

Planning and Development Council Meeting
July 6, 2020

Comments Received Regarding Item 2
Official Plan Amendment and Zoning By-law Amendment

FCHT Holdings (Ontario) Corporation
271 Cornwall Road and 485 Trafalgar Road
File No. OPA 1612.14 and Z.1612.14

From: Duncan Galloway [REDACTED]
Sent: Thursday, June 18, 2020 6:03 PM
To: Town Clerk
Cc: Julia Le
Subject: 271 Cornwall Road and 485 Trafalgar Road - Z.1612.14 and OPA 1612.14

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I am writing in regard to the above development proposal being considered by the Council. I wish to communicate two major concerns:

1. 19 floors is very high and will set a dangerous precedent for other developments. There was a good reason why the ten floor limit was established and I cannot see any good reason why that should be changed now. We lived in the Netherlands for several years, one of the most densely populated spaces in Europe. In an Amsterdam suburb there was a height limit of fourteen floors and each building had to be surrounded by an area of green space that increased in proportion to its height - the result being pleasant, treed and grassy neighbourhoods even with 14 storey buildings.

2. Absolutely no green space is considered. Where are all these people going to go for green space? Oakville seems with developments like these to be on track to building yet another steel and glass canyon - and no parks! Existing parks by the lake are small and already overcrowded. Yes, by all means increase density - but also increase shared green space which such density allows. Surely there can be better overall planning than this.

Sincerely,

Duncan Galloway
[REDACTED]

From: [jaynehuddleston](#) [REDACTED]
Sent: Monday, June 29, 2020 3:55 PM
To: Town Clerk
Subject: July 6 Public Information Meeting

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Town Clerk,

Attached is the Trafalgar Chartwell Residents Association's position statement on the proposed FCHT Holdings (Ontario) Corporation development at 271 Cornwall Road and 485 Trafalgar Road, for the public information meeting on July 6.

I will be delegating on behalf of the TCRA.

Jayne Huddleston

[REDACTED]
[REDACTED]
[REDACTED] Old Mill Road [REDACTED]
Oakville, ON L6J 7W2



Town Clerk at the Town of Oakville
1225 Trafalgar Road
Oakville, Ontario
L6H 0H3

June 29, 2020

Proposed Official Plan and Zoning By-law Amendment
271 Cornwall Road and 485 Trafalgar Road
FCHT Holdings (Ontario) Corporation OPA. 1612.14 and Z.1612.14, Ward 3
Monday July 6, 2020, 6:30 pm

Mayor Burton and members of the Planning and Development Council,

T.C.R.A.'s Position Statement

Cornwall Road and Trafalgar Road is a gateway intersection to downtown and Old Oakville. We object to this proposed Official Plan and Zoning By-Law Amendment because safe access and egress at the site cannot occur unless the intersection of Trafalgar Road and Cornwall Road is re-designed to accommodate high-density. This would be true even if the building heights conformed to the *current* zoning. Provincial cooperation is also necessary to enable re-building of the QEW/Trafalgar interchange before further density can be added. In addition, the project, in its current form, is inconsistent with the surrounding neighbourhood.

We are encouraged to see that the applicant's Planning Justification Report, dated September 2019, includes detailed notes covering the concerns expressed by many residents at the May 2019 public meeting. These notes accurately reflect feedback that was given by many local residents. However, we still have concerns that are not satisfied by the applicant's solutions in that report. We object to the Zoning Amendment and believe the height of the buildings should conform to the current zoning. We also believe the road improvements should be finished *before* this project is allowed to proceed.

Basis for position:

1. Traffic & Safety

- There is currently no vehicle access to the site from the north or west, and not by a main road from the south — therefore the only access for vehicles arriving at the site is from the east. This will worsen an already bad situation at the Cornwall/Trafalgar intersection, which is a very complex intersection. It already has serious safety and volume issues for cars. In addition, its design only gives the minimum consideration to use by pedestrians.
- The applicant's proposal suggests maintaining the northbound exit from the site and claims that it works well now. However it is dangerously close to a northbound right turn lane (coming from westbound Cornwall) where a speed problem already exists. The applicant also suggests completely eliminating that problematic right turn lane from Cornwall west to Trafalgar. That would address the issue of their site's exit, while only compounding other traffic problems at the intersection.
- The applicant's proposal also indicates that a left turn at Reynolds St. (from Cornwall) for cars coming from the west is a feasible solution to the lack of entry to the site. It is not feasible

within the design of the current intersection. Southbound traffic on Trafalgar turning east onto Cornwall would back up into the middle of the intersection.

- The increased volume of cars and pedestrians created by this development makes *safe* access and egress to and from the site, and vehicle movement in the surrounding area, impossible. The same would be true for an even smaller volume of cars accessing that site with the existing intersection design.

2. Zoning in the Midtown Transitional Commercial Area

- The current zoning for this site allows 4-10 stories (currently designated commercial). Notwithstanding the traffic issues mentioned in part 1, this request for 19 and 14 stories represents a dramatic change.
- 19 stories, on the edge of the high elevation over Trafalgar Road will create a visual shock at this gateway intersection — an intersection with which it is visually inconsistent. Buildings of this height will not only visually change the gateway to Old Oakville but alter the entire skyline of our town.
- The applicant's proposal estimates residential parking needs at 300 underground spaces for 292 residential units *plus* "commercial uses", which is low by the residential-only requirements of other condominiums in the area. There will also be 91 surface parking spaces removed. This raises a concern about enough surface parking remaining for the existing heavily-used plaza, and the possibility of both unit owners and visitors using the plaza's parking.
- While the 19-story condominium towers at Kerr St. and Speers Rd. may have set a precedent for height, they are not situated on a major corridor or at such a complex intersection.

3. Open Space

- The size of the site and the proposed remaining surface parking beside Whole Foods places the towers very close to Trafalgar Road. This appears to leave very little space on the site for open space and landscaping.
- The need for open space was addressed, by area residents, at the public meeting in May 2019. Based on the drawing submitted with the September 2019 proposal, we still have concerns about whether or not the applicant has adequately addressed the need for open space in a residential community.

4. Building Design

- We feel that these buildings should be, as much as possible, consistent with the surrounding neighbourhood. The aesthetic design of the existing First Capital plaza, known as Olde Oakville Marketplace, fits well with the historic residential neighbourhood, and with the only other existing residential condominiums in the area.
- Based on the preliminary design we saw at the public meeting in May 2019, combined with the vague and unclear drawings contained in the September 2019 proposal, we continue to have serious concerns about this aspect of the project, should it be approved. We would appreciate the applicant sharing clear design drawings with the community, should the project move forward.

Sincerely,
The Board, Trafalgar Chartwell Residents' Association



June 29, 2020

The Town of Oakville
c/o the Town Clerk
1225 Trafalgar Road
Oakville, ON
L6H 0H3

Attention: The Town Clerk

RE: Application submission: File # OPA-.1612.14 and Z.1612.14, Ward 3
Proposed Development location: 271 Cornwall Road and 485 Trafalgar Road Oakville, ON
Application No: N/A

Dear Town Clerk of The Town of Oakville :

Thank you for providing Trans-Northern with the Statutory Public Meeting Notice for the proposed application to amend the zoning by-law to allow for 14 and 19 storey buildings where 4-10 storey buildings are currently approved on the north-east corner of Cornwall Road and Trafalgar Road in Oakville, Ontario, know as 271 Cornwall Road and 485 Trafalgar Road. Trans-Northern currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way North and within 90m of the property affected by the application to amend the Official Plan and Zoning by-law to allow for the development of two mixed use buildings containing 292 residential units and 4, 065 m2 of commercial space.

Trans-Northern has no concerns with the proposed development outside of our right-of-way however final application may be required and can be initiated by contacting Ontario One Call. Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

- *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*
- **Prohibition — vehicles and mobile equipment**

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless

- *(a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*
- *(b) the vehicle or equipment is operated within the travelled portion of a highway or public road.*

If there are to be any proposed development to affect the 30 metres prescribed area a TNPI permit will be required. Additionally, should the applicant proposes to cross the pipeline with a vehicle or construct a

TORONTO

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CALGARY

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TEL (403) 476-1646 • FAX 905-770-8675

TRANS-NORTHERN PIPELINES INC.

facility across, on, along or under the pipeline, the applicant would be required to contact Trans-Northern prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from Trans-Northern will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Cliff Lee, Crossing Coordinator via email at : crossingrequestseast@tnpi.ca.

As always, Trans-Northern appreciates being circulated development applications.

Yours truly,

Michelle Gruszecki
Property and Right of Way Administrator
403-476-1644
mgruszecki@tnpi.ca

From: Andrea Stewart [REDACTED]
Sent: Wednesday, July 01, 2020 10:24 AM
To: Town Clerk
Subject: High Rises Cornwall and Trafalgar

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

There couldn't be a more dangerous location to build two large residential buildings at this time. Traffic is heavy at this intersection now and until the cross town traffic plan is in place in order to alleviate traffic at this intersection, the increase will create not only inconvenience but real danger.

Will a traffic study be completed?

I hope permission will be withheld until there is a plan to avert traffic from this busy intersection.

Andrea Stewart
[REDACTED] Reynolds St.
[REDACTED]

From: Richard Ruse [REDACTED]
Sent: Friday, July 03, 2020 10:59 AM
To: Town Clerk
Subject: Concerns for: FCHT Holdings (Ontario) Corporation File No. Z.1612.14, OP 1612.12, Ward 3

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Hi,

Just would like to voice my concern for the proposed application of a 19 and 14 story building as described in File No. Z.1612.14 OPA 1612.14.

As an Oakville resident who travels this area daily and uses the current Olde Oakville Marketplace Stores (Whole Foods, etc.), I feel this massive development would create an overwhelming increase in congestion to an already congested area.

Already, several times a year, the congestion at the Trafalgar/Cornwall intersection is causing drivers to be unable to make left turns through multiple light changes because the congestion is preventing the clearance of the intersection. It also makes Go Transit pedestrians sometimes make risky decisions in trying to cross the intersection and walking between cars.

Because the train tracks block options for nearby alternative overflow traffic routes, adding 292 residential units would create chaotic traffic with current residents trying to access the Old Oakville or South Oakville area being forced to go east to Ford drive or west to Kerr Street to access this area when it's too busy.

The reduction in commercial parking spaces also makes no sense as it's already difficult to park at busy times at Whole Foods.

Finally, this high density type of living is far too close to the neighbourhood of Olde Oakville and it's historical homes. Increased traffic on Reynolds and Douglas is all but guaranteed. Mobile Apps like Waze and Google Maps will inevitably suggest side streets as faster alternative routes. This exact scenario has played out in quiet neighbourhoods in California where similar high density living was placed close to quiet residential areas. (Links provided below)

Thank you for your time and consideration.

Sincerely,

Rick Ruse
Briarwood Cres, Oakville

<https://www.lamag.com/citythinkblog/waze-los-angeles-neighborhoods/>

<https://www.cbsnews.com/news/waze-traffic-app-causing-controversy-in-quiet-neighborhoods/>

Planning and Development Council Meeting
July 6, 2020

Comments Received Regarding Item 3
Zoning By-law Amendment

Oakville Developments (2010) Inc.
550 Kerr Street
File No. Z.1616.55

From: Ted Haugen [REDACTED]
Sent: Monday, June 22, 2020 10:10 AM
To: Town Clerk <TownClerk@oakville.ca>
Cc: Cathy Duddeck <cathy.duddeck@oakville.ca>; Ray Chisholm <ray.chisholm@oakville.ca>
Subject: Submission to the Town of Oakville Planning and Development Committee - File No. Z.1616.55

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Submission to the Town of Oakville Planning and Development Committee

Re: Proposed Zoning By-law Amendment 550 Kerr Street Oakville Developments (2010) Inc. File No. Z.1616.55, Ward 2

The West River Residents Association strongly opposes any amendments or approval of the entire application of the 500 Kerr St. land at this time.

We understand that the Speers/Kerr corner properties have four different owners. We also understand that it is likely that all four properties will be re-developed in time. This will have a significant impact on our neighbourhood.

But without a complete picture of what the full development of all four properties will entail, it is impossible for us to properly comment on concerns or offer suggestions, objections or support.

We strongly oppose a piecemeal approach to applications for development of any of the four individual properties.

Thank you.

Ted Haugen
President
West River Residents Association

From: Lawrence Tsang [REDACTED]
Sent: Tuesday, June 30, 2020 12:18 PM
To: Paul Barrette <paul.barrette@oakville.ca>
Cc: Lawrence Tsang [REDACTED]; Tsang, Alfred [REDACTED]
Subject: File No. Z. 1616.55, Ward 2

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Re: 550 Kerr Street Zoning By Law Amendment

Hi Paul, I am OBJECT against this project. It is better to wait for the completion of the section of Kerr Street over-pass/under-pass CN railway track first.

To observe the Kerr Street traffic flow before the consideration of this huge high traffic volume project amendment. We want to look at all 4 property owner proposals to make sure it is compatible for each other.

Regards.

[REDACTED]
Cheung-Toa TSANG

--

Lawrence



June 30, 2020

Town of Oakville
c/o the Town Clerk
1225 Trafalgar Road
Oakville, Ontario
L6H 0H3

Attention: the Town Clerk

RE: Application submission: File No. Z.1616.55, Ward 2
Proposed Development location: 550 Kerr Street, Oakville, Ontario
Application No: n/a

Dear Town Clerk:

Thank you for providing Trans-Northern with the Notice of Meeting for the proposed development to allow for mixed use development including 3 – sixteen storey apartment towers on a 6 storey podium with grade related commercial and a total of 472 units, located on the west side of Kerr Street north of Speers Road. Trans-Northern currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the property Southeast and adjacent to the proposed development relating to 550 Kerr Street.

Trans-Northern has no concerns with the proposed development as it is outside of the Prescribed Area (30m) and outside of our right-of-way. Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

- *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*
- **Prohibition — vehicles and mobile equipment**

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless

- *(a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*
- *(b) the vehicle or equipment is operated within the travelled portion of a highway or public road.*

If there is to be development (not discovered in this review) within the 30 metres prescribed area additional steps will be required. Additionally, should the applicant proposes to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact Trans-Northern prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from Trans-

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TEL (403) 476-1646 • FAX 905-770-8675

TRANS-NORTHERN PIPELINES INC.

Northern will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Cliff Lee, Crossing Coordinator via email at : crossingrequestseast@tnpi.ca.

As always, Trans-Northern appreciates being circulated development applications.

Yours truly,

Michelle Gruszecki
Property and Right of Way Administrator
403-476-1644
mgruszecki@tnpi.ca

From: Paul Jemison [REDACTED]
Sent: Tuesday, June 30, 2020 5:31 PM
To: Town Clerk <TownClerk@oakville.ca>
Cc: Cathy Duddeck <cathy.duddeck@oakville.ca>; Ray Chisholm <ray.chisholm@oakville.ca>
Subject: 550 Kerr Street Zoning Amendment request

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I strongly agree with the Town staff recommendation to deny the requested zoning amendment. It is next to impossible to understand how it would be possible to build the 3 towers being requested in the middle of a retail plaza without massive disruption to all the other businesses.

Regards,
Paul Jemison
[REDACTED] Riverside Drive
Oakville



61A Jarvis Street, Suite 200
Toronto, ON M5C 2H2

416.947.6702

416.947.6703

ian@mhlawyers.ca

www.mhlawyers.ca



July 2, 2020

VIA EMAIL

Planning and Development Council
Town of Oakville
c/o the Town Clerk
1225 Trafalgar Road
Oakville, ON L6H 0H3

Re: **550 Kerr Street, Oakville
Oakville Developments (2010) Inc.
Zoning By-law Amendment (Z.1616.55)
July 6, 2020 Planning and Development Council Meeting – Item 3**

Dear Members of Planning and Development Council,

We represent Metrolinx as legal counsel. As you are aware, Metrolinx is undergoing work on the road widening and realignment of Kerr Street to allow for a new underpass to be built at the Lakeshore West GO rail line just north of the subject lands. This is an infrastructure project of provincial and public interest. As such, our client has a direct interest in the above-referenced development application (“Oakville Developments Inc. Application”).

We have reviewed staff’s recommendation report dated, June 24, 2020 in relation to the Oakville Developments Inc. Application. At this time, our client has no comments on staff’s recommendations but as a party of interest to the Oakville Developments Inc. Application, we will be monitoring the development approval process to ensure it does not negatively impact our client’s infrastructure project.

We kindly request to be provided with all Council decisions in relation to the Oakville Developments Inc. Application.

Should you have any questions do not hesitate to contact me at 416-947-6702 or ian@mhlawyers.ca.



61A Jarvis Street, Suite 200
Toronto, ON M5C 2H2

416.947.6702

416.947.6703

ian@mhlawyers.ca

www.mhlawyers.ca



Yours truly,

M&H LLP

per:

Ian Mathany

cc: Paul Barrette, Senior Planner, Town of Oakville
Charles McConnell, Planning Manager, Town of Oakville
Vicki Tytaneck, Town of Oakville Clerk
Susanna Willie, Planning Clerk, Town of Oakville
Client

Piper Morley
T 416.367.6591
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Borden Ladner Gervais LLP
Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada M5H 4E3
T 416 367.6000
F 416 367.6749
blg.com



File No. 036343/000021

July 2, 2020

Delivered via Email (TownClerk@oakville.ca)

Corporation of the Town of Oakville
Planning and Development Council
c/o the Town Clerk
1225 Trafalgar Road
Oakville, ON L6H 0H3

Dear Sir/Madam:

**Re: Submissions with respect to a Proposed Zoning by-law Amendment for
550 Kerr Street (the “Subject Property”)
File No. Z.1616.55**

We are legal counsel to April Investments Limited, the owner of 530 Kerr Street, 527079 Ontario Limited, the owner of 560-588 Kerr and Trans County Development Corporation Limited, the owner of 520 Kerr/131 Speers (the “**Surrounding Owners**”). We received a notice of meeting for the proposed Zoning By-law Amendment for Oakville Developments (2010) Inc. (the “**Applicant**”) in respect of 550 Kerr Street and bearing File No. Z.1616.55.

On November 1, 2019, BLG submitted comments on behalf of the Surrounding Owners to the Town for consideration at the November 4, 2019 Planning and Development Council meeting (attached hereto for ease of reference). At that meeting, the application was considered and comments from the public and staff were received. From our review of the file, the Applicant has not filed any revised plans and thus our comments set out in the November 1, 2019 letter are still applicable and we adopt those comments as our written submission on the application, with some minor modifications as set out below.

There are two updates to BLG’s November 1, 2019 letter:

- 1) The Surrounding Owners and the Applicant have now met with Town staff through a landowner coordination process (as noted in the June 24, 2020 staff report). The Owner of the lands located at 171 Speers Avenue has also taken part in that process. We look forward to continuing to work with the Applicant and Town staff to achieve comprehensive redevelopment of Upper Kerr using Liveable Oakville as a policy framework; and
- 2) Since November 1, 2019, the Town has updated its guidelines for tower separation in the Liveable by Design Manual. Our comments with respect to built form should be updated accordingly i.e. 25m setbacks between towers and 12.5m to the property line.

We have also received the Planning Services Department staff report dated June 24, 2020. We support and adopt staff's comments in respect of landowner coordination, particularly those comments set out on pages 31-32 of the staff report. We do note that a portion of the comments on page 6 appear to be obstructed by the Applicant's Block Concept Site Plan.

We may identify more comments and concerns as we interact with staff and the Applicant and will provide those comments in due course. We look forward to working with you and the Applicant to achieve mutually desirable development of the Upper Kerr Village.

Yours very truly,

BORDEN LADNER GERVAIS LLP



Piper Morley
PM/jcm

114271094:v1

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Borden Ladner Gervais LLP
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22 Adelaide Street West
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November 1, 2019

Delivered via Email (TownClerk@oakville.ca)

Corporation of the Town of Oakville
Planning and Development Council
c/o the Town Clerk
1225 Trafalgar Road
Oakville, ON L6H 0H3

Dear Sir/Madam:

**Re: Submissions with respect to a Proposed Zoning by-law Amendment for
550 Kerr Street (the “Subject Property”)
File No. Z.1616.55**

We are legal counsel to April Investments Limited, the owner of 530 Kerr Street, 527079 Ontario Limited, the owner of 560-588 Kerr and Trans County Development Corporation Limited 520 Kerr/131 Speers (the “**Surrounding Owners**”). The lands owned by the Surrounding Owners flank the Subject Property to the North and South within the Upper Kerr Village District.

We write to you to provide our comments and concerns in relation to the application of Oakville Developments (2010) Inc. (the “**Applicant**”) in respect of 550 Kerr Street and bearing File No. Z.1616.55.

Overall, we adopt the comments provided in the October 11, 2019 staff report and provide more specific comments with respect to the Surrounding Owners’ concerns.

Comprehensive Development

Staff have consistently expressed a strong desire for a comprehensive plan for this area, which is consistent with Policy 23.7.1(a) of Liveable Oakville Plan, which requires that redevelopment shall be based on a comprehensive plan which demonstrates the potential full build out of the lands.

We also note that a phased approach to development is necessary for a large, comprehensive development with multiple owners, especially in light of Livable Oakville Policy 23.7.1(b) which identifies that redevelopment of low-rise commercial uses may occur gradually and in a phased manner. We would also like to ensure that during construction, the businesses operating in the commercial premises surrounding the Subject Property are not disrupted and would like to understand how that will be achieved.

You have already received a block plan created by Urban Strategies which we believe reflects the intent and purpose of the policies relating to the Upper Kerr Village. In accordance with staff comments on page 16 of October 11, 2019 staff report, we look forward to meeting with planning staff and the Applicant to advance comprehensive redevelopment of Upper Kerr using Liveable Oakville as a policy framework.

Built Form

Our planners have met with the Applicant's planners to express our concerns with the built form identified in the Applicant's concept plan submitted, and we look forward to working with the Applicant in the future, but we take this opportunity to express some of our concerns on built form, particularly.

We note that there is inadequate tower separation distance provided for between 550 and 530 Kerr Street (12.5m rather than 15m is provided to the south property line), which will constrain the 530 Kerr Street property for potential tower development. We note that the Urban Design Direction for Oakville s. 24(a) would require the Applicant to incorporate minimum separation distances between building towers, whether on the same or an adjacent property of 30m for buildings of 30 storeys or less.

The tower floorplates proposed by the Applicant as currently shown have an area of approximately 610 m². We question the feasibility and marketability of a 610 m² tower residential floorplate as well as the wisdom of potentially limiting the number of towers distributed elsewhere within the block plan based on such a small residential floorplate in the Applicant's development proposal.

We are concerned that the current concept plan does not consider variation in built form and articulation to avoid sameness as required by Policy 6.9.7 of Liveable Oakville. Instead, most of the buildings within the concept plan are shown as having consistent heights and articulation. There are several policies within Liveable Oakville which promote variation in built form, but we specifically point to policy 6.9.4 which sets out that in Growth Areas, 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.

While the heights shown on the Urban Strategies concept plan exceed current permissions, there are few nodes within Oakville that will allow for the achievement of desired urban densities and a critical mass of development to support the goal of enhanced transit, as identified in Liveable Oakville Policy 23.3.1. We see the redevelopment of Upper Kerr Village as an opportunity to achieve this through increased building heights and intensification.

Similarly, Policy 6.9.8 sets out that buildings located on corner lots shall provide a distinct architectural appearance that continue around the corner to address both streets. Continuous street walls of identical building heights, as are shown on the concept plan, are discouraged under policy 6.9.10 of Liveable Oakville. We also note that the slab podium (approximately 130m in length) may not create a desirable pedestrian scale for the block and neighbourhood as a whole.

In terms of the gateway treatments that are encouraged in Liveable Oakville in Policy 23.5.4 and the Urban Design Direction for Kerr Village: 3A, we note that the entry points of the concept plan do not currently indicate visual prominence and a sense of arrival.

Lastly, there is little to no transition to the south west low rise residential neighbourhood which would be required by Policies 23.2.3, 23.3, and 11.1.9(c) of Liveable Oakville.

It is our position that the concept plan as currently shown does not meet these policies although, as stated above, we are open to meeting with staff and the applicant to address these concerns.

Street and Block Pattern

Having carefully reviewed the street and block pattern put forward by the Applicant for this area, we prefer the street and block pattern proposed by Urban Strategies. Particularly, the road connection from Shepherd to Speers breaks up the block for a more urban condition, allows for greater pedestrian movement and permits a vehicular connection prior to completion of Shepherd extension.

The Urban Strategies street pattern is also preferable because it identifies an internal road network which would extend and connect to Speers Road, thereby providing an interconnected network of roads designed to disperse traffic by providing alternative routes in accordance with Policy 6.5.1 of Liveable Oakville. The Urban Design Direction for Kerr Village (3E) speaks to prioritizing pedestrian access and movement, enhancing the circulation network, and creating new linkages such as mid-block connections which can help to mitigate long and deep blocks.

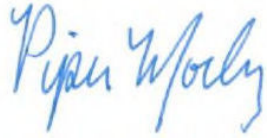
We adopt the issues identified in the October 11, 2019 staff report which requires further analysis, including:

- a. Provision of a complete local road network.
- b. Appropriateness of the proposed private road to access other parcels.
- c. Impacts of the layout/connectivity of roadways on the adjoining properties.
- d. Feasibility of interim reliance on lands being expropriated by Metrolinx to provide site access via the Shepherd Rd. extension.

In terms of the surface parking shown on the Applicant's concept plan, we prefer the Urban Strategies concept plan which does not include surface parking. This is consistent with Policy 12.5.3(a) of Liveable Oakville which encourages underground and/or structured parking and Policy 23.4.1(c) which encourages limited surface parking.

We may identify more comments and concerns as we interact with staff and the Applicant and will provide those comments in due course. We look forward to working with you and the Applicant to achieve mutually desirable development of the Upper Kerr Village.

Yours very truly,
BORDEN LADNER GERVAIS LLP



Piper Morley
PM/jcm

TOR01: 8346136: v1

-----Original Message-----

From: Brad White [REDACTED]

Sent: Friday, July 03, 2020 11:43 AM

To: Town Clerk <TownClerk@oakville.ca>

Cc: [REDACTED] Paul Barrette <paul.barrette@oakville.ca>

Subject: Request for notification on proposed zoning bylaw amendment - Speers Road and Kerr Street file no. Z.1616.55, Ward 2

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

In response to the letter we revived regarding the upcoming meeting on July 6, I would like to get better insight and updates with regards to the proposed rezoning on the west side of Speers and Kerr

I have three concerns that I am looking for input from the Town of Oakville regarding the proposal:

1. It appears based on the highlighted property that the plan would result in a loss of services (grocery store, drug store, barber shop, convenience store, restaurants etc).

How will the construction impact these services and what can people who rely on these services expect going forward? My wife and I downsized to a condo across the street and having these services was a key factor in our decision to move here.

Losing access to services in this area seems to fly in face of the quality of life that current residents experience. Let alone closing businesses and forcing people out of work during a pandemic

2. What is the forecasted value of the existing properties in the area?

Adding more apartment condos in an area that is already saturated seems to mean that there will be a negative impact on existing owners. Especially if the amenities are lost. Selling an existing property will be difficult.

3. What is the proposed timing of construction and estimated time of completion?

The existing properties at Speers and Kerr took almost 5 years and the amount of traffic and noise for the existing residents was significant and disruptive. There will already be significant issues with noise and traffic when the updated road construction on Kerr takes place.

Overall, we will be looking forward to hearing more. We have significant concerns on the negative impact this proposal would cause.

We are supportive of better housing but choosing a property that has much needed amenities for existing owners and causing undue disruption and stress seems to be a disconnect from the towns mandate of being the most livable town in Canada.

Thank you for the opportunity to hear more and be heard.

Brad White

██████████ Speers Road

Oakville Ontario

L6K 0H9

Sent from my iPhone