may not be opened as a public road, however is planned to form the eventual westerly extension of Shepherd Road.
- In addition, as outlined in this comment report, other studies such as the Transportation Impact Study and Functional Servicing Study require updating to inform the design and timing of the proposed development and appropriate matters for a holding zone.

Site Design

- Based on the comments provided herein, significant amendments to the site-specific application are needed to address staff's comments / applicable policy. Should it be of assistance, a meeting could be hosted by the Town to clarify any comments or provide additional guidance to inform any design revisions.
- As noted herein, updates to the Functional Servicing Report and the Transportation Impact Study are required to support the site-specific application.
- As a general comment, when updating the site design, please consider public comments / submissions made at the public information meetings and the comments / feedback provided at the statutory public meeting.
- The following comments relate to mainly to the specific site design, and should be considered as draft as these site-specific comments should be considered within the context of the required Comprehensive Development Plan, and may evolve as that plan is developed / refined.

2 Urban Design **Jana Kelemen**

Circulation 1

There are several major concerns with the proposed Rezoning as submitted:

1. The development as proposed would significantly encumber the viability of future development on the adjacent lands to the south-west. As per the proposal, these lands would only be accessible through a private shared road. This road is proposed over a private parking garage and with a built form overpassing it, which creates a strong concern as the future development on the adjacent lands would lose access when maintenance on the subject lands is needed. As per the Town's Livable Oakville Plan (OP), new development should be built on public roads (OP section 11.1.5). The proposed development must be designed with appropriate connections for all properties. Accessible pedestrian connectivity throughout the site and to both Kerr Street and Speers Road must also be demonstrated.
2. The proposed Block Concept Site Plan does not comply with the policies of the OP as it does not contemplate the new public park (OP section 23.8.3 c). Revise the concept plan to include a park as per the policies of the OP.

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3. The proposed Block Concept Site Plan indicates townhouses along the rail line. Townhouses are not a permitted use on these lands. Also, this proposal ignores the required 30m buffer along the rail line. Revise the concept plan to comply with the OP and propose development concept according to all relevant policies and standards.
 4. According to OP, Section 12.5.2, building heights shall be a minimum of eight (8) storeys and a maximum of twelve (12) storeys. Section 23.8.2 of the Livable Oakville Plan provides that the Town may allow an increase of up to four (4) storeys, without amendment to the Plan, on the lands designated urban core, north of Speers Road, west of Kerr Street (for a total of sixteen (16) storeys), in exchange for the provision of public benefits as listed in section 28.6.2, with priority given to those public benefits noted in section 23.8.2 d).

Please note that the additional height may be allowed and is not permitted as of right. The proposed built form consists of eleven 16-storey towers on 6-storey podiums (with limited 1-storey podiums) and three stand-alone 6-storey buildings (not permitted in the OP). Of these, three 16-storey towers are proposed on 550 Kerr Street. The proposed design does not provide a concept of a complete community with an appropriate road pattern that supports walking, cycling and the early integration and sustained viability of transit, nor does it seem to offer opportunity for high quality parks and open spaces. More varied built form, well-transitioning from the low-density neighbourhood on St. Augustine Road (OP sections 23.2.3, 6.9.9 and 6.9.10) must be proposed. Site design standards and urban design guidelines must be prepared to support opportunities for creating a transit and active transportation focused development. These standards should ensure that buildings incorporate distinctive architecture, contribute to a sense of identity and be positioned on and oriented towards the street frontage(s) to provide interest and comfort at ground level for pedestrians (OP sections 6.9.1 and 6.9.4) and that development is designed with variation in building mass, façade treatment and articulation to avoid sameness (OP section 6.9.7).

The above are major issues which must be dealt with prior to the next circulation. It is strongly suggested that the applicant works with the Town's staff and with all landowners of all lands designated Urban Core at the northwest corner of Speers Road and Kerr Street to prepare a comprehensive development plan (OP section 23.7.1). This plan must demonstrate compliance with all of the objectives of the Livable Oakville Plan and must reflect the OP policies. The comprehensive development plan will be evaluated in accordance with the urban design direction provided in the Livable by Design Manual.

Please note that the Urban Design Brief (UDB) will be part of the approved documentation and therefore must be revised along with all the plans and other studies to address the above and the following comments:

5. The UDB needs to be revised to include more detailed information in regard to the design direction of the proposal. Precedent images and detailed sketches need to be included that will detail how this proposal will meet the objectives outlined in the design principles. Update with appropriate material that will communicate the design vision for this site, based on the Town's policies and standards as noted above. Detailed standards and guidelines must be included.
6. The UDB should be revised to eliminate contradicting statements and direction. For example, it is stated several times that policies and standards regarding the main street are achieved with an appropriate built form: "The development contributes to a cohesive

streetscape by placing principal building entrances towards public streets,...”; “The development strives to achieve a seamless public-private realm transition...”; “The proposed development include building entrances to active grade related retail uses on Sheppard Road and Kerr Street...” etc. However, it is mentioned elsewhere in the document that due to the grading of the future underpass, the above won’t be achieved. Proposed series of retaining walls (3 m in height) along Kerr Street is not an acceptable treatment of the main street. The design must be revised to reflect the ultimate grades after the Kerr Street grade separation project is complete and to achieve pedestrian-friendly built form with at-grade uses and at-grade access to the residential/ commercial units (OP section 6.9.6). Retaining walls are not acceptable streetscape treatment for this section of the main street.

7. As per OP, section 6.9.15, “Buildings should be sited to maximize solar energy, ensure adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows.” The proposed development will overshadow some amenity spaces of the existing ‘Rain’ development in the afternoon hours (more than two consecutive times). A portion of the Kerr Street public sidewalk will not achieve required 5 hours of continuous sunlight; however, this is a small portion and most of the other sidewalks will meet the amount of sunshine as required by the Town’s Terms of Reference for Shadow Impact Analysis. The proposed development would also have a significant shadow impact on the south-east adjacent undeveloped parcel. As per Town’s criteria, shadow impacts from proposed development should not exceed two consecutive hourly test times after 12:00pm on April 21, June 21 and September 21 (or where the adjacent site is undeveloped, on at least 60% of that site). A very large area (significantly more than 60%) of the site on south-east will be under the shadow from the proposed development for three consecutive test times. As proposed, the development will cause undue shadow impacts on the on the surrounding lands. The design should be revised to mitigate these impacts. When the revised design is prepared, built form should be proposed in such height and massing that that public sidewalks, public plazas and public parks receive at least 5 hours of continuous sunlight per day on April 21, June 21 and September 21.
8. Further comments will be provided after additional information is received.

3 Development Engineering Dan Bijsterveld

Circulation 1

Development Engineering has reviewed the submitted engineering materials for this application and provide the following comments:

Section 1 : General Comments

1. No topographic plan was provided and is required at this stage to assist in the review.
2. As discussed at the preconsultation meeting the consultant was to have provided details for both the existing and future condition (with the underpass). This was not addressed.

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3. Also discussed was to demonstrate that there would be no negative impact to the other existing neighbouring properties based on both scenarios. This was also not addressed.
 4. Coordination with Metrolinx is required to detail the requirements and constraints for the site development based on the proposed underpass design. All lands to be expropriated are to be shown on the drawings.
 5. The process for creating the public right-of way and it's timing needs further discussion.
 6. ***Based on the above comments the following comments in Section 2 are preliminary only and based on the information submitted. Additional comments will be provided on subsequent submissions.***

Section 2 : Grading and Servicing Comments - PRELIMINARY

1. A detailed grading/servicing plan is to be provided and reviewed during the site plan process. Compatibility with adjacent properties and an ultimate overall servicing scheme however must be demonstrated at this stage.
2. The proposed preliminary grading cannot be assessed based on the information provided and the other comments noted.
3. The post development flows from the site shall not exceed the allowable flows for all events up to and including the 100 yr. storm. Quality controls (Level 1) will be required for the site. This needs to be reviewed in conjunction with the other overall site comments. The information provided in the FSR, although not reviewed in detail at this time, does not appear to comply with town criteria.
4. The outlet location shown for the proposal may not be viable upon construction of the underpass. The existing connection points for the entire site are also to be shown as this could impact future connections and the capacity of existing infrastructure both existing and proposed. The proposed storm connection point cannot therefore be assessed at present. As a note the storm servicing shown on site is larger than the sewer on the road.
5. All easements through and across the property for servicing other properties are to be shown. There are also easement labelled in favour of the town. Please clarify what these are for.
6. Protection of the major overland flow path (for the entire site) needs to be addressed and provided for through the site design.
7. The future extension of Shepherd Road is to be designed to municipal road standards. The consultant shall provide sufficient details and calculations for the design of the new road and demonstrate that the site will be compatible under both scenarios. An overall servicing and grading scheme needs to be provided to ensure the portion through the applicant's site will not negatively impact the future development of the remaining and adjacent lands and the municipal infrastructure required..

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8. Based on the previous comments it appears that further investigation and discussion at this stage will be required by the consultant to satisfy the Town that there is a viable design and storm outlet proposal to support this development and that the site can be developed reflecting both interim and future scenarios.

Section 3 : Urban Forestry Comments (Tony Molnar x.3869)

- *To be provided under separate cover.*

These represent comments based upon the information provided to date.

4 Development Engineering
Tony Molnar

Circulation 1

Pending.

5 Engineering and Construction
Syed Rizvi

Circulation 1

Section A: General Site Plan Comments

- Sustainable Transportation
 1. Staff requests bike racks be shown on the site plan. At this time, staff has no further comments on the zoning application. [Circ. 1]
- Oakville Transit
 1. The information in section 3.2 Existing Transit Services of the TIS is inaccurate, The correct routing details are as follows:
 - i. Route 4 offers weekday and weekend service with 15 minute headways during peak periods. Route 4 runs between Bronte GO station, Oakville GO station and Clarkson GO station.
 - ii. Route 10 – no changes
 - iii. Route 14 & 14A offers weekday and weekend service with 15 minute headways during peak periods. Route 14 & 14A runs between Oakville GO station and Appleby GO station in Burlington.
 - iv. Route 15 offers weekday and weekend service with 30 minutes headways during peak periods. Route 15 runs between Oakville GO station and South Oakville Centre.
 - v. Route 18 offers weekday and weekend service with 30 minute headways during peak periods. Route 18 runs between Oakville GO station and Bronte GO station.
 - vi. Route 28 offers weekday and weekend service with 30 minute headways during peak periods. Route 28 runs between Oakville GO station and Bronte GO station.
 2. Oakville Transit provides door-to-door paratransit service called care-A-van for persons with disabilities. Service is provided by low-floor, fully accessible 26ft buses supplemented in partnership with local taxi providers. Drivers will leave the vehicle and escort the customer to the first accessible public entrance. Please provide autoturn

analysis for the care-A-van bus and identify location(s) for paratransit pick up and drop off in the site plan process.

Section B: Transportation Impact Assessment (TIA) Comments

Based on the TIS prepared by GHD, Transportation Strategy provides the following comments:

1. Network Improvements – Reference TIS section 4, for the study future horizon year-2026 no network improvements were considered in the study area. Kerr Street underpass is a major project planned within the study area and will likely affect future traffic pattern adjustments in the project area. Traffic consultant is advised to consider traffic assignments from the subject site in consideration of the Kerr Street underpass project for the future horizon years and update traffic intersection analysis in the TIS based on the updated traffic volumes.[Circ 1]
2. Ref section 7.3 of the TIS, the intersections of Ontario Street and Laurier Avenue should be corrected and replaced with the actual street names in the report.[Circ 1]
3. Ref Table 6 – Capacity analysis for the Kerr Street at site access- results for the SBRT movement for existing and future conditions are not reported in the table. The traffic consultant should update the table and resubmit report for review and comments by the staff. [Circ 1]

These represent comments based on upon the information provided to date.

INTERNAL DEPARTMENTS

6 Building Services, Zoning Darren Dabideen

Circulation 1

Deficiencies found:

The property located to the North (560 – 588 Kerr Street) compliance for the existing parking with respect to Part 5 for parking and aisle will have to be submitted.

Section 16.3.1. – Holding Provision (H1) Mixed Use Zones in Kerr Village.

Table 8.2. – Permitted Uses in the Mixed Use Zones –

Apartment Dwelling – Footnote 3) a) Prohibited in the first 9.0 metres of depth of the *building*, measured in from the *main wall* oriented toward the *front lot line*, on the *first storey* and entirely below the *first storey*.

b) Notwithstanding this, an *ancillary residential use* on the *first storey* is permitted to occupy a maximum of 15% of the length of the *main wall* oriented toward a *public road*.

Table 8.3.1 – Front Yard - (Row 2, Column MU3) *Maximum front yard* shall be 5.0m.

The proposed front yard (24.9m) does not comply.

Table 8.3.1 – Minimum Number of Storeys - (Row 9, Column MU3) Minimum number of storeys shall be 6.

The proposed 1 storey section does not comply.

Table 8.3.1 – Maximum Number of Storeys - (Row 10, Column MU3) Maximum number of storeys shall be 8.

The proposed 16 storey section does not comply.

Table 8.3.1 – Minimum Height - (Row 12, Column MU3) Minimum height shall be 19.5m.

The proposed height of 1 storey does not comply.

Table 8.3.1 – Maximum Height - (Row 13, Column MU3) Maximum height shall be 29.0m.

The proposed height of 16 storey does not comply.

Items to be aware of:

Section 8.4 - Location of Functional Servicing - transformer and telecommunications vaults and pads shall not be located between the *main wall* closest to the *front lot line* and the *front lot line* in a *front yard*.

Section 8.6 - Driveway, Parking Structure, and Surface Parking Area Regulations –
a) A *surface parking area*, not including a *driveway*, shall not be permitted in any *yard* between a *building* and Kerr Street.

d) The parking of *motor vehicles* is prohibited in all *storeys* of an above *grade parking structure* for the first 9.0 metres of the depth of the *building*, measured in from the *main wall* oriented toward the *lot line* adjacent to Kerr Street.

Section 8.8 - Main Wall Proportions – a) A minimum of 75% of the length of all *main walls* oriented toward the *front lot line* shall be located within the area on the *lot* defined by the *minimum* and *maximum front yards*.

Section 4.6.4 - Rooftop Mechanical Equipment and Mechanical Penthouses – a) i) A mechanical penthouse, including any appurtenances thereto, shall not exceed 6.0 metres in height. iii) Architectural screening shall be required to screen rooftop mechanical equipment.

Section 4.6.6 - Rooftop Terraces - a) A *rooftop terrace* is permitted on a lot in any *Zone*, except for Residential Low -0 Suffix Zones; e) No structure on a *rooftop terrace* shall have walls; h) The outer boundary of a *rooftop terrace* shall be defined using a barrier having a minimum height of 1.2 metres.

Section 4.7 - Garbage Containers – a) Garbage containment shall be located within a *building* or fully enclosed *structure* in the following *zones* or where the following *uses* are being undertaken - Office Employment (E1) *Zone*.

Section 4.11.2 - Required Widths of Landscaping –

Row 9 – Any surface parking area shall be separate from any road by a 3.0m wide strip.

Row 10 – Any surface parking *area*, except within an *Employment Zone* shall be separate from any *interior side lot line* or *rear lot line* by a 3.0m wide strip.

Row 11 – Any surface parking *area*, any *lot* with a residential *use* shall be separate by a 4.5m wide strip.

Section 4.14 - Municipal Services Required - no *building* may be erected or enlarged unless the land is serviced by municipal water and sewage systems.

Section 4.21 - Railway Setbacks for Sensitive Land Uses - all *buildings and structures* containing a *dwelling, place of worship, day care, private school, or public school* shall be located no closer than 30.0 metres from any *railway corridor*.

Section 5.1.4 - Location of Required Parking - Any *parking space, barrier-free parking space, bicycle parking space, and loading space* required by this By-law shall be located on the same *lot* on which the *use* is located.

Section 5.2.2 - Minimum Number of Parking Spaces in Mixed Use Zones
Ratio for Apartment Dwelling shall be: a) 1.0 per *dwelling* where the unit has less than 75.0 square metres *net floor area*; b) 1.25 per *dwelling* for all other units (Footnotes(1)(3)).
Ratio for all Non-Residential Uses - All other permitted non-residential *uses* in a Mixed Use *Zone* on Map 19(7a) [Kerr Village] shall be 1.0 per 40.0 m² *net floor area*

Section 5.3.1 - Ratios for Minimum Number of Spaces - *Barrier-free parking spaces* shall additionally be required for visitor *parking spaces* for the following residential *uses*:
Apartment dwelling.

Table 5.3.1 - The minimum number of *barrier-free parking spaces* required shall be 2, plus 2% of the total number of *parking spaces* in the *parking area* (201 to 1000 space provided).

Section 5.4.1 - Minimum Number of Bicycle Parking Spaces - In no circumstance shall the number of minimum *bicycle parking spaces* required on a *lot* be greater than 30.
Ratio for Apartment Dwelling shall be: 1.0 per dwelling Footnote (1)(2) (2. Of the total number of bicycle *parking spaces* required, 0.25 of the bicycle *parking spaces* required per *dwelling* shall be designated as visitors bicycle *parking spaces*)

Section 5.6 - Loading Spaces - Where a *loading space* is provided, The minimum dimensions of a *loading space* are 3.5 metres in width and 12.0 metres in length, with a minimum vertical clearance of 4.2 metres. A *loading space* shall abut the *building* for which the *loading space* is provided.

Section 5.7 - Aisle Widths and Access Driveways - The minimum width of an *aisle* providing access to a *parking space* within a *parking area* is 6.0 metres.

7 Building Services, Building Code **Doug Salisko ext. 3181**

Circulation 1

- Pending

8 Building Services, Fire Prevention **Cameron Aplin**

Circulation 1

- The provided block concept plan indicates that the only access to one of the 16 story building will be through another building via a private roadway. As such, consideration must be given to responding fire department apparatus requirements. It appears that this route would not satisfy the requirements of the Ontario Building Code for fire route design criteria as per OBC 3.2.5.6.

- Consideration should be given to the impact of other construction proposed within this area. Specifically, with the Kerr street overpass, will responding fire department crews be delayed and or re-routed.

9 Engineering & Construction, Municipal Address
Vince Blosser ext. 3313

Date – Circulation 1

- Pending

10 Parks & Open Space
Janis Olbina

Circulation 1

The Parks and Open Space Department has reviewed the application for a proposed zone change at the existing commercial property located at 550 Kerr Street, and offer the following comments.

The existing property is essentially land-locked within other commercial properties. For all intents and purposes the entire plaza located at the intersection of Kerr and Speers acts and reads as one, despite the multiple property owners. In this regard it is a little difficult to envision how this application could proceed in the absence of an approved ‘master plan’ for the whole block. We understand that this development would also be impacted by the future widening of Kerr Street and the grade separation planned for the railway tracks. We similarly understand that there is a requirement for Shepherd Road to be extended west through the plaza and linking back up with Speers Road.

In preparing our comments, we have reviewed various Official Plan policies that pertain to this site and specifically highlight these sections.

23.5.5 Urban Squares a) Through the development process, a new park shall be provided in the Upper Kerr Village District, west of Kerr Street, north of Speers Road.

23.8.3 c) In the Upper Kerr Village district west of Kerr Street north of Speers Road, an urban park is proposed, which:

- i) may be located within the site bound by the Shepherd Road extension to the north, Kerr Street to the east, Speers Road to the south and St. Augustine Road extension to the west;
- ii) may provide public underground parking facilities with a “green roof” at street level forming the urban park portion of the site;
- iii) may be accessed at street level via mid-block pedestrian connections and from Kerr Street, Speers Road and the north Gateway; and,
- iv) is encouraged to be maintained through a public-private partnership.

While reviewing this application, our Department also reviewed the overall provision of parkland within this area of Ward 2 and note that there is no municipal parkland within a radius of about 400m from the subject property. Our closest municipal parks are south of Speers Road and most are quite small and isolated, serving a very small neighbourhood function. As this application proposes 472 residential units and there are likely additional residential units to be proposed on adjacent properties, we believe there is strong merit in consideration for a public park located within this ‘plaza block’ (not exclusively 550 Kerr). This park request also aligns with the Parks, Recreation and Library Master Plan in pursuing a town-wide parkland provision

target of 2.20 hectares/1000 population. As such, we believe it is critical that a block plan for the entire area be developed so that all future residents have access to some public open space. A public park in this area should have access to at least one public road (ideally 2 minimum) and should be free of all underground encumbrances (i.e., no strata agreements between public and private).

Should you have any questions regarding these comments, feel free to contact me.

11 Legal, Realty Services
Jim Knighton ext. 3022

Date – Circulation 1

- Pending

12 Finance
Matt Day

Circulation 1

- On June 6, 2019, Bill 108, More Homes, More Choices Act (Bill 108), received Royal Assent. Parts of the Bill are now in force while others await proclamation. To date, only some information on the proposed regulations and prescribed matters has been provided. Bill 108 introduces significant changes to the financial tools available to the Town. Planning Act changes with respect to Section 37 (density and height bonusing), Section 42 parkland dedications, existing parkland agreements, and payments in lieu, along with proposed changes to Development Charges (DCs) for growth related park and community infrastructure will be replaced with a capped community benefits charge (CBC). This is anticipated to impact the town's ability to ensure that "growth pays for growth" and protection of complete communities.

EXTERNAL AGENCIES

13 Canada Post, Delivery Route Planning
Michael Wojciak

Circulation 1



CANADA POST
200-5210 BRADCO BLVD
MISSISSAUGA ON L4W 1G7
CANADAPOST.CA

POSTES CANADA
200-5210 BRADCO BLVD
MISSISSAUGA ON L4W 1G7
POSTESCANADA.CA

September 19, 2019

Town of Oakville
Planning Department

To: Paul Barrette

Re: **Z.1616.55**
Oakville Developments (2010) Inc.
550 Kerr Street
Mixed use development with grade related commercial and three 16 storey apartment buildings with a 6 storey podium and a total of 472 units

Canada Post Corporation appreciates the opportunity to comment on the above noted application and it is requested that the developer be notified of the following:

In order to provide mail service to the mixed-use building(s) for this development, Canada Post requests that the owner/developer comply with the following conditions:

- ⇒ The owner/developer will provide each building with its own centralized mail receiving facility. This lock-box assembly must be provided and maintained by the Owner/Developer in order for Canada Post to provide mail service to the residents of this project. **For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided.**
- ⇒ The owner/developer agrees to provide Canada Post with access to any locked doors between the street and the lock-boxes via the Canada Post Crown lock and key system. This encompasses, if applicable, the installation of a Canada Post lock in the building's lobby intercom and the purchase of a deadbolt for the mailroom door that is a model which can be retro-fitted with a Canada Post deadbolt cylinder.

For any business that is classified as an institution, only one delivery point will be provided.

As per our revised National Delivery Policy, **street level residences and businesses will also receive mail delivery at centralized locations, not directly to their door.** For example:

- extra mail compartments can be provided to accommodate these units in the main mailbox panel
- if these units are not part of the condo then a separate centralized mail receiving facility/box can be set up by the developer at an alternative location.

As the project nears completion, it is requested that the Developer contact me directly for a Postal Code as existing postal coding will not apply and new postal codes will be issued for this development.

The Developer's agent should contact a Delivery Supervisor – Oakville Depot at 905 338-1199 X 2010 mailroom/lock box inspection and mail delivery startup.

The complete guide to Canada Post's Delivery Standards can be found at:
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Sincerely,

Anita Peter for Michael Wojciak
Delivery Services Officer – GTA
anita.peter@canadapost.ca

14 Trans-Northern Pipelines

Alyssa Rhynold

Circulation 1

I appreciate being circulated this application.

Both TNPI pipelines are currently located in the HONI corridor adjacent to the Metrolinx tracks and the applicants proposed development is approximately 30 metres from our 10-inch line.

As you may be aware, the Kerr Street grade separation will require TNPI to relocate our pipeline, but final location has not yet been confirmed. There is a chance that the applicant's development will be much further from the pipeline than it currently would be.

Our preference especially with high occupancy buildings would be a sufficient setback which I believe we have achieved with the 30 metres. However, the applicant should still be reminded that under the Canadian Energy Regulator Act, they are required to receive authorization from Trans-Northern prior to any vehicle crossing or the pipeline, construction or ground disturbance within the 30-metre prescribed area.

Attached for information is information related to living and working near pipelines.

15 Oakville Hydro, Engineering Dept

Dan Steele

Circulation 1

Three phase power is available from the distribution system located on Kerr Street.

Before a building permit will be issued, a security deposit of \$10,000 (cash or letter of credit) in the name of the Town of Oakville will be required to cover potential damage to the existing underground distribution system.

Space on the property is required to locate a pad-mounted transformer. An easement, registered in the name of "Oakville Hydro Electricity Distribution Inc.", is required for the transformer and associated primary cable/duct bank. An electrical room with direct outside access and Best Universal Locks is required per Oakville Hydro's "Conditions of Service".

Please contact Oakville Hydro Engineering with service size, voltage requirement, and anticipated demand load as soon as information is available. At that time, a servicing cost will be prepared, to be borne by the applicant. Oakville Hydro will supply the transformer. Please note that transformer deliveries are approximately 24 weeks.

16 Region of Halton, Planning & Public Works Dept

Anne Garicsak tel. 905.825.6000 ext. 7109

Circulation 1

Regional staff is forwarding comments with respect to the above-noted application to permit the development of three (3) 16-storey apartment buildings with a 6-storey podium for a total of 472 residential units and offer the following comments.

Matters of Provincial and Regional Interest

A Place to Grow: The Growth Plan for the Greater Golden Horseshoe 2019

Regional Planning staff has reviewed the application within the context of the policies of The Growth Plan for the Greater Golden Horseshoe, which came into effect on May 16, 2019 and are of the opinion that the proposal conforms to the policies contained within the Growth Plan.

Provincial Policy Statement 2014

Regional Planning staff has reviewed the above-noted applications in accordance with the Provincial Policy Statement (2014) which came into effect on April 30, 2014. Regional Planning staff is satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement.

Regional Official Plan 2009

The subject lands are designated ‘Urban Area’ in 2009 Regional Official Plan (ROP). The range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning Bylaws. All development, however, shall be subject to the policies and plan in effect.

The ROP also contains policies with respect to archaeological potential, and the preservation and mitigation and documentation of artifacts. The site is not identified as having archaeological potential. As an advisory however, during any development activities, should archaeological materials be found on the property, the Ontario Ministry of Tourism, Culture and Sport should be notified immediately. In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.

Regional staff has also reviewed this application within the context of the Halton Region’s “Protocol for Reviewing Development Applications with Respect to Contaminated Sites”. The Phase 1 ESA (Golder July 2019) and Record of Site Condition(RSC Number 206447) were reviewed by Halton Region staff. The intended use of the RSC does not indicate residential uses and as such, a mandatory Ministry of Environment and Conservation and Parks (MECP) Acknowledged Record of Site Condition (RSC) including the indented residential use of the subject lands is required as a condition of approval by Halton Region as per O Reg. 153/04.

The Noise Study (Novus Environmental, July 2019) was reviewed and Halton Region requests that the appropriate rail authority review the noise study and any comments and recommendations they may have, be considered and implemented to the subject rail authority’s satisfaction. All updated/amended Warning Clauses must be reviewed and approved by Halton Region, the Town of Oakville, Metrolinx and C.N. All applicable warning clauses shall be listed in the Town of Oakville future Site Plan Agreement and also be inserted in the Agreements of Purchase and Sale or Lease.

Internal Comments

Regional Staff note the proposed use is to connect to the Regional water and wastewater system in accordance with section 89(3) of the ROP. Halton Region’s Development Project Manager has reviewed the subject applications and notes a 300mm diameter watermain is located on Kerr Street adjacent to the property. Please note that the applicant should undertake their own fire flow testing in the area in order to confirm the design requirements for domestic water supply and fire protection. A 300mm diameter sanitary sewer is located on Kerr Street adjacent to the property.

A Functional Servicing Report (FSR) was prepared by Aleo Associates Inc., dated May 3, 2019, and was submitted with the application. The FSR recommends that the site be serviced by connecting the existing the existing sanitary sewer on Kerr Street that is adjacent to the site. The analysis provided in the FSR for the proposed flow from this development is based on Region of Halton standards. The FSR

does not provide analysis to determine if the existing sanitary sewer and downstream sewer system can accommodate the proposed flows from this development. The analysis did not take into account existing flows draining to the existing sewer on Kerr Street. The FSR should be revised to include analysis that demonstrates that the sanitary sewer system can accommodate the flow from this development.

The FSR proposes to connect the property to the existing watermain on Kerr Street that is adjacent to the site. No fire flow tests were completed for the analysis in the FSR in order to determine if the existing water system can accommodate the proposed development. The FSR provided analysis that determines the proposed water demand required to service the development. The FSR should be revised to include fire flow testing in the area in order that an analysis can be provided that demonstrates that the existing water system in the area can support this development.

There is a proposed grade separation at Kerr Street and the existing rail corridor. There could be possible impacts of this grade separation with the existing watermain and sanitary sewer on Kerr Street. The FSR does not address if there will be any impacts to the servicing of this development as a result of the proposed grade separation.

The service connections to the Regional water and sewer systems if required will be addressed through the Region's Service Permit review process. This normally will occur after site plan approval.

The FSR should be revised to reflect the issues noted above. Once the FSR is revised and it is demonstrated in the revised FSR that there is capacity in the existing sanitary sewer system, that the existing water system can accommodate the proposed development and that there will be no impacts to the servicing of this site from the proposed grade separation then Halton Region will have no objection to the zoning amendment.

Transportation

Halton Region staff have reviewed the Transportation Impact Study (TIS) site traffic volumes for the Regional intersections of Dorval at Wycroft and Dorval at North Service Road. The site traffic volumes are relatively low and will not create any operational issues at these intersections. Therefore, there are no Regional transportation planning comments for the subject application.

Waste Management

Regional waste management matters will more appropriately be dealt with through the related site plan application.

Finance

NOTE: The Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, the water, wastewater and road portions of the Regional development charges for residential units are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website to obtain the most current information on [Development Charges \(DCs\) and Front-ending Recovery Payment \(FERP\)](#), which is subject to change.

Conclusion

Halton Region has no objection to the proposed Special Provision, however, based on the above comments related to the RSC and FSR, Regional staff are not supportive of the removal of the existing Holding Provision until these matters are addressed.

Should the application proceed as submitted, it is the opinion of Regional Planning staff that the subject application is consistent with the Provincial Policy Statement (2014) and are in conformity with the Growth Plan (2019) and Halton Region Official Plan (2009) subject to a Holding “H” Provision containing the conditions noted below and the following provisions being implemented:

In order to address Halton Region’s outstanding matters as indicated above, The “H” Provision shall, upon application by the landowner, be removed by way of an amending zoning by-law from all or part of these lands, when Halton’s Commissioner of Legislative and Planning Services or his or her designate, has confirmed that:

1. That the Owner submit, to the satisfaction of the Region of Halton, a Ministry of the Environment, Conservation and Parks (MECP) acknowledged Record of Site Condition (RSC), that is certified by a qualified person as defined in Ontario Regulation 153/04 and indicates that the environmental condition of the site is suitable for its proposed land use.
2. The Owner shall provide an updated Functional Services Report (FSR) to the satisfaction of Halton Region.

Should you require any additional information or have any questions in this regard, please do not hesitate to contact me at (905) 825-6000, extension 7109.

Sincerely,

(original signed per: Anne Gariscsak)

Anne Gariscsak MCIP RPP
Planner

17 Halton District School Board

Date – Circulation 1

- See Appendix A

18 Halton Catholic District School Board

Circulation 1

- See Appendix B

19 Rogers
Derin Davy
Circulation 1



Rogers Communications
 Outside Plant Engineering
 3573 Wolfedale Road
 Mississauga, ON L5C 3T6

Markup Response Form

Application Date	September 4, 2019	Applicant:	Zelinka Priamo Ltd
Date Returned:	October 1, 2019		
Rogers Ref. No.:	M194162	Applicant Job No.:	ROD/OAK/18-01
Location:	550 Kerr Street, Oakville, ON		

Rogers Communications has reviewed your drawing(s) as requested and returns one marked-up copy. Our comments follow below with an "X" indicating Rogers' stance on your proposed plan.

Comments:

- No Conflict** Rogers Communications currently does not possess existing plant in the area indicated on your attached plans.
- No Conflict** Rogers Communications currently has existing plant as marked on your drawing. Our standard depth in this municipality is: **1m**.
For your Reference Please ensure you maintain clearances of 0.3m vertically and 0.6m horizontally.
- EXTREME CAUTION** Use vactruck and expose ducts, maintain minimum of 0.6m clearance.
- CONFLICT** Your proposed construction appears to encroach within existing Rogers Communications plant. Please relocate your proposed construction to allow adequate clearance of 0.3 m vertically and 1 m horizontally.
- CAUTION** Rogers Communications has aerial plant in this area, as it is indicated on the attached plans.
- CAUTION** Fiber Optic Cable is present in the area of your proposed construction.
- Note** Proposed Fiber Optic Cable in a joint use duct structure .
- Note** Plant currently under construction.
- Note** Please inform Rogers Communications well in advance of the proposed construction schedule in order to coordinate our plant relocation.
- Note** Locates are still required. Call for locates at 1-800-738-7893
- Note** Hand dig when crossing, or within 1.0m of existing Rogers plant.
- Note** Plant is to Approximation.

Derin Davy
 Planning Assistant

October 1, 2019
 DATE



ZELINKA PRIAMO LTD
A Professional Planning Practice

M194162

September 4, 2019

RECEIVED

SEP 04 2019

PLANNING SERVICES DEPT

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

Attention: Mr. Charlie McConnell, Manager – Planning, Current Planning

Dear Mr. McConnell

**Re: Application for Zoning By-law Amendment
 Oakville Developments (2010) Inc.
 550 Kerr Street
 Oakville, Ontario**
Our File: ROD/OAK/18-01

On behalf of Oakville Developments (2010) Inc., Zelinko Priamo Ltd. is pleased to submit materials for a Zoning By-law Amendment application for lands known as 550 Kerr Street in the Town of Oakville (the "subject lands").

BACKGROUND

The subject lands are comprised of a parcel of approximately 1.03 ha (2.55 ac) and are currently developed with a JYSK retail store, Shoppers Drug Mart retail store and associated parking areas. The lands comprise of a portion of the 'Oakville Commons' commercial plaza.

According to the Halton Region Official Plan, the subject lands are within the Urban Area. Under the Livable Oakville Plan, the subject lands are designated Urban Core and are within the Upper Kerr Village. According to the Town of Oakville Zoning By-law 2014-014, as amended, the subject lands are zoned Holding One – Mixed Use Urban Centre (H1-MU3).

Pre-consultation Meetings were held on March 28, 2018, and August 21, 2019. The Submission Requirements Checklist confirmed that an application for a Town of Oakville Zoning By-law Amendment is required to facilitate the proposed redevelopment of the subject lands.

PROPOSAL

Oakville Developments (2010) Inc. is proposing the redevelopment of the subject lands for a mixed-use development consisting of a total of approximately 472 residential dwellings and approximately 2,415 sq.m of grade level commercial space.

Rogers Communications Canada Inc. has buried and aerial fibre plant in this area, as it is indicated on the attached plans. Caution is advised. Hand dig when crossing or if within 1m of Rogers plant. Note: Plant is shown to approximation. Locates are still required. Call for locates at 1-800-738-7893

20 Maud Street, Suite 305
 Toronto, Ontario M5V 2M5
 Tel: 416-622-6064 Fax: 416-622-3463
 Email: zp@zpplan.com Website: zpplan.com

Derin Davy

01-Sep-2019



- Existing Buried Fibre cable
- Existing Aerial Fibre cable
- X Existing Hydro Pole

CALL FOR LOCATES
1-800-734-7893

CAUTION
HAND DIG WHEN CROSSING ROGERS
HAND DIG WITHIN 1M OF ROGERS PLANT

NOTE:
PLANT IS TO APPROXIMATION
PLAN NOT TO SCALE

Rogers File # - M194182
CAD Tech - Derh Davy





October 1, 2019

Paul Barrett
Planning Services Department
Town of Oakville
1225 Trafalgar Road
Oakville ON L6H 0H3

Dear Paul:

Subject: **Oakville Developments (2010) Inc.**
Zoning By-law Amendment Application
HDSB File No.: Z.1616.55/2019/O
Oakville's File No.: Z.1616.55

Thank you for the opportunity to review the proposed development application. It is understood that the application is a proposed development to permit the development of grade related commercial and three 16 storey residential buildings for a total of 472 units. Any students generated from this development application are currently within the Oakwood PS, W.H. Morden PS, Pine Grove PS and T.A. Blakelock HS catchment areas.

According to the Board's projections these schools with the exception of W.H. Morden PS, are projected to be at or under building capacity. As a result students generated from this development are expected to be accommodated in the respective schools with minimum impact to the facilities.

According to the Board's projections W.H. Morden PS is projected to be over building capacity. As a result students generated from this development are expected to be accommodated in this school with the addition of portables.

Please be advised that the Halton District School Board has no objection to the proposed application as submitted. Please notify us of the adoption of the proposed amendment and include us in the circulation of any future applications, **including site plans**, related to this development. The Halton District School Board will provide comments and conditions on each proposed development application received.

For your convenience, below are our standard conditions of development that may be applied to the development proposal:

Street Address: J.W. Singleton Education Centre • 2050 Guelph Line, Burlington, Ontario L7P 5A8
Mailing Address: J.W. Singleton Education Centre • P.O. Box 5005, Stn. LCD 1, Burlington, Ontario L7R 3Z2

Phone: 905-335-3663 | 1-877-618-3456 Fax: 905-335-9802

www.hdsb.ca



1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town's subdivision agreement, to be registered on title:
 - a. Prospective purchasers are advised that schools on sites designated for the Halton District School Board in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area.
 - b. Prospective purchasers are advised that school busses will not enter cul- de- sacs and pick up points will be generally located on through streets convenient to the Halton Student Transportation Services. Additional pick up points will not be located within the subdivision until major construction activity has been completed.
2. That in cases where offers of purchase and sale have already been executed, the owner sends a letter to all purchasers which include the above statement.
3. That the developer agrees that, should the development be phased, a copy of the phasing plan must be submitted prior to final approval to the Halton District School Board. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase.
4. That the Owner shall supply, erect and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed to schools outside of the area. The Owner will make these signs to the specifications of the Halton District School Board and erect them prior to the issuance of building permits.
5. That a copy of the approved sidewalk plan, prepared to the satisfaction of the Town of Oakville be submitted to the Halton District School Board.

In addition the following note should be included in the conditions:

Educational Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits which are additional to the maximum unit yield which is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.

Should you have any questions regarding our comments, please contact the undersigned.

Sincerely,

A handwritten signature in black ink that reads 'Lauren Choi'.

Laureen Choi
Senior Analyst – Planning
905-335-3665 ext. 2201
choil@hdsb.ca

Street Address: J.W. Singleton Education Centre • 2050 Guelph Line, Burlington, Ontario L7P 5A8
Mailing Address: J.W. Singleton Education Centre • P.O. Box 5005, Str. LCD 1, Burlington, Ontario L7R 3Z2

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October 2, 2019

Paul Barrette
Planning Services
Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

Dear Paul:

**RE: Application for Zoning By-law Amendment
Oakville Developments (2010) Inc.
550 Kerr Street
Your File No.: Z.1616.55**

In response to the above noted application to permit the development of 472 residential apartment units in three buildings, the Halton Catholic District School Board ("HCDSB") has no objection.

In terms of school accommodation, if the development was to proceed today, elementary students generated from this proposal would be accommodated at St. Nicholas Catholic Elementary School located at 477 Warminster Drive. Due to the construction of the new school facility at the above address, elementary students are temporarily being held at the former St. James Catholic Elementary School at 255 Morden Road. Secondary school students would be directed to St. Thomas Aquinas Catholic Secondary School located at 124 Dorval Drive.

Should you proceed with the approval of the Zoning By-law amendment, we require that the following conditions be placed in any subsequent agreements (e.g. Subdivision, Condominium and/or Site Plan). The conditions are to be fulfilled prior to final approval:

1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town's subsequent agreements, to be registered on title:
 - a. Prospective purchasers are advised Catholic school accommodation may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or bused to existing facilities outside the area.
 - b. Prospective purchasers are advised that the HCDSB will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board, and that you are notified that school busses will not enter cul-de-sacs.
2. In cases where offers of purchase and sale have already been executed, the owner is to send a letter to all purchasers which include the above statements.

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3. That the owner agrees in subsequent agreements (e.g. Subdivision, Condominium and/or Site Plan) to the satisfaction of the HCDSB, to erect and maintain signs at all major entrances into the new development advising prospective purchasers that if a permanent school is not available alternative accommodation and/or busing will be provided. The owner will make these signs to the specifications of the HCDSB and erect them prior to the issuance of building permits.
4. That the developer agrees that should the development be phased, a copy of the phasing plan must be submitted prior to final approval to the HCDSB. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase.

It should be noted that Education Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits that are additional to the maximum approved unit count will be subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.

Please notify us of the adoption of the proposed amendment and include us in the circulation of any future applications, including site plans, related to this development. This would allow HCDSB to effectively track development activity in the community and support school accommodation planning. In addition, HCDSB will provide comments and conditions on each proposed development application received.

If you have any questions regarding the aforementioned, please contact the undersigned.

Yours truly,



Frederick Thibeault, M. Pl.
Senior Manager of Planning Services

cc: A. Lofts, Superintendent of Business Services and Treasurer of the Board
D. Gunasekara, Planning Officer, Planning Services
E. Emery, Planning Clerk, Planning Services