



Planning & Urban Design Rationale

157 & 165 Cross Avenue
Town of Oakville

Prepared For
Cross Realty Inc.

March 2024



BOUSFIELDS INC.

Job Number

23143

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This Planning and Urban Design Rationale report has been prepared in support of an application by Cross Realty Inc. to amend the Town of Oakville Official Plan and the Town of Oakville Zoning By-law No. 2014-014, as amended, with respect to an approximate 0.96 hectare site located at the north side of Cross Avenue and west of Argus Road, municipally known as 157 and 165 Cross Avenue.



An overhead view of a meeting around a table. Five people in business attire are gathered around a table covered with architectural blueprints, a tablet, and various tools like a compass, ruler, and color swatches. A large white circle with the number '1' is overlaid on the left side of the image.

1

Introduction

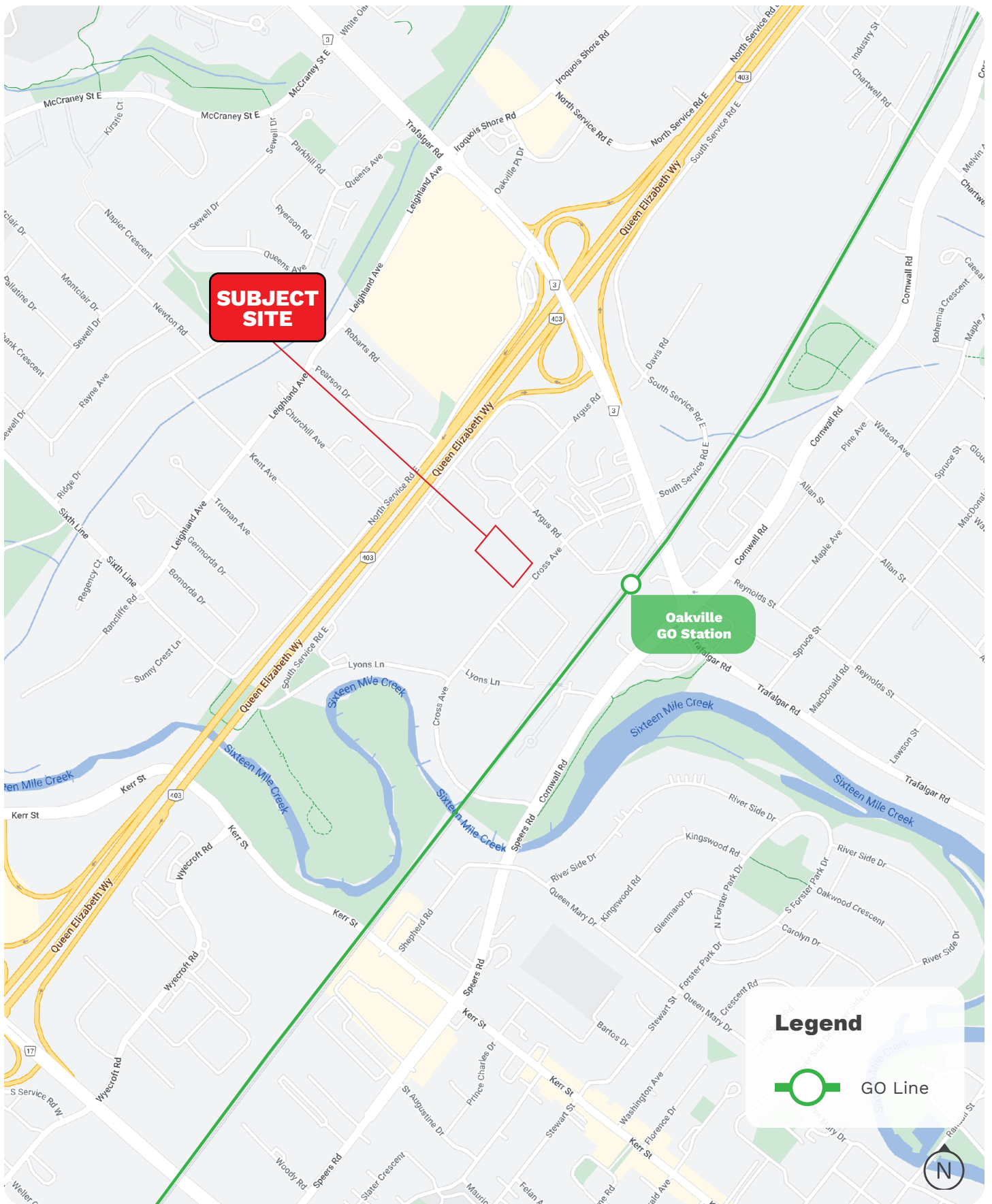


Figure 1 - Location Map

This Planning and Urban Design Rationale report has been prepared in support of an application by Cross Realty Inc. to amend the Town of Oakville Official Plan (Livable Oakville Plan) and the Town of Oakville Zoning By-law No. 2014-014, as amended, with respect to an approximate 0.96 hectare site located at the north side of Cross Avenue, west of Argus Road. The site is municipally known as 157 and 165 Cross Avenue in the Town of Oakville (the "subject site") (see **Figure 1**, Location Map). Cross Realty Inc. is a subsidiary of Distrikt Developments and Remington Group.

The subject site is located in the Midtown Oakville Urban Growth Centre and is currently occupied by two commercial buildings, which would be demolished in order to facilitate the redevelopment of the subject site. The requested Official Plan and Zoning By-law amendments would facilitate the redevelopment of an underutilized site with two new mixed-use buildings containing two, 45- and 61-storey towers as well as a new privately owned publicly accessible open space ("POPS"). Improvements to the existing and future road network will be made through the conveyance of lands towards two future local streets and expansion of Cross Avenue. The proposed development will have a total gross floor area ("GFA") of approximately 97,858 square metres, consisting of 94,138 square metres of residential GFA, 2,693 square metres of commercial GFA, 1,027 square metres of office GFA, and a total of 1,198 new residential dwelling units, resulting in a density of 10.17 FSI.

This Planning and Urban Design Rationale report concludes that the proposed development is in keeping with the planning and urban design framework established by the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, Region of Halton Official Plan, the Livable Oakville Plan (including the Midtown Oakville Policies) and the applicable urban design guidelines.

From a land use perspective, the proposal is consistent with the Provincial Policy Statement and conforms with the Growth Plan for the Greater Golden Horseshoe and maintains the intent of the Livable Oakville Plan, all of which promote the intensification of underutilized sites within built-up urban areas, particularly in locations that are well served by existing municipal infrastructure, including higher-order public transit. In this regard, the subject site is located in the Midtown Oakville Urban Growth Centre, is within convenient walking distance of the Oakville GO station and is a designated Growth Area in the Town of Oakville Official Plan and designated Urban Centre and Urban Core in Midtown Oakville, where the greatest intensity of development is anticipated.

The development will provide for a mix of uses, including retail/commercial, office, and residential uses as well as substantive improvements to the public realm through the creation of a central POPS.

From a built form and urban design perspective, the proposal is contextually appropriate and will introduce a high-quality architectural development to the Midtown Oakville area. The proposal will fit within the planned built form context and in our opinion, will be compatible with the emerging hierarchy of building heights between Oakville's Growth Areas. At street level, the podium buildings will appropriately frame the street frontages and the proposed POPS and create pedestrian scaled elements through the articulation of building massing.

The proposed building heights and massing conform with the built-form policies of the Official Plan and have appropriate regard for the Liveable by Design Urban Design Manual and Designing Midtown Oakville Urban Design Guidelines. The proposal will contribute to the achievement of the envisioned urban area for Midtown Oakville by introducing a high-density transit-oriented development in proximity to the Oakville GO Station. The proposed heights and massing of the podium elements are contextually appropriate and will enhance the public realm with active uses at grade.

From an urban structure perspective, achieving greater height on the subject site is appropriate and will not result in unacceptable built form impacts on the surrounding land uses nor impede upon their redevelopment potential. The proposed towers have been designed to adequately limit shadow impacts on surrounding streets, parks and open spaces and will fit within the emerging and planned built form context emerging around the GO Station. Given the size of the subject site, appropriate separation distances have been achieved within the development that are in keeping with the Liveable by Design Urban Design Manual and Designing Midtown Oakville Urban Design Guidelines.

In our opinion, the proposed development represents good land use planning and urban design and reflects an important opportunity to redevelop an underutilized site with new residential, office, and retail uses. Moreover, the proposal supports the envisioned built form context for the area and supports the development of a complete community in Midtown Oakville. Accordingly, it is our opinion that the Official Plan Amendment and Zoning By-law Amendment application is appropriate and desirable and should be approved.



Site & Surroundings

2.1 Subject Site

The subject site is located within Oakville's Midtown Growth Area. The subject site is located on the north side of Cross Avenue, west of Argus Road, and within Oakville's Midtown Growth Area (see **Figure 2**, Aerial Photo). The subject site is generally rectangular in shape with the exception of a small notch in the southeast corner of the subject site. Along Cross Avenue, the subject site has a frontage of approximately 77 metres and depth between 125 to 129 metres resulting in an area of approximately 9,630 square metres (0.96 hectares). The subject site is an assembly of two commercial properties, municipally known as 157 and 165 Cross Avenue, which are described in detail below.

A singular ingress and egress driveway accessed from Cross Avenue serves both properties. Along the western property boundary is a servicing easement related to the lands immediately north of the subject site (166 South Service Road).

With respect to topography and existing canopy coverage, the subject site is relatively flat and contains a mixture of low-lying shrubs and young trees. The site slopes up from north to south by approximately 0.51 metres along Cross Avenue and slopes down from west to east by approximately 1.1 metres. There are a total of 44 existing trees located within six metres of the subject site properties and within the right-of-way. The majority of the trees are found along the west and south lot lines of the 157 Cross Avenue property, as well as along the northern property line where the subject site abuts a large green space.



Figure 2 - Aerial Photo

157 Cross Avenue

The property at 157 Cross Avenue contains a single-storey commercial building occupied by a Lighting Centre located in the southern portion of the site. The remaining area is largely occupied by a surface parking area on the north side of the existing building, and two rows of surface parking on the south side, fronting onto Cross Avenue. The western and northern portions of the property are lined with vegetation and mature trees.

In 2019, an application was filed for the property known as 157 Cross Avenue to amend Zoning By-law 2014-014 and permit a new, 26-storey mixed use development. The proposal included a 12-storey mid-rise component along the Cross Avenue frontage.



157 Cross Avenue (Subject Site – Front)

165 Cross Avenue

The property at 165 Cross Avenue contains a 3-storey commercial building occupied by a school, dentistry clinic, and law office. Similar to 157 Cross Avenue, the existing building is located in the southern portion of the site with the remaining lands to the north used for surface parking. There is limited parking along the south and west sides of the building.



165 Cross Avenue (Subject Site – Front)



157 Cross Avenue (Subject Site – Rear)



165 Cross Avenue (Subject Site – Rear)

2.2 Area Context

The subject site is located in Midtown Oakville, a low-rise commercial retail area that surrounds the Oakville GO Station. Midtown Oakville is anticipated to evolve into a new urban centre for the Town of Oakville and is expected to accommodate significant residential and employment growth in the coming decades, as identified by provincial and local policies. The Midtown Oakville area is generally defined by Cornwall Road to the south, Sixteen Mile Creek to the west, South Service Road East to the north, and Chartwell Road to the east (see **Figure 3**, Aerial Photo - Area Context).

Midtown Oakville currently consists of various commercial, and employment uses which include large-format commercial/retail plazas, automotive dealerships, large parking areas for the Oakville GO Station, office buildings and hotels. Within the last two decades, residential uses have been introduced to Midtown, which is discussed in more detail in Section 2.3 below.

Midtown Oakville benefits from existing services and amenities both within and in proximity to such as the Oakville GO Station, the Oakville Place (a large shopping mall on the north side of the Queen Elizabeth Way (QEW)), Downtown Oakville (approximately 2.5 kilometres to the south of the subject site), the QEW (directly north of the subject site), and various commercial retail uses including retailers like Home Depot, LCBO, Longo's, Dollarama, Whole Foods, Value Village, and others.

As mentioned, Midtown Oakville is envisioned to evolve over the coming years and accommodate a significant amount of the Town of Oakville's residential and employment population. It is expected that the majority of the existing uses in the surrounding context will be redeveloped as a part of Midtown's evolution into a true mixed-use community. Further to this, the Town of Oakville is also planning a series of significant changes to the surrounding road and open space network. New roads, parks, and pedestrian connections are expected to be constructed in Midtown which will improve the public realm, improve connections across the QEW, and create an urban, mixed-use centre.

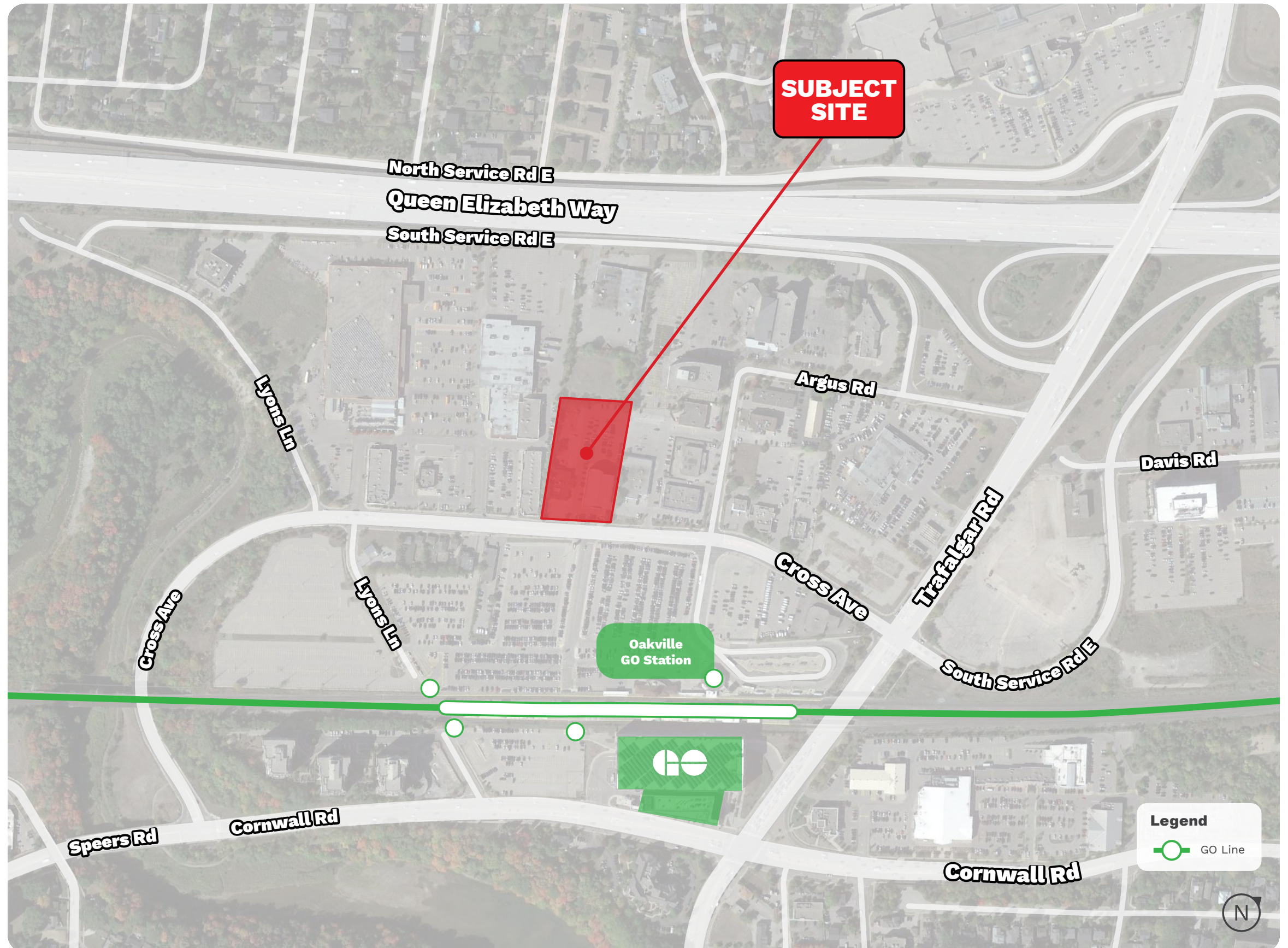


Figure 3 - Aerial Photo - Area Context

2.3 Immediate Surroundings

For the purposes of this Planning and Urban Design Rationale Report, and to simplify the orientation of the subject site, Cross Avenue will be treated as an east-west road framing the south side of the subject site.

To the immediate north is 166 South Service Road East, a one-storey commercial brick building with various retail tenants including Hikers Heaven, Spartan Fitness Equipment and LED Supplies. At the front and rear of the building are surface parking lots, which are accessed by way of a driveway from South Service Road East. In May of 2022, an Official Plan Amendment and rezoning applications were submitted for the lands at 166 South Service Road East, also owned by Distrikt Developments, to permit the redevelopment of the property with a multi-tower mixed-use development and public realm improvements. The towers are proposed to have heights of 44- (140.0 metres, plus mechanical), 50- (158.0

metres, plus mechanical) and 58-storeys (182.0 metres, plus mechanical), and include a mix of residential, office and retail uses. The proposed development will result in a density of 8.95 FSI, if approved. The proposal also included the provision of a centralized POPS located at-grade and land conveyances along the northern and eastern portions of the property to accommodate a future local road and the realignment of South Service Road East.

In June 2023, an appeal was filed with the OLT due to Council's failure to make a decision on the application within the prescribed *Planning Act* timelines. Notwithstanding the appeal status, Distrikt Developments intends to continue working with Town Staff on the proposal and plans to file a resubmission of the applications to the Town.



166 South Service Road

North of 166 South Service Road East, opposite South Service Road East, is the Queen Elizabeth Way ("QEW") highway; an 8-lane provincial highway that extends west from the City of Toronto south to St. Catharines. North of the QEW is a predominantly low-rise residential neighbourhood, apart from Oakville Place, and is comprised of single- and semi-detached dwellings and some apartment buildings. Oakville Place, located at the northwest of the QEW and Trafalgar Road, is a commercial mall containing tenants such as Hudson's Bay and PetSmart and ample surface parking surrounding the building. Adjacent to Oakville Place, north of the QEW is Pearson Park.

Northeast of the subject site is a 5-storey office building (586 Argus Road) and a 6-storey hotel (Holiday Inn) at the northwest intersection of South Service Road East and Argus Road. In June of 2023, a development application was filed on behalf of Distrikt Developments

to redevelop the lands at 590 Argus Road with a new multi-tower, mixed-use development. The submitted Official Plan Amendment and rezoning application seeks to permit the redevelopment of the lands with three towers, that are proposed to be 44- (142.8 metres, plus mechanical), 50- (161.8 metres, plus mechanical), and 58-storeys (186.8 metres, plus mechanical) in height. The development will include a range of residential, retail and service uses, as well as two large open spaces at-grade and lands conveyed to support the realignment of South Service Road East. The proposed development will have a density of 12.57 FSI, if approved.

Similar to the application at 166 South Service Road East, Distrikt Developments appealed the application to the OLT, but will continue working with Town Staff on refining the proposal. A resubmission is anticipated to be filed with the Town on behalf of Distrikt Developments.



586 Argus Road



590 Argus Road

Immediately east of the subject site, at the northwest corner of Argus Road and Cross Avenue are three, low-rise commercial retail buildings and surface parking lots (177 and 185 Cross Avenue & 568 Argus Road). The buildings contain various small commercial, automotive and restaurant tenants. The lands occupied by 177-185 Cross Avenue and 580 Argus Road have zoning approval for three mixed-use towers that are 12-, 12-, and 20-stories in height (48, 48 and 72 metres respectively).

Uses permitted by the site-specific Zoning By-law Amendment include an apartment dwelling, long term care facility, medical office, and retirement home. North of the building at 568 Argus Road is a single-storey daycare building (580 Argus Road) with the fenced children's play area along Argus Road and in the rear.



177 Cross Avenue



568 Argus Road



185 Cross Avenue



580 Argus Road

Further east, the lands in the northeast quadrant of Argus Road and Cross Avenue towards Trafalgar Road, are occupied by low-scale retail, office and fast-food restaurants, and their associated surface parking lots, as well as a large car dealership. Distrikt Developments has a third active application in this area, comprised of the lands known as 571, 581 and 595 Argus Road and 217 and 227 Cross Avenue. Applications for an Official Plan Amendment and a Zoning By-law Amendment were filed in June 2022 to permit a mixed-use development and public realm enhancements on the consolidated properties. The proposal contemplated three new mixed-use buildings containing three towers with heights of 44-storeys (136.3 metres, plus mechanical), 49-storeys (153.2 metres, plus mechanical) and 58-storeys (179.8 metres, plus mechanical). In addition to residential uses, office and retail spaces were proposed within the buildings, as well as a centralized POPS at-grade.

This development also provided land conveyances for improvements and enhancements to the road network. The proposed development will have a density of 9.6 FSI, if approved. In conjunction with Distrikt Development's other applications, the development applications for 590 Argus Road were appealed to the OLT. A resubmission of the applications is anticipated to be filed with the Town on behalf of Distrikt Developments.

The lands east of Trafalgar Road, north of the CN Rail Corridor, is comprised of lower scale office and service uses, as well as hotel, and the former General Electric Lighting Lamp Plant (420 South Service Road East). The Lamp Plant lands are now vacant, except for a retained heritage structure. In May 2023, a new application was submitted to permit the redevelopment of the lands known as 349 Davis Road with a new 58-storey (176.0 metres, plus mechanical) residential mixed-use building. The application is currently under review by City Planning Staff.



207 Cross Avenue



227 Cross Avenue



217 Cross Avenue



Oakville GO Station parking lots



142 Cross Avenue



124-126 Cross Avenue



Oakville GO entrance



136 Cross Avenue



128 Cross Avenue



VIA Rail Building



118 Cross Avenue



132 Cross Avenue



Oakville GO Bus parking structure



122 Cross Avenue

South of the subject site, on the south side of Cross Avenue, are two large surface parking areas that are associated with the Oakville GO Station, discussed in greater detail below. South of the parking lots, on the north side of the rail corridor, are entrances to the Oakville GO and VIA Rail platforms as well as the Oakville Bus Terminal. Vehicular access to the parking areas, as well as the Station pick-up/drop-off area is from a north-south road that extends immediately south of the subject site through a signalized intersection. South of the rail corridor is a 6-storey above-ground parking structure and 3-storey GO Transit Network Operations Centre, which fronts onto the intersection of Trafalgar Road and Cornwall Road, as well as a surface parking lot. Pedestrian and vehicular access, as well as pick-up and drop-off, is from Cornwall Road and Trafalgar Road.

Southwest of the subject site, on the south side of Cross Avenue, is a single-storey auto mechanic (142 Cross Avenue) and two-storey office building (136 Cross Avenue). West of the office building are five detached bungalows (132 – 118 Cross Avenue), all of which are currently being used for residential purposes, except for 118 Cross Avenue, which has been repurposed into an office. At the southeast corner of Cross Avenue and Lyons Lane is a hydro substation managed by Oakville Hydro (539 Lyons Lane). Opposite the hydro substation, at the southwest corner of the intersection, is an additional parking lot serving the Oakville GO Station.

Immediately west of the subject site is a one-storey commercial building surrounded by a large surface parking lot (117 Cross Avenue), and a single-storey small-scale commercial plaza (125 Cross Avenue) currently occupied by Value Village, and Dollarama, as well as smaller retail stores, restaurants, and a grocery store. Parking for the commercial plaza is located on the north side of the building, fronting onto South Service Road East, as well as along the shared eastern property line.

The remainder of the block, towards Lyons Lane, is occupied by stand-alone restaurants (located at 111 and 105 Cross Avenue), and a big-box retailer commercial retailer (99 Cross Avenue, Home Depot), as well as their associated surface parking lots.

West of the Home Depot is a vacant lot (599 Lyons Lane) and a 4-storey office building (627 Lyons Lane) and an open space referred to as the "Lyons Lane Garden Plots." The property at 599 Lyons Lane is currently vacant and received approval from the Ontario Land Tribunal (known as the Ontario Municipal Board at the time) in April 2009 to redevelop the lands. In accordance with the OPA attached to the decision, the permitted maximum height for the lands was 20-storeys and 26-storeys with bonusing. No buildings have been constructed on the lands at the time of this application.

West of these lands is a 4-storey office building (627 Lyons Lane), which is currently subject to an active application for a residential tower development. An application to amend the Zoning By-law was submitted in 2021 to permit a 28-storey (87.25 metres, plus mechanical) residential tower with 281 units and 208 vehicular parking spaces. The application is currently under review by Town Staff. West of Lyons Lane is Sixteen Mile Creek River alley, a significant natural heritage area that features a significant cliff face off Lyon's Lane dropping down to the river below.



117 Cross Avenue



99 Cross Avenue



125 Cross Avenue (Value Village)



111 Cross Avenue



125 Cross Avenue (Dollarama)



105 Cross Avenue

2.4 Transportation Context

Road Network

The segment of Cross Avenue framing the subject site is identified as a Minor Arterial Road with a current right-of-way width of approximately 20 metres, however, is planned to have an ultimate right-of-way width of 28 metres (see **Figure 4**, Schedule L3, Midtown Oakville Transportation Network). This segment of Cross Avenue includes five lanes of vehicular traffic, two lanes travelling west and three lanes travelling east, and pedestrian sidewalks are on both sides of the street. No on-street parking is permitted on either side of the street.

The subject site also has access to the regional road network, including Trafalgar Road and the Queen Elizabeth Way ("QEW") highway. Trafalgar Road is a major north-south arterial road with a designated 50 metre right-of-way and is located approximately 350 metres west of the subject site. Trafalgar Road is also a designated Higher Order Transit Corridor in the Regional Official Plan and is identified as a future rapid transit corridor in the Metrolinx Regional Transportation Plan. The Regional Transportation Plan identifies it for a future BRT or LRT project before 2041.

The QEW highway runs in an east-west direction through the Town of Oakville from Fort Erie in the Niagara region through to the City of Toronto. The 8-lane freeway includes High Occupancy Toll lanes, as well as an interchange to the northeast of the subject site at Trafalgar Road providing easy vehicular access.

While there is not a significant amount of active transportation infrastructure surrounding the subject site today, the 2014 Midtown Oakville Transportation Environmental Assessment, as well as the Midtown Oakville Growth Area policies identify several active transportation improvements surrounding the subject site, including multiple dedicated pedestrian crossings of the QEW, dedicated bicycle lanes on Cross Avenue, and a multi-use path along Trafalgar Road.

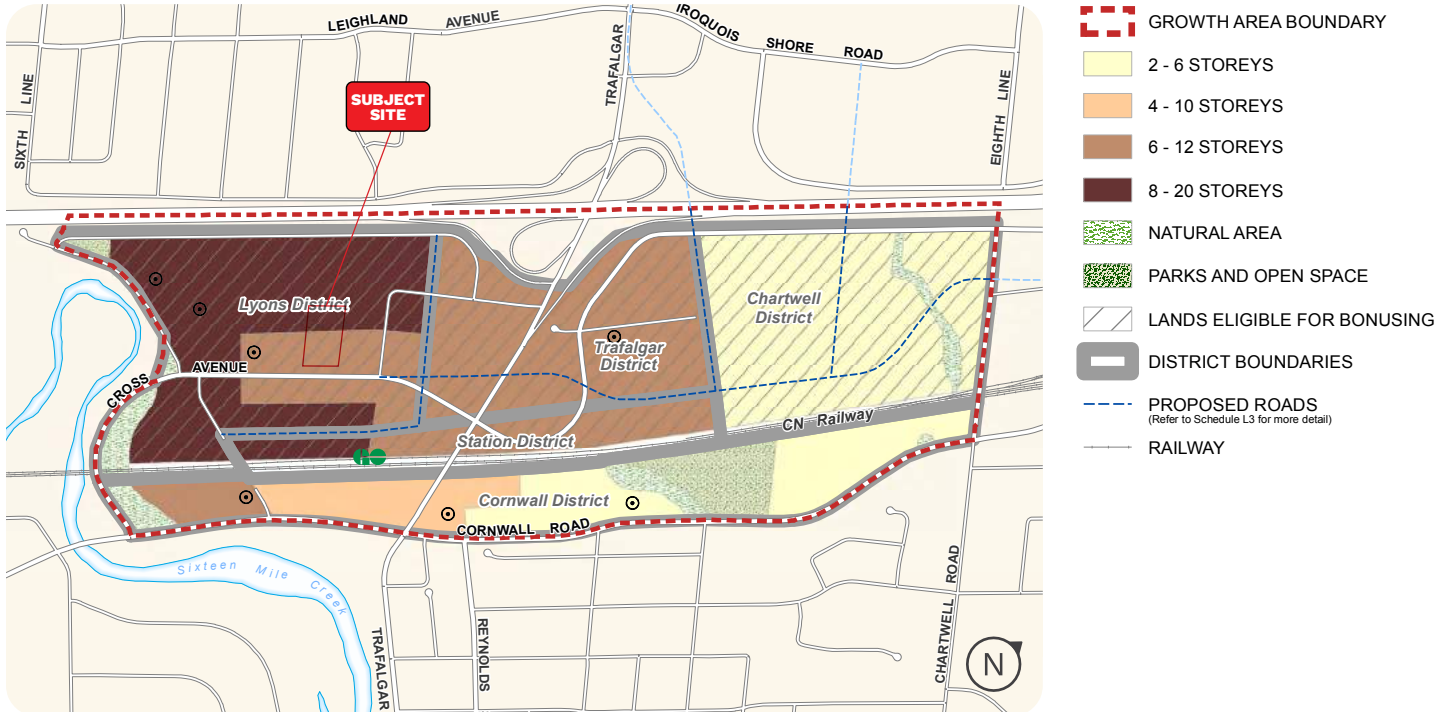


Figure 4 - Livable Midtown Oakville - Schedule L3, Midtown Oakville Transportation Network

Transit Network

Existing Transit Network

From a public transit perspective, the subject site is well served by existing public transit services. The subject site is located approximately 185 metres (radius distance) northwest of the Oakville GO Station and bus terminal, and approximately 300 metres (walking distance) from the nearest entrance, representing a 4- to 5-minute walk (see **Figure 5**, Oakville GO Station). The GO Station consists of a central station building, a large,

structured parking garage on the south side of the GO corridor, and large areas of surface parking. Combined, the parking garage and surface parking areas provide over 2,700 vehicular parking spaces for commuters.

The Oakville GO Station is serviced by 16 of Oakville Transit's bus services, all day, frequent GO Transit commuter rail service and regular VIA Rail and Amtrak rail connections to inter-regional destinations.

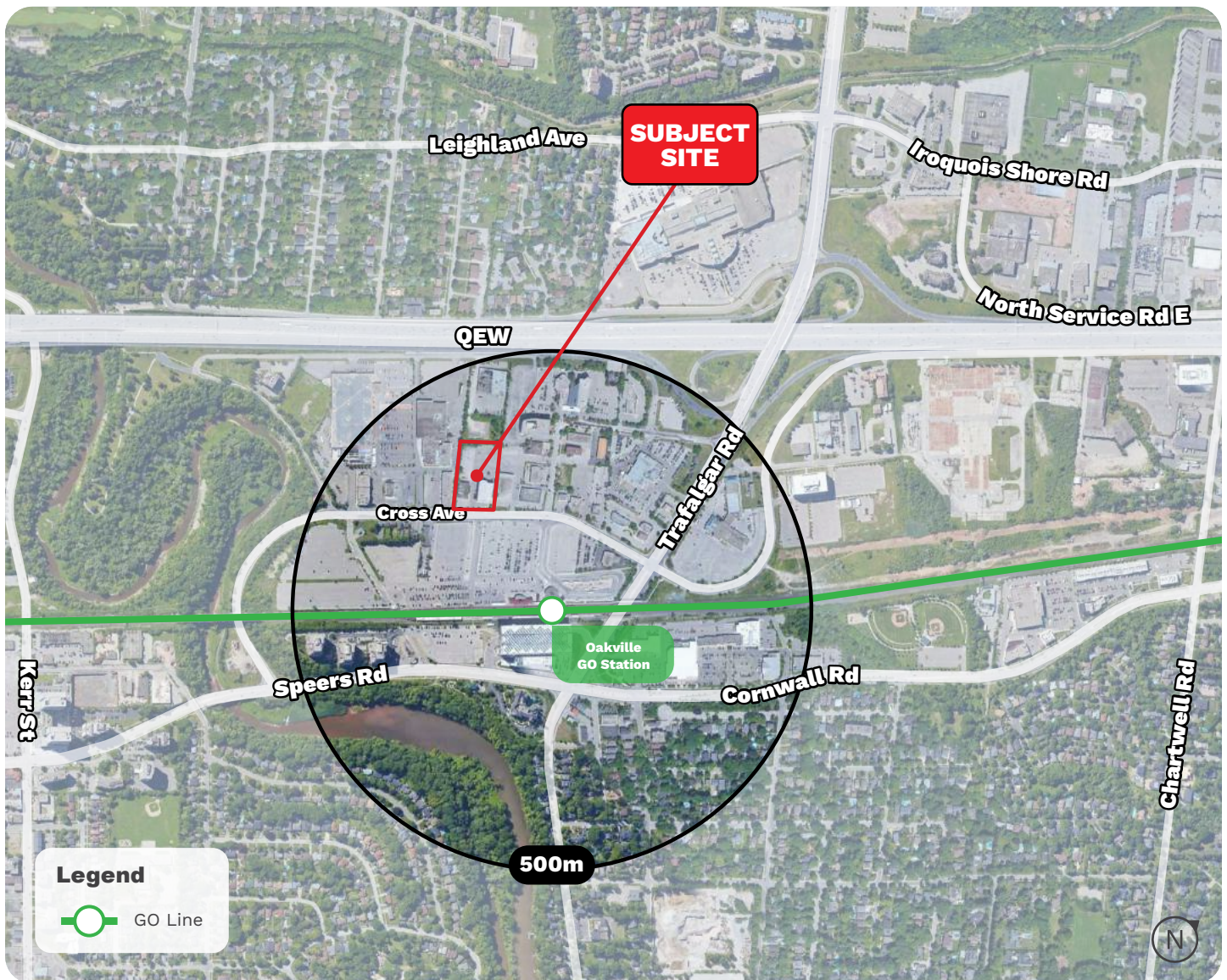


Figure 5 - Aerial Photo - Oakville GO Station

Oakville Transit's bus terminal provides service to the majority of the Town of Oakville (see **Figure 6**, Oakville Transit Map). Frequent services are provided in all directions from the station, particularly along Trafalgar Road towards Uptown Oakville and Dundas Street to the north. Below is a description of the 16 bus route services:

- **Route 1, Trafalgar:** the bus route operates in a north-south direction between the Oakville GO Station and the Trafalgar/407 GO Carpool lot along Trafalgar Road. It operates Monday to Friday and every hour between 6 a.m. and midnight.
- **Route 4, Speers-Cornwall:** the bus operates generally in the east-west direction between the Clarkson GO in Mississauga and Bronte GO in Oakville. The bus operates every 30 minutes from 6 a.m. to midnight on weekdays and every 60 minutes from 7 a.m. to 11 p.m. on weekends.
- **Route 5 and 5A, Dundas:** operates generally in the east-west direction between the Oakville GO and Dundas/ 407 GO Carpool in Burlington. Route 5 operates along Dundas Street and Route 5A operates along Sixteen Mile Drive. The bus operates every 30 minutes on weekdays between the hours of 6 a.m. and 12 a.m., every 30 minutes on Saturdays between the hours of 7 a.m. and 12 a.m., and every 30 minutes on Sundays between the hours of 8 a.m. and 8 p.m.
- **Route 10 West Industrial:** is a loop route that operates in an east-west direction between the Oakville GO and Bronte GO Stations during the weekdays only, and between 6 a.m. and 10 a.m., and 2 p.m. and 5 p.m. every 30 minutes.
- **Route 11 Linbrook:** the bus operates in an east-west direction between Oakville GO Station and Clarkson GO Station. The bus operates from 6 a.m. to 9 p.m. every hour, during the weekdays only.
- **Route 13 Westoak Trails:** the bus operates between the Oakville GO and Bronte GO Stations. It differs from Route 10 as it provides connections to neighbourhoods in north Oakville, including Wet Oak Trails, located north of Highway 403. The bus operates between the hours of 6 a.m. and 11 p.m. every 30 minutes on weekdays, between 7 a.m. and 10 p.m. every hour on Saturdays and 8 a.m. and 7 p.m. every hour on Sundays and holidays.
- **Route 14 and 14A Lakeshore West:** the bus operates between the Oakville GO and Appleby GO Stations in Burlington, generally in an east-west direction. The bus operates on weekdays every 30 minutes between the hours of 6 a.m. and midnight, on Saturdays every 30 minutes between 7 a.m. and midnight and Sundays and holidays every 30 minutes between 8 a.m. and 7 p.m.
- **Route 15 Bridge:** the bus operates between the Oakville GO Station and South Oakville Centre running along Bridge Road. The bus operates every 30 minutes between the hours of 6 a.m. and 8 p.m. on weekdays, every hour between 8 a.m. and 8 p.m. on Saturdays and every hour between 9 a.m. and 8 p.m. on Sundays and holidays.
- **Route 18 Glen Abbey South:** the bus route operates between the Oakville GO and Bronte GO Stations providing connections to Nottinghill and Abbeywood. The route operates every 30 minutes between the hours of 6 a.m. and 9 p.m. on weekdays, every hour between 7 a.m. and 8 p.m. on Saturdays and every hour between 8 a.m. and 8 p.m. on Sundays and holidays.
- **Route 19 River Oaks:** the bus route runs generally in the north-south direction between the Oakville GO Station and Uptown Core in Oakville. The bus operates every 30 minutes between 6 a.m. and 11 p.m. on weekdays, every hour between 7 a.m. and 9 p.m. on Saturdays and every hour between 9 a.m. and 8 p.m. on Sundays.
- **Route 20 Northridge:** the bus route runs generally in the north-south direction between the Oakville GO Station and Uptown Core, along Eight Line. The bus operates every 30 minutes between 6 a.m. and 8 p.m. on weekdays, every hour between 7 a.m. and 8 p.m. on Saturdays and every hour between 8 a.m. and 8 p.m. on Sundays.
- **Route 24 South Common:** the route operates between the Oakville GO Station and Uptown Core in a north-south connection, and proceeds to South Common, operating in an east-west connection. The bus operates every 30 minutes between the hours of 6 a.m. and 12 a.m. on weekdays, every 30 minutes between 7 a.m. and 11 p.m. on Saturdays and every 30 minutes between the hours of 8 a.m. and 7 p.m. on Sundays and holidays.

- **Route 26 Falgarwood:** the bus route loops between the Oakville GO Station and Lancaster and Grosvenor and operates every 30 minutes between 6 a.m. and 9 a.m. in the mornings and 3 p.m. to 8 p.m. on weekdays only.
- **Route 28 Glen Abbey North:** the bus operates between the Oakville GO Station and Bronte GO, providing a connection to the Glen Abbey neighbourhood. The bus operates on weekdays every 30 minutes between 6 a.m. and 10 p.m., on Saturdays every hour between 6 a.m. and 8 p.m. and Sundays and holidays every hour between 8 a.m. and 8 p.m.
- **Route 120 East Industrial:** the bus loops between Oakville GO station and Laird and Ridgeway in a generally north-south connection. The bus operates on weekdays only and between the hours of 6 a.m. and 7 p.m. every 30 minutes.
- **Route 190 River Oaks Express:** the bus route operates between the Oakville GO Station and the Glenashton and Trafalgar area on weekdays only, between 6 a.m. and 8 a.m., and 5 p.m. and 7 p.m. every 30 minutes.

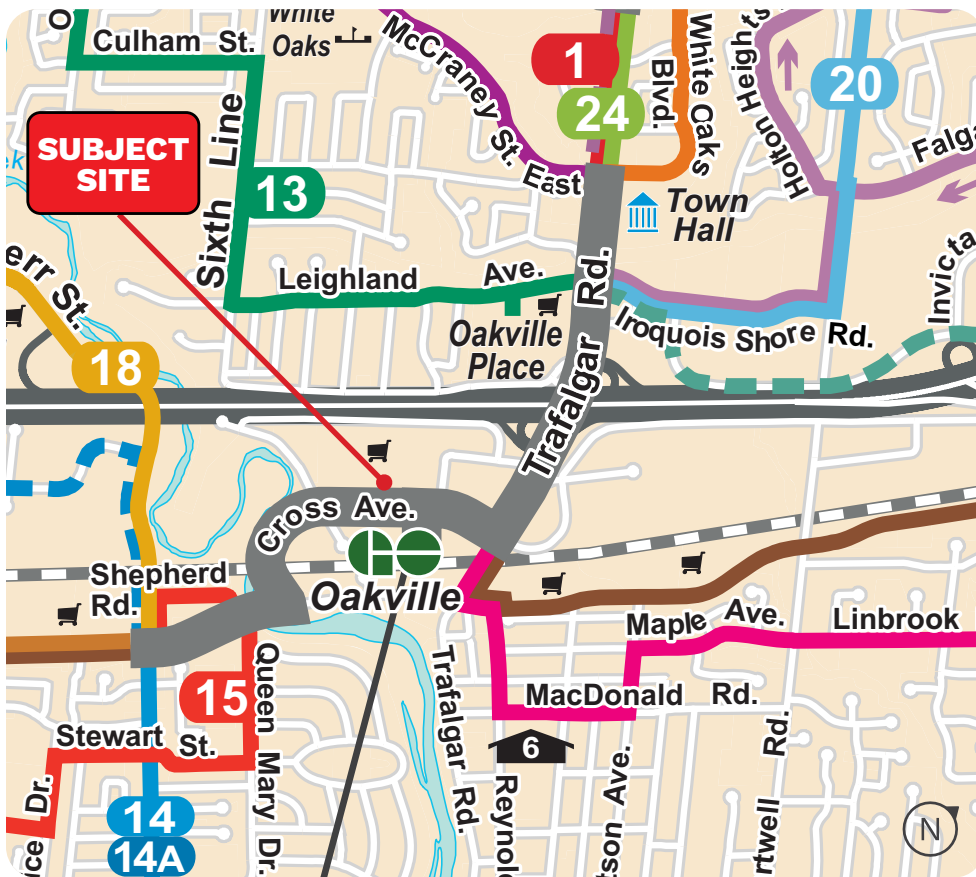


Figure 6 - Oakville Transit Map

Proposed Transit Improvements

With respect to rail transport, the Oakville GO Station provides frequent service on the Lakeshore West Line, with active plans to expand service levels. The Oakville GO station is the second busiest GO Station on the GO network, behind only Toronto's Union Station, and as a result, has excellent frequencies and travel options. Currently, Lakeshore West Line provides connections east to Toronto and West to Burlington and Hamilton. The line runs every 30 minutes between the hours of 5:00 a.m. and 7:00 p.m. on weekdays, and every hour between 5:00 a.m. to midnight on weekends. The travel time to and from Toronto is approximately 40 minutes.

Metrolinx is currently working on improving the services to and from Toronto with the Lakeshore West GO expansion project. The expansion project aims to provide 15-minute service or better, between Toronto and Burlington, alongside new hourly service to and from Hamilton, seven days a week. The timelines for commencing and completing the project are yet to be announced.

In addition, the Oakville GO Station provides limited train services that extend as far as Niagara Falls during peak periods. Additional services, including frequent express trains, are operated during peak hours. GO's Expansion plan is currently underway planning to significantly increase services, with plans for all-day express services (15 minute, all-day, two-way service) and a wide range of peak-hour express, local, and super-express services, including more services to the west towards Niagara and Hamilton.

In addition, VIA Rail and Amtrak serve the Oakville GO Station, providing inter-regional services from Toronto through to Brantford, London, and Windsor, while Amtrak provides a once-daily service from Toronto through Buffalo to New York City in the United States.

The Designing Midtown Urban Design Guidelines, discussed in Section 4.11 below, identifies a new 22 metre wide local road along the eastern portion of the subject site, and Cross Avenue as a future arterial with a planned right-of-way width of 35 metres. Cross Avenue is identified as being part of "Existing and future transit lines", the "Main Pedestrian Spine", and is planned to accommodate proposed bike routes/lanes.

The Region of Halton and Metrolinx's Transportation Master Plans include recommendations for a Bus Rapid Transit (BRT) service on Trafalgar Road between Midtown Oakville and Highway 407. As mentioned, Trafalgar Road is approximately 315 metres east of the subject site.

The Trafalgar Road BRT will have a dedicated lane for buses, allowing for faster and more reliable frequent transit. It will form a link for businesses and residents along the Trafalgar Corridor. The Town of Oakville is working with Metrolinx to support this initiative and has requested the installation of High Occupancy Vehicle (HOV) lanes on the route until the BRT is built.

In December of 2021, the Town of Oakville identified the Trafalgar BRT as one of its seven priority projects to address climate change, ease gridlock and improve connectivity. The timeline for the project is not yet determined.



3

Proposal

3.1 Overview

The proposed development will revitalize an underutilized site in Midtown Oakville with a two-tower, mixed-use transit-oriented development, containing retail / commercial, office, and residential uses. Through the redevelopment of the subject site, the proposal will expand the public realm and enhance the pedestrian experience within Midtown by unlocking lands for new publicly accessible open space and new local streets.

The proposal contemplates a mixed-use development that is in keeping with, and has regard for, the overarching and emerging vision for Midtown Oakville. The proposed development will support the evolution of Midtown Oakville as a place where people can live, work and play, thereby contributing to the achievement of a complete community and the Town's vision of a Liveable Oakville.

Key goals and objectives of the proposed development include:

- the contribution of a range of housing options and sizes that will support the achievement of Provincial growth targets;
- the provision of a transit-supportive development that will support ridership on Oakville GO station and the planned Trafalgar BRT, lessening the reliance on the private automobile;
- enhancements the public realm through the contribution of activated public spaces and pedestrian connections, as well as the local mobility network by conveying lands to permit new local streets; and
- the introduction of commercial use opportunities that will contribute to a vibrant mixed use, and complete community.



Rendering of Proposal (Provided by Teeple Architects)

3.2 Description of the Proposal

The proposal contemplates the redevelopment of the subject site with two residential towers above a shared mixed-use podium, as well as a privately owned publicly accessible open space at-grade. The proposed towers will mirror one another through their architectural design, while the podium base will frame the POPS located at the southeast corner of the subject site.

The tiered podium base building will have a total height of 3-storeys (15.5 metres), with a 58-storey tower ("Tower A") positioned above at the southwest corner of the site, for a total height of 61-storeys (193.8 metres). At the northeast corner of the site will be a 42-storey residential tower ("Tower B"), for a total building height of 45-storeys (145.8 metres). Both Towers will have a centrally located 9.7-metre-high mechanical penthouse, bringing the overall metric height of the development to 203.5 and 155.5 metres, respectively.



Rendering of Proposal (Provided by Teeple Architects)



Rendering of Proposal (Provided by Teeple Architects)

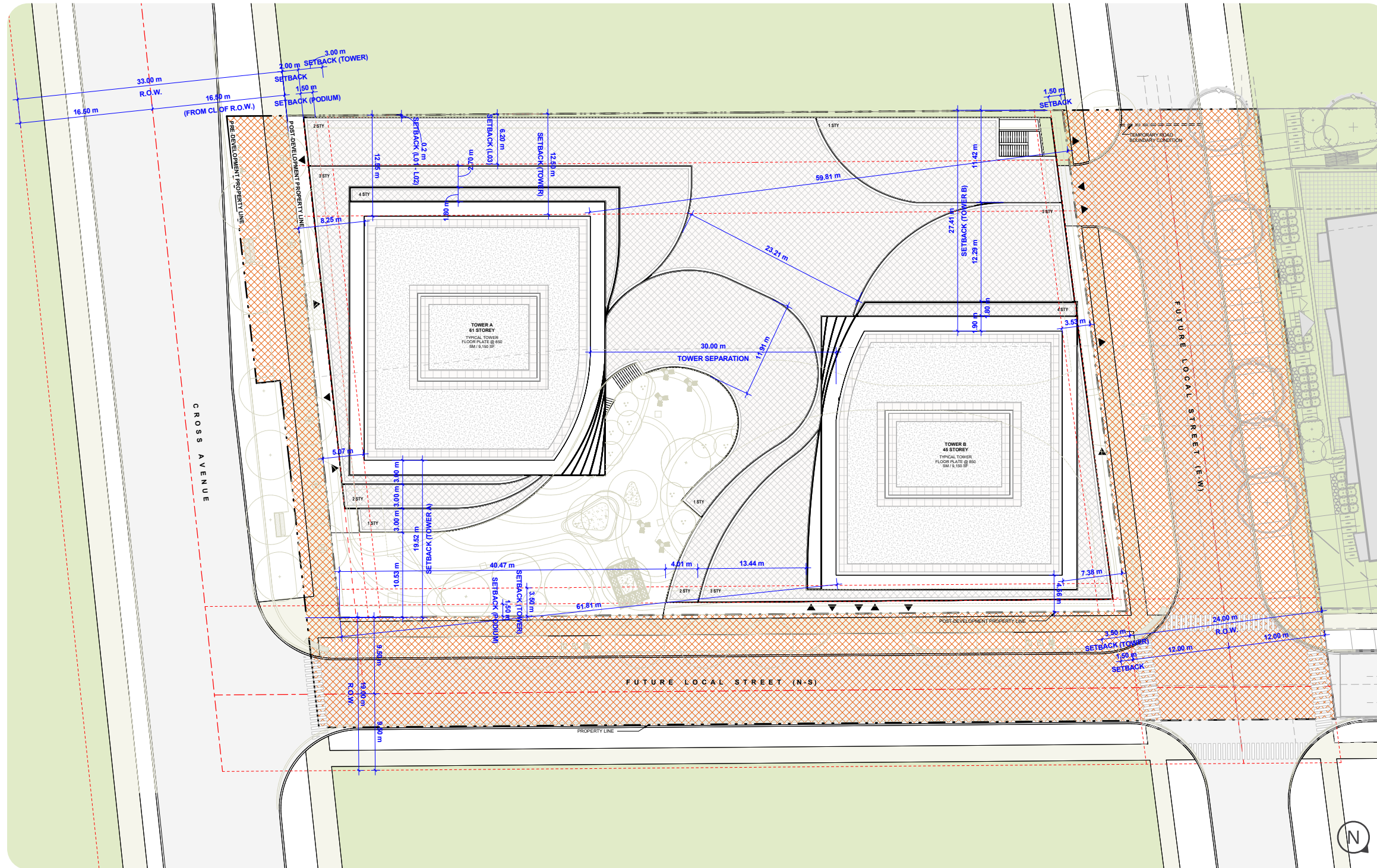


Figure 7 - Site Plan (Provided by Teeple Architects)

Overall, the proposed development will have a total gross floor area ("GFA") of approximately 97,858 square metres, resulting in an overall net density of 10.17 FSI. The proposal is comprised of approximately:

- 94,138 square metres of residential floor area;
- 2,693 square metres of commercial floor area;
- 1,027 square metres of office floor area;
- 1,057 square metre privately-owned publicly accessible space (POPS);
- 3,586 square metres of road conveyance for future streets located along the northern and eastern portions of the subject site, as well as the widening of Cross Avenue; and
- 1,198 new residential dwelling units, comprised of one-, two-, and three-bedroom units.

Loading, building servicing, storage and vehicular parking will take place within the building envelope, allowing for lands at-grade to be opened up for additional commercial and publicly accessible uses. A seven-level underground parking garage has been proposed for residential and visitor vehicular and bicycle parking, as well as storage. Two vehicular entrances have been proposed, the primary which will be from the future east-west local streets.

In support of Midtown's refined road network, the proposed development will convey portions of the property along its northern and eastern boundaries to accommodate two new local streets, as well as a portion along the southern boundary in support of the widening of Cross Avenue. To the north, the new east-west local street is anticipated to have an ultimate right-of-way of 24 metres, whereas the north-south local street will have an ultimate right-of-way of 19 metres. For the purposes of this report, references to podium and tower setbacks will be to the new property lines (post-conveyance).

Podium Building (Levels 1 to 3)

The podium building will have a total height of 3-stories (15.5 metres), and will step down towards the westerly property line, as well as the southeast corner of the site to frame the POPS with a single-storey element. At grade, the ground floor will be set back approximately 3.0 metres from the north and east property lines, 3.5 metres from the south property line along Cross Avenue and a minimum of 0.2 metres from the west lot line. The southeast corner of the podium will be significantly setback from the respective property lines to accommodate the 1,057.9 square metre POPS.

Extending north from the proposed POPS, bisecting the ground floor, will be a pedestrian walkway that opens up to local street. At its narrowest width, this pedestrian connection will be 3.0 metres wide, but will grow to more than 5.0 metres in width. The POPS has been designed as an extension of the public realm, inviting pedestrians into the site from the adjacent sidewalks. As discussed below, a portion of the POPS will be covered by Level 2 above, providing the opportunity for weather-protected areas for pedestrians visiting the site.

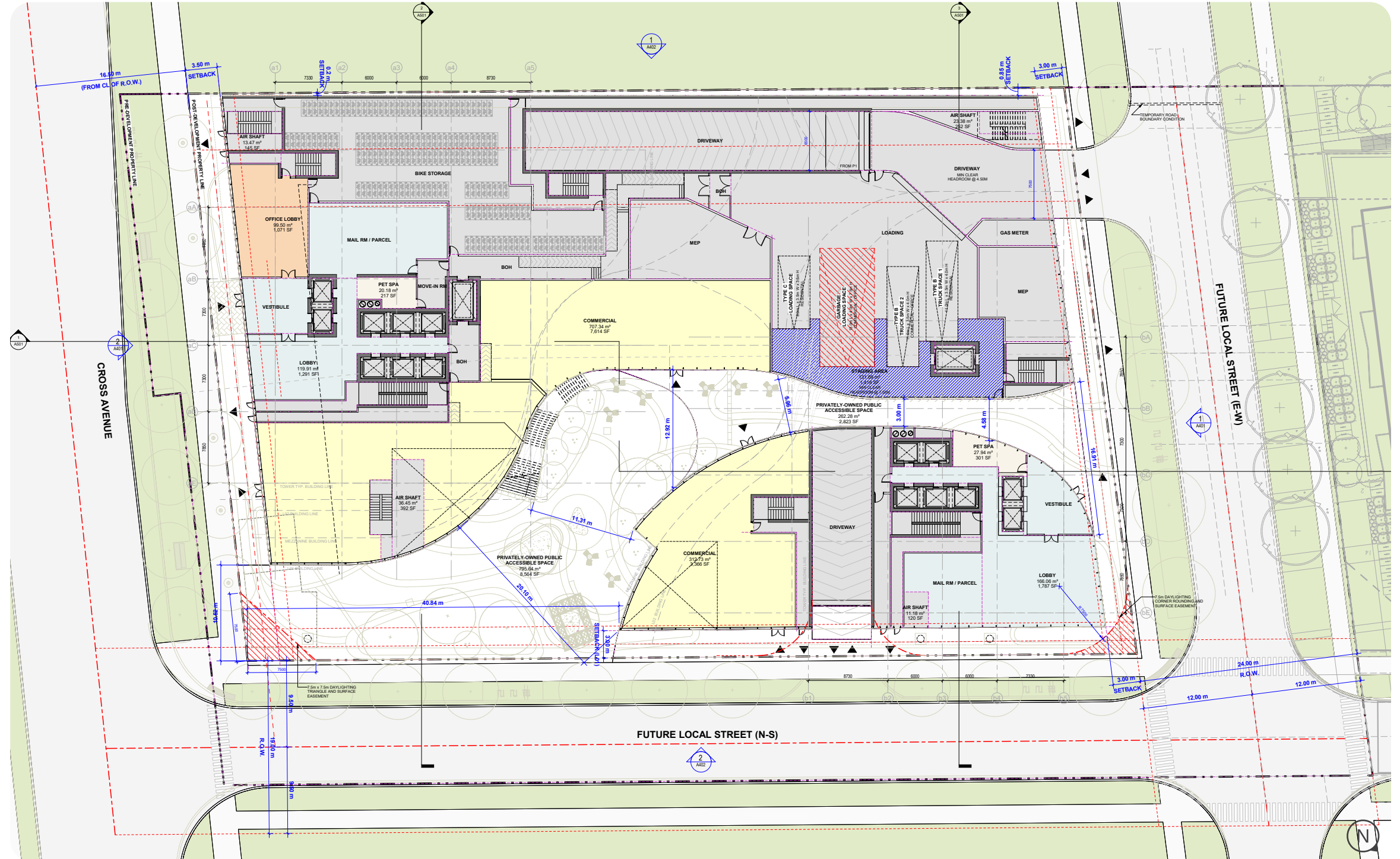


Figure 8 - Ground Floor Plan (Provided by Teeple Architects)

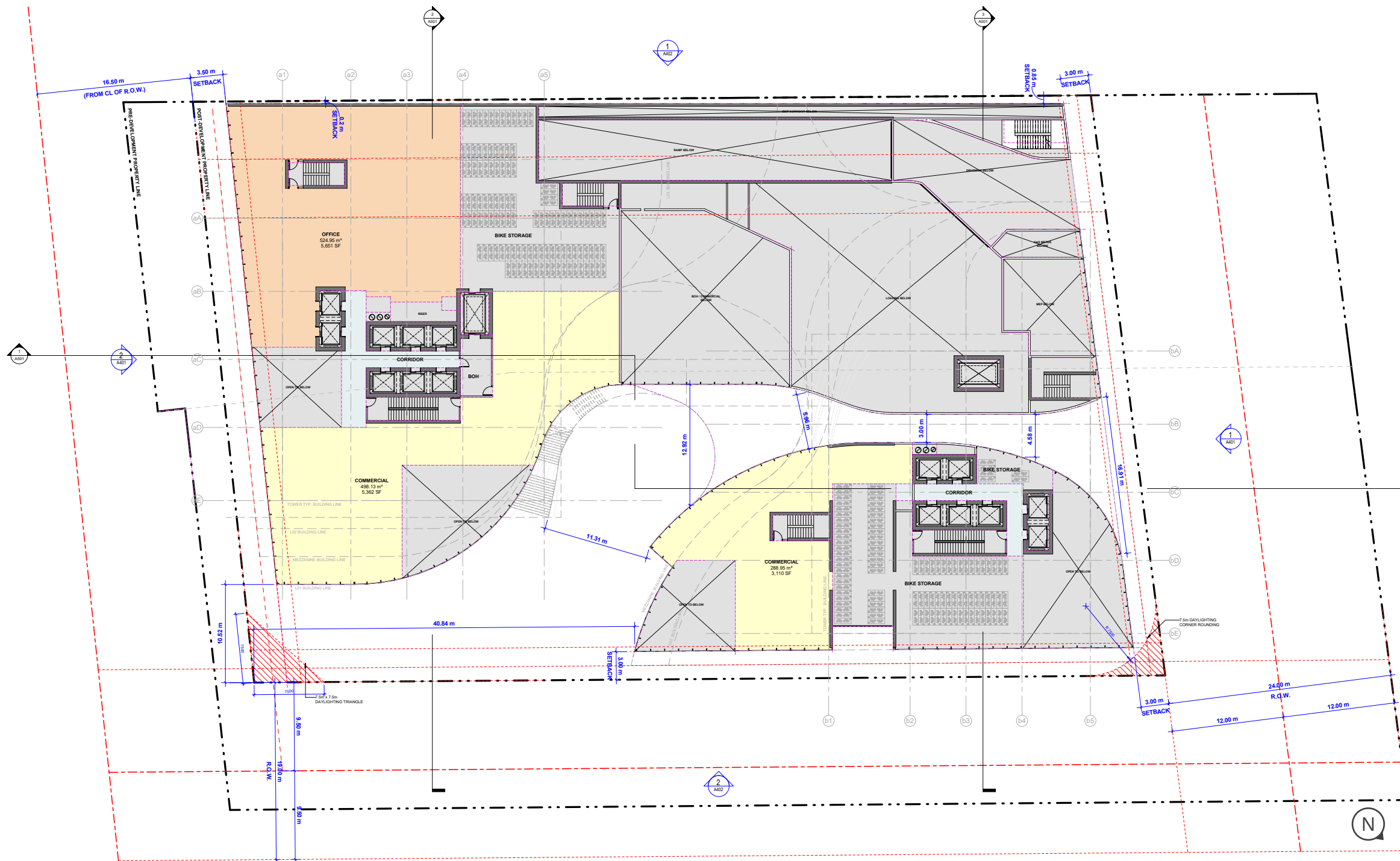
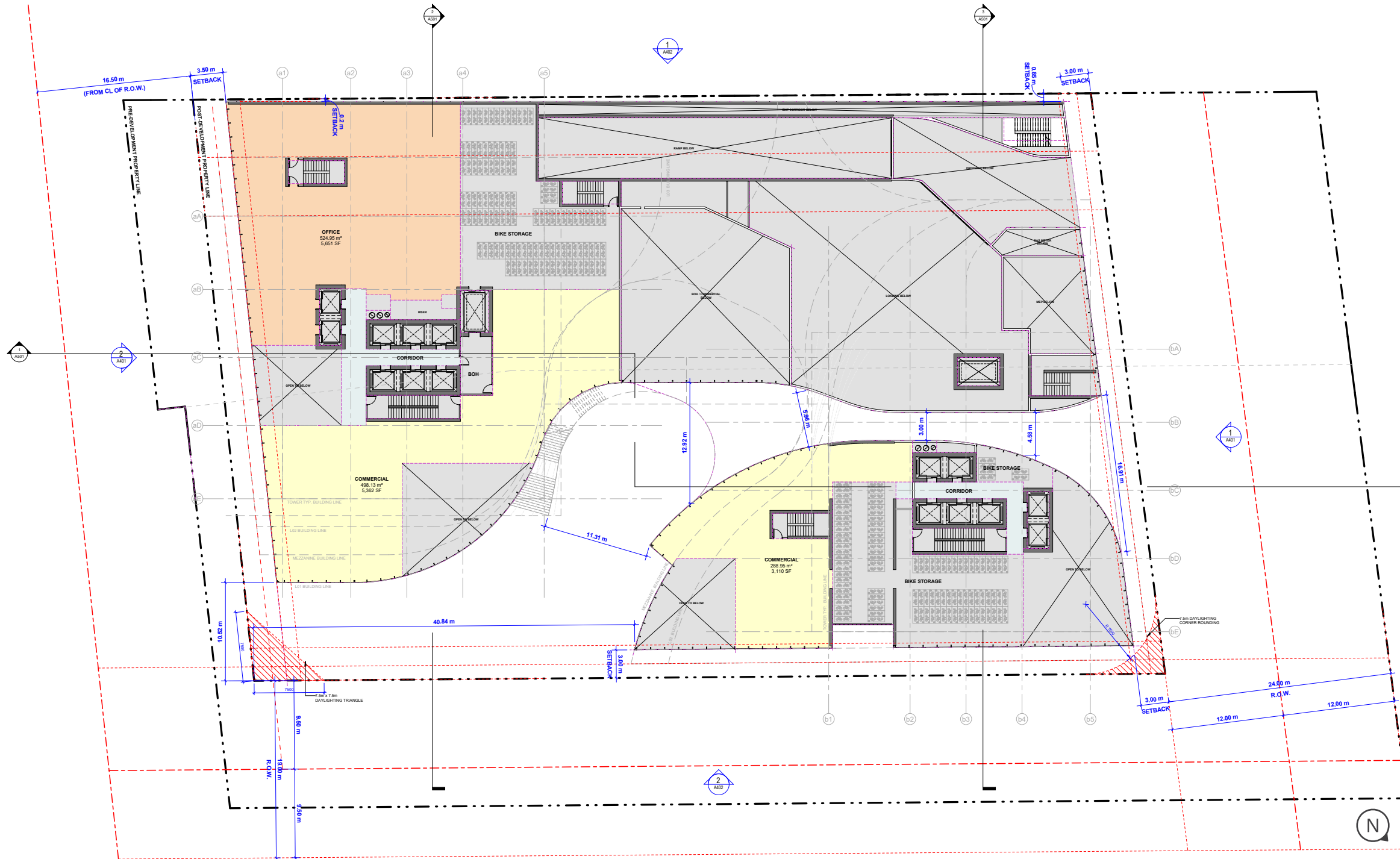


Figure 9 - Mezzanine Level Plan (Provided by Teeple Architects)

The ground floor will have a height of approximately 7.4 metres, inclusive of a mezzanine. Glazing will be used on both the ground floor and mezzanine to unite the two levels and read as one floor. In terms of uses, the ground floor will contain retail / commercial units as well as the lobbies associated with the residential and office uses. The frontages of Cross Avenue, the future north-south local street and the POPS will be lined with the above-mentioned commercial units and the lobbies. The loading area, bicycle storage and ancillary rooms, such as back-of-house, parcel, and mail rooms, will generally be located along the western portion of the ground floor to limit the blank wall condition fronting public streets.

Above the ground floor will be a mezzanine containing commercial and office uses, and bicycle storage. Similar to the ground floor, the commercial and office uses will continue to frame Cross Avenue and the POPS.



On Level 3 above, the podium buildings will generally maintain the north, east and south setbacks. Podium Building A will be setback approximately 6.0 metres from the westerly building face below, and Podium Building B will be setback an additional 3.5 metres for a total setback of approximately 13.9 metres from the westerly property line. Level 3 within Podium Buildings A and B will be used exclusively for indoor amenity areas, which will connect to a centralized shared outdoor amenity terrace. Between podium buildings, a minimum 22.3 metre separation distance will be achieved at the narrowest point, widening to approximately 30 metres.

Figure 11 - Level 3 Plan (Provided by Teeple Architects)

Tower A (Levels 4 to 61) & Tower B (Levels 4 to 45)

Towers A and B begin on Level 4, however, Levels 4 and 5 of the respective towers are considered transitional floors between the tower and podium components of the development. These Levels will have a slightly larger floor plate than the typical tower levels as they taper down towards the podium, creating a seamless transition between building components.

Within Tower A, Level 4 will contain a mix of residential units and will have a slimmer floorplate compared to the floors below, which is slightly larger than the typical tower floorplate seen throughout the remaining levels. From the podium below, Tower A will step back approximately 2.6 metres from Level 3 for a total setback of 8.8 metres from the west property line. To the south, the Tower will be setback a minimum of 3.0 metres, but due to the angled nature of the property line, this setback will increase to approximately 6.9 metres. To the south property line, the tower will achieve a setback between 5.0 and 8.6 metres. To the east, Tower A will be setback upwards of 3.0 metres from the podium below, resulting in tower setback far exceeding 15 metres.

Level 4 of Tower B will also contain a mix of residential units and incorporate step backs above the podium to define the tower floorplate. To the west, the tower will be set back upwards of 12.4 metres from Level 3 below, due to the design of the building, for a total setback of approximately 23.8 metres from the property line. To the north, the angled nature of the property line and podium below results in a tower step back between approximately 1.5 and 6.3 metres and total setback from the property line of approximately 3.0 to 7.3 metres. To the east, the tower will be set back approximately 3.0 metres from the podium below for a total tower setback of approximately 4.5 metres to the property line.

Notwithstanding the irregularity of the interior building walls of Towers A and B on Level 4, which constitutes the north building face of Tower A and the south building face of Tower B, the towers maintain a minimum 30 metre separation distance.

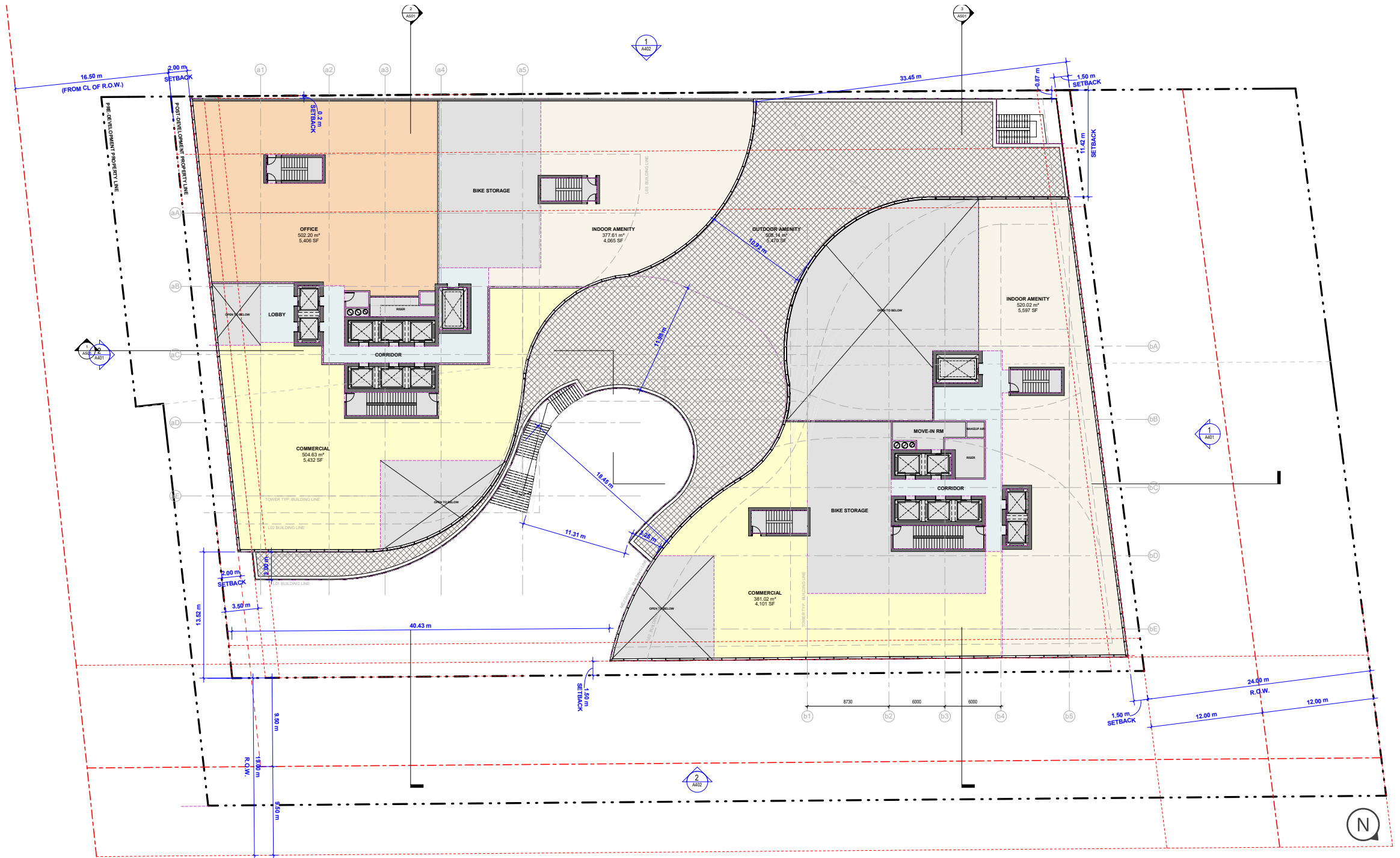
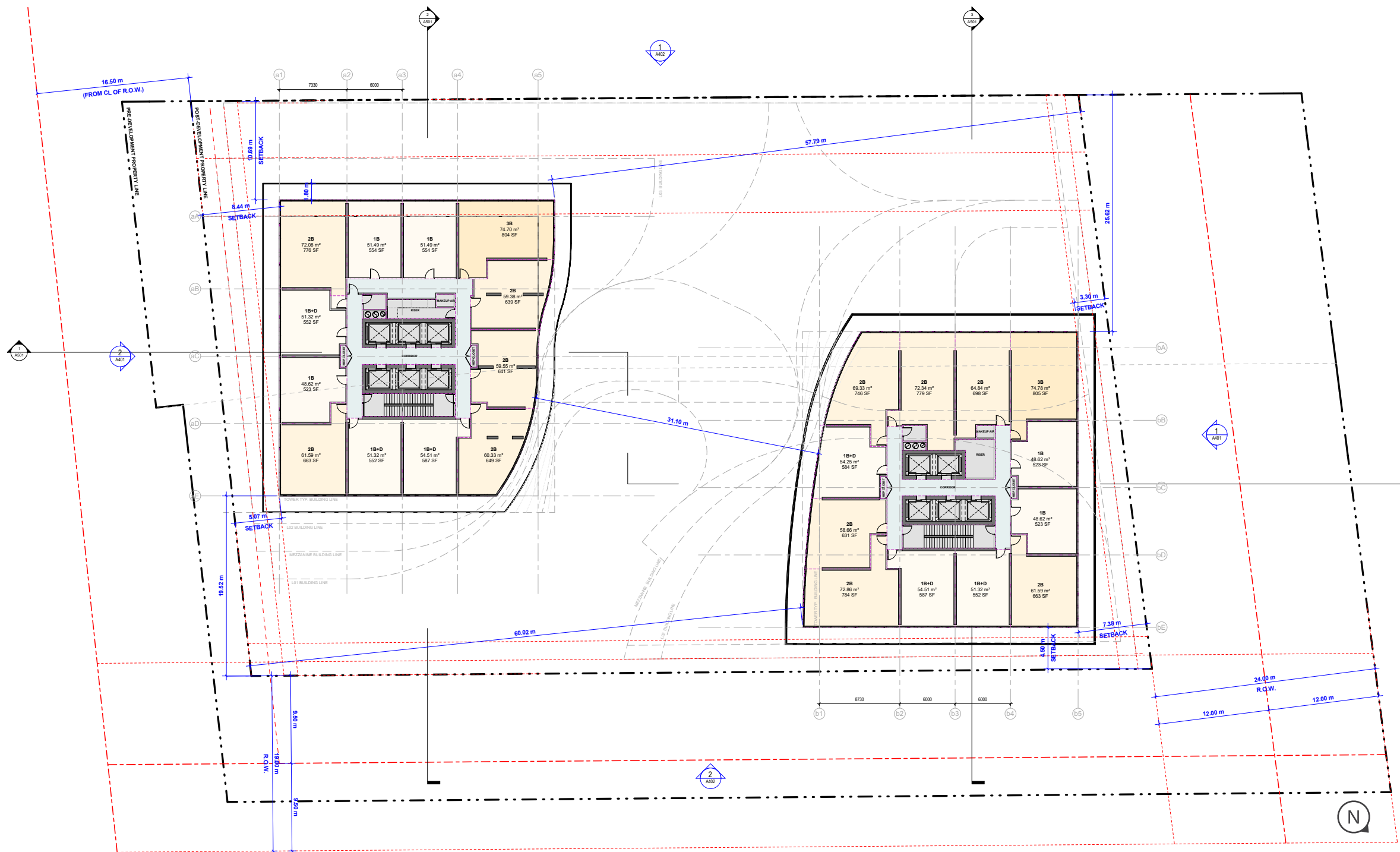


Figure 12 - Level 4 Plan (Provided by Teeple Architects)



The proposed tower setbacks are generally maintained on Level 5. Tower A will be setback an additional 1.8 metres from the westerly property line for a total setback of approximately 10.6 metres. Similarly, Tower B will also be setback an additional 1.8 metres for a total setback of approximately 25.6 metres to the westerly property line. On Level 6, additional step backs to the west are incorporated into both Towers A and B, resulting in tower setbacks of approximately 12.5 and 27.4 metres, respectively.

Figure 13 - Level 5 Plan (Provided by Teeple Architects)

Above Level 6, the tower floorplate is generally maintained apart from minor shifts in the massing, as illustrated in the Architectural Plans prepared by Teeple Architects. The interior building walls generally taper upwards in the Towers to create a more typical tower floorplate. Irrespective of this architectural design, the Towers maintain a minimum 30 metre separation distance, inclusive of the projecting balconies. As discussed in Section 5.3 and 5.4 of this report, the siting of the towers in the southwest and northeast corners of the site, and the achievement of a minimum 30 metre tower separation distance will mitigate negative overlook and privacy impacts on and adjacent to the development.

Above Levels 45 and 61, the mechanical penthouse structure will be integrated seamlessly into the tower design by maintaining the established tower setbacks.

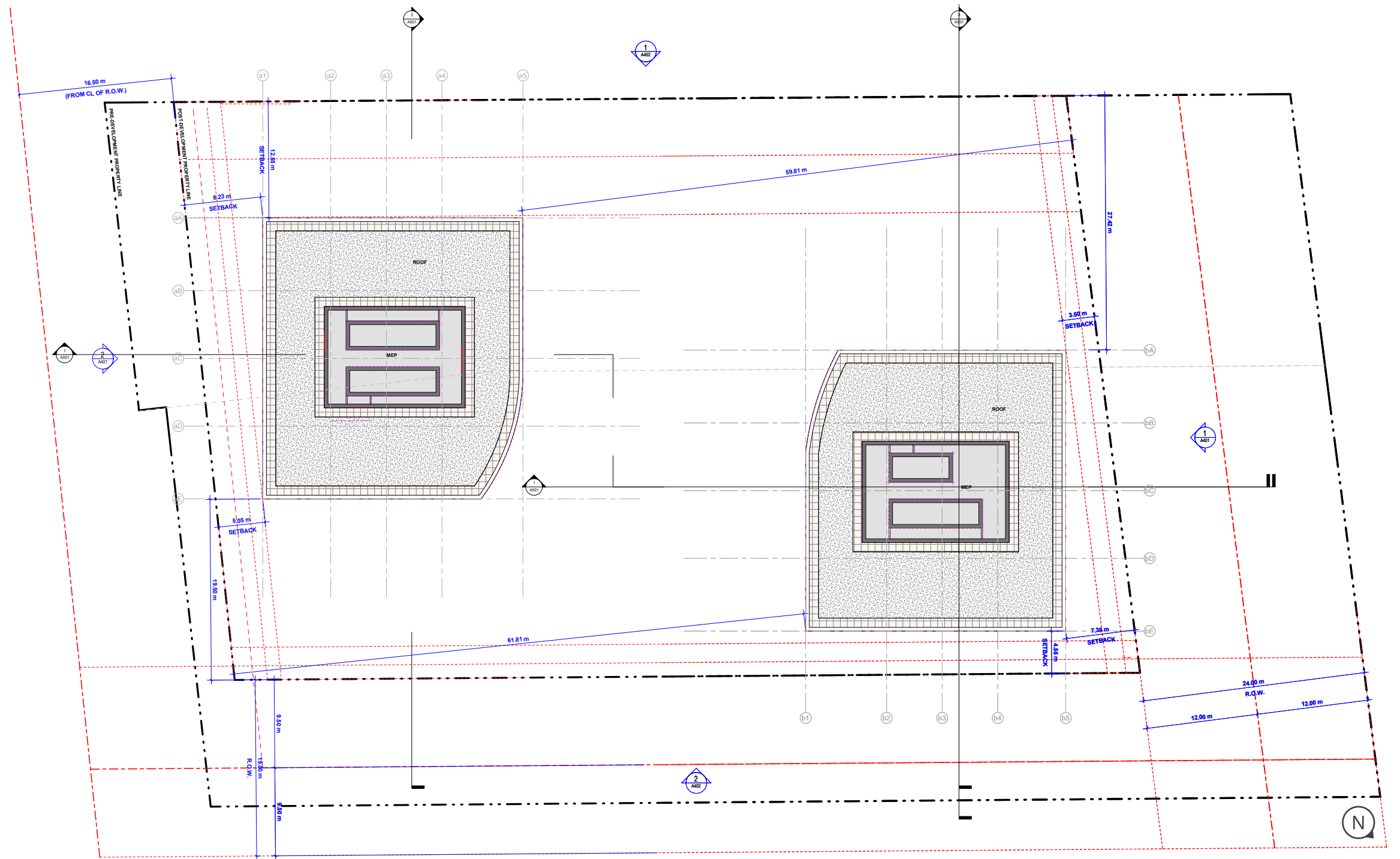


Figure 14 - Mechanical Penthouse Roof Plan (Provided by Teeple Architects)

Unit Distribution & Amenity Space

The proposed development will introduce a range and mix of bedroom types to the subject site, including housing suitable for young professionals, families with children and seniors who may be looking to downsize from larger family-size dwellings. In total, the development will provide 1,198 units, of which, 752 units will be one-bedroom in size (63%), 346 will be two-bedrooms in size (29%) and 100 units will be three-bedrooms in size (8%).

As discussed above, the development will provide both private and shared amenity areas to complement the open space at-grade. Exterior-facing residential units within the respective towers will be provided with private projecting balconies. With respect to the shared amenity, indoor amenity rooms and adjacent outdoor terraces will be provided on Levels 2 and 3 of the podium building and are intended to serve the residents of the respective towers. The proposed development will provide approximately 5,129 square metres of amenity space, of which approximately 1,480 square metres will be in the form of outdoor amenity terraces, and the remaining 3,648 square metres will be provided as indoor amenity rooms. The development will achieve a total combined amenity ratio of approximately 4.34 square metres of amenity per unit.

Parking, Access, & Loading

The podium building will contain two entrances to the seven-level underground garage, both of which are proposed from the future local streets. The primary parking, loading and servicing entrance will be from the future east-west local street, and will provide access to the enclosed loading and staging areas, mechanical back of house rooms as well as the parking ramp leading to the vehicular parking garage. The second entrance will be from the future north-south local street and will lead to a vehicular parking ramp. The first level of underground parking, referred to in the architectural plans as "P1", will include residential, visitor and office/commercial parking spaces as well as waste storage and mechanical rooms. Levels P2 and P3 will contain both resident and visitor parking spaces, whereas the remaining levels will be used exclusively for resident parking. Storage rooms will be provided throughout the underground garage.

A total of 819 parking spaces will be provided within the underground garage, of which 180 parking spaces will be for visitors and 40 parking spaces will be for the office/commercial uses of the building.

As it relates to bicycle parking, residential long-term bicycle parking spaces will be located at-grade on the ground floor, within the proposed mezzanine and in an enclosed room on Level P2. The proposed short-term visitor bicycle parking spaces will be provided on the ground floor, within the podium building. A total of 900 long-term bicycle parking spaces will be provided, and 300 spaces will be provided for short-term visitor bicycles.

3.3 Key Statistics

Table 1 - Key Proposal Statistics

Key Statistics	
Site Area	9,630m ²
Area of Conveyed Lands	3,586.5m ²
POPS Area	1,057.9m ²
Building Height (Storeys)	45-storeys & 61-storeys
Building Height (Metres)	145.8m (excluding MPH) & 193.8m (excluding MPH)
Total Gross Floor Area	97,858.28m ²
Residential GFA	93,992.39m ²
Retail GFA	2,739.24m ²
Office GFA	1,126.65m ²
Density/Floor Space Index	10.17 FSI
Residential Units	1,198 units (100%)
One-bedroom	752 units (63%)
Two-bedrooms	346 units (29%)
Three-bedrooms	100 units (8%)
Total Amenity Space	5,129.1m ²
Indoor Amenity Space	3,648.3m ²
Outdoor Amenity Space	1,480.8m ²
Total Vehicle Parking	819 spaces
Residential	599 spaces
Visitor	180 spaces
Retail / Commercial / Office	40 spaces
Bicycle Parking Spaces	1,204 spaces
Loading Spaces	1 Type C & 2 Type B

3.4 Required Approvals

In our opinion, the proposed development is consistent with the Provincial Policy Statement, conforms with the Growth Plan, and Region of Halton Official Plan, and maintains the intent of the Livable Oakville Plan (The Town of Oakville Official Plan 2009).

It is our opinion that an Official Plan Amendment is not required to permit the proposed development and in particular, the proposed heights and density. With respect to the proposed tower heights, it is noted that the in-force Official Plan policies specifically provides that for the purposes of bonusing in Midtown Oakville, there is no prescribed building height limit, and no Official Plan amendment shall be required to increase building height as a result of bonusing. In light of this, and based on our discussions with Town Staff, an Official Plan Amendment is being submitted out of an abundance of caution to secure the alignment and widths of Cross Avenue and the future streets north and east of the subject site.

The proposed development would also require an amendment to the Town of Oakville Zoning By-law No. 2014-014, as amended, in order to increase the permitted building height and revise other development standards as necessary to implement the proposal. A Site Plan Approval application will also be required and is intended to be submitted as the development review process progresses.



Policy & Regulatory Context

4.1 Overview

As set out below, the proposed development is supportive of numerous policy directions set out in the *Planning Act*, Provincial Policy Statement, A Place to Grow: the Growth Plan for the Greater Golden Horseshoe, the Region of Halton Official Plan, and the in-force Town of Oakville Official Plan, all of which promote the efficient use of land and infrastructure within built-up areas, specifically in Major Transit Station Areas ("MTSA") and areas other areas planned for growth.

4.2 The Planning Act

The purpose of the *Planning Act* is outlined in Section 1.1 and includes the following:

- to promote sustainable economic development in a healthy natural environment;
- to provide for a land use planning system led by provincial policy;
- to integrate matters of provincial interest in provincial and municipal planning decisions;
- to provide for planning processes that are fair by making them open, accessible, timely and efficient;
- to encourage co-operation and coordination among various interests; and
- to recognize the decision-making authority and accountability of municipal councils in planning.

Section 2 of the *Planning Act* sets out matters of provincial interest which municipal councils shall have regard for, among other matters, in carrying out their responsibilities pursuant to the legislation. Of particular applicability to the proposal are (f): the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems (h): the orderly development of safe and healthy communities (j): the adequate provision of a full range of housing (p): the appropriate location for growth and development (q): the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians and (r): the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Section 2(1) requires that when approval authorities make a decision under subsection 17(34) of the *Planning Act* or the Tribunal makes a decision in respect of an appeal, it shall have regard to:

- a. any decision that is under the Act by a municipal council or by an approval authority and relates to the same planning matter; and
- b. any information and material that the municipal council or approval authority considered in making the decision described in clause (a).

Section 51(24) of the *Planning Act* specifies that, in considering draft plans of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare to the present and future inhabitants of the municipality. The specific criteria are discussed in Section 5.8 of this report.

We also note that on October 25, 2022, the Province of Ontario introduced Bill 23, the *More Homes Built Faster Act, 2022*, which introduced legislative changes to facilitate and streamline the construction of new homes over the next 10 years to address Ontario's housing crisis. Bill 23 received Royal Assent on November 28, 2022.

The legislative changes brought forward through Bill 23 establish that the maximum amount of parkland that can be required to be conveyed or paid in lieu is capped at 10% of the land or its value for sites under five hectares. In addition, Sections 42(4.30) and 42(4.31), which have been enacted but have not yet been proclaimed in force, would allow an owner to propose the conveyance of lands that are subject to an easement or other restriction or encumbered by below grade infrastructure or "an interest in land other than the fee, which interest is sufficient to allow the land to be used for park or other public recreational purposes".

4.3 Provincial Policy Statement (2020)

On February 28, 2020, the Ministry of Municipal Affairs and Housing released the Provincial Policy Statement, 2020, which came into effect on May 1, 2020 (the "2020 PPS").

The PPS provides policy direction on matters of Provincial interest related to land use planning and development. In accordance with Section 3(5) of the Planning Act, all decisions that affect a planning matter are required to be consistent with the PPS. In this regard, Policy 4.2 provides that the PPS "shall be read in its entirety and all relevant policies are to be applied to each situation".

Part IV of the PPS sets out the Province's vision for Ontario, and promotes the wise management of land use change and efficient development patterns:

"Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water, and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region."

One of the key policy directions expressed in the PPS is to build strong communities by promoting efficient development and land use patterns. To that end, Part V of the PPS contains a number of policies that promote intensification, redevelopment, and compact built form, particularly in areas well served by public transit.

In particular, Policy 1.1.1 provides that healthy, livable and safe communities are to be sustained by promoting efficient development and land use patterns; accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; and promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

Policy 1.1.3.2 supports densities, and a mix of land uses which efficiently use land, resources, infrastructure, and public service facilities and which are transit-supportive, where transit is planned, exists, or may be developed. Policy 1.1.3.3 directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities.

In addition, Policy 1.1.3.4 promotes appropriate development standards, which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety.

With respect to housing, Policy 1.4.3 requires provision to be made for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents by, among other matters: permitting and facilitating all types of residential intensification and redevelopment; promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit; requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations; and establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form.

With respect to public spaces, parks and open space, Policy 1.5.1 states that healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity, and planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, public spaces and open spaces.

The efficient use of infrastructure (particularly transit) is a key element of provincial policy (Section 1.6). Policy 1.6.3 states that the use of existing infrastructure and public service facilities should be optimized, before consideration is given to developing new infrastructure and public service facilities. With respect to transportation systems, Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Policy 1.7.1 of the PPS states that long-term prosperity should be supported through a number of initiatives including: encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and a range of housing options for a diverse workforce; optimizing the use of land, resources, infrastructure and public service facilities; maintaining and enhancing the vitality and viability of downtowns and main streets; and encouraging a sense of place by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources.

With respect to energy conservation, air quality and climate change, Policy 1.8.1 directs planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and prepare for the impacts of a changing climate through land use and development patterns which: promote compact form and a structure of nodes and corridors; promote the use of active transportation and transit in and between residential, employment and other areas; and encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

While Policy 4.6 provides that the official plan is “the most important vehicle for implementation of this Provincial Policy Statement”, it goes on to say that “the policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan”. As a result, the above-noted PPS policies continue to be relevant and determinative.

For the reasons set out in Section 5 of this Report, it is our opinion that the proposed development and, specifically, the requested Official Plan Amendment and Zoning By-law Amendment, are consistent with the PPS and, in particular, the policies relating to residential intensification and the efficient use of land and infrastructure.

4.4 Growth Plan for the Greater Golden Horseshoe (2019)

As of May 16, 2019, the Growth Plan for the Greater Golden Horseshoe, 2017 was replaced by A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2019 (the “2019 Growth Plan”). All decisions made on or after May 16, 2019, in respect of the exercise of any authority that affects a planning matter must conform with the 2019 Growth Plan, subject to any legislative or regulatory provisions providing otherwise. Subsequently, on August 28, 2020, the 2019 Growth Plan was amended by Growth Plan Amendment No.1.

Section 1.2.3 provides that the Growth Plan is to be read in its entirety and the relevant policies are to be applied to each situation.

The Guiding Principles, which are important for the successful realization of the Growth Plan are set out in Section 1.2.1. Key principles relevant to the proposal include:

- supporting the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime;
- prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;
- supporting a range and mix of housing options to serve all sizes, incomes, and ages of households; and
- improving the integration of land use planning with planning and investment in infrastructure and public service facilities.

The Growth Plan policies emphasize the importance of integrating land use and infrastructure planning, and the need to optimize the use of the land supply and infrastructure. It includes objectives that support the development of complete communities and promotes transit-supportive development. As noted in Section 2.1 of the Plan:

“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options... It is important that we maximize the benefits of land use planning as well as existing and future investments in infrastructure so that our communities are well-positioned to leverage economic change.”

Section 2.1 of the Growth Plan goes on to further emphasize the importance of optimizing land use in urban areas:

“This Plan’s emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of our existing infrastructure and public service facilities, and less on continuously expanding the urban area.”

Pursuant to the Growth Plan, “strategic growth areas” include nodes, corridors and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed-uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.

The subject site is considered to be part of a “strategic growth area” pursuant to the Growth Plan (i.e., a focus for accommodating intensification and a higher density mix of uses in a more compact built form) given it is identified as a “major transit station area” and is within the boundary of an urban growth centre. In the Growth Plan, a “major transit station area” is defined as the area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.

In turn, “higher order transit” is defined as transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. Higher order transit can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way. In this regard, the subject site is located approximately 185 metres north of the Oakville GO station and approximately 315 metres west of Trafalgar Road, which is currently being studied for a future Trafalgar Road BRT.

The Region of Halton recently completed its 2019 Growth Plan conformity exercise with respect to its urban structure and the delineation of “major transit station area”. The Regional Official Plan Amendment 48 (ROPA 48) was approved by the Minister on November 11, 2021, and delineates the Oakville GO “major transit station area”, which is generally bounded by Cornwall Road to the south, Sixteen Mile Creek to the west, 16th South Service Road to the north and Chartwell Road to the east. ROPA 48 continues to identify the subject site as being within the boundaries of the Midtown Oakville Urban Growth Centre, as identified by the Growth Plan.

Policy 2.2.1(2)(c) provides that, within settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit (with a priority on higher order transit where it exists or is planned) and areas with existing or planned public service facilities.

Schedule 3 of the Growth Plan forecasts a population of 1,100,000 and 500,000 jobs for the Region of Halton by 2051. This forecasted growth represents an increase from 820,000 people and 390,000 jobs for the Region of Halton by 2031, and 1,000,000 and 470,000, respectively, by 2041. Policy 2.2.1(3)(c) requires that municipalities undertake integrated planning to manage this forecasted growth in a manner which provides direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, and to support the achievement of complete communities through a more compact built form.

Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities that, among other things, feature a diverse mix of land uses including residential and employment uses, and convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, expand convenient access to a range of transportation options, provide for a more compact built form and a vibrant public realm, mitigate and adapt to climate change impacts, and contribute to environmental sustainability.

Policy 2.2.2(3) requires municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will, among other things:

- identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- identify the appropriate type and scale of development and transition of built form to adjacent areas;
- encourage intensification generally throughout the delineated built-up area;
- ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities; and
- be implemented through official plan policies and designations, updated zoning, and other supporting documents.

Policy 2.2.3(1) states that urban growth centres will be planned to accommodate and support the transit network at the regional scale and to accommodate significant population and employment growth. In this regard, Policy 2.2.3(2) provides that the Midtown Oakville urban growth centre be planned to achieve a minimum density target of 200 residents and jobs combined per hectare by 2031 or earlier.

Section 2.2.4 directs that major transit station areas on priority transit corridors are to be transit-supportive and support active transportation and a diverse mix of uses and activities that achieve a minimum density target of 150 residents and jobs per hectare for lands served by the GO Transit rail network. The subject site falls within the definition of a major transit station area on a priority transit corridor as it is within a 500- to 800-metre radius of the Midtown Oakville GO Transit station.

Policy 2.2.4(1) requires that "priority transit corridors" shown on Schedule 5 be identified in official plans and that planning will be prioritized for "major transit station areas" on "priority transit corridors", including "zoning in a manner that implements the policies of this Plan". In this regard, Schedule 5 of the Growth Plan identifies the Lakeshore West rail line as a Transit Priority Corridor.

Policy 2.2.4(2) requires the municipalities to delineate the boundaries of "major transit station areas" on priority transit corridors or subway lines "in a transit supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station" (our emphasis).

Policy 2.2.4(6) states that, within "major transit station areas" on priority transit corridors, land uses and built form that would adversely affect the achievement of the minimum density targets will be prohibited.

With regard to targets, Policy 5.2.5(1) provides that the minimum intensification and density targets are minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Growth Plan, the PPS, or any other provincial plan.

Policy 2.2.4(5), added by the 2019 Growth Plan, allows municipalities to delineate the boundaries of “major transit station areas” and identify minimum density targets for “major transit station areas” in advance of the next municipal comprehensive review, provided it is done in accordance with subsections 16(15) or (16) of the *Planning Act*.

Policy 2.2.4(6) states that, within major transit station areas on priority transit corridors or subway lines, land uses and built form that would adversely affect the achievement of the minimum density targets will be prohibited. Policy 2.2.4(9) provides that, within all major transit station areas, development will be supported, where appropriate by planning for a diverse mix of uses to support existing and planned transit levels, providing alternative development standards, such as reduced parking standards, and prohibiting land uses and built forms that would adversely affect the achievement of transit-supportive densities.

With respect to “frequent transit”, Policy 2.2.4(10) states that lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

With respect to housing, Policy 2.2.6(1) requires municipalities to develop housing choices that, among other matters, support the achievement of the minimum intensification and density targets in the Growth Plan and identify a diverse range and mix of housing options and densities to meet projected needs of current and future residents. The housing policies are to be implemented through official plan policies and designations and zoning by-law amendments.

Policy 2.2.6(2) states that, in providing housing choices, municipalities will support the achievement of complete communities by: planning to accommodate forecasted growth; planning to achieve the minimum intensification and density targets; considering the range and mix of housing options and densities of the existing housing stock; and planning to diversify the overall housing stock across the municipality.

Generally, the infrastructure policies set out in Chapter 3 place an emphasis on the need to integrate land use planning and investment in both infrastructure and transportation. The introductory text in Section 3.1 states that:

*“The infrastructure framework in this Plan requires that municipalities undertake an integrated approach to land use planning, infrastructure investments, and environmental protection to achieve the outcomes of the Plan. Co-ordination of these different dimensions of planning allows municipalities to identify the most cost-effective options for sustainably accommodating forecasted growth to the horizon of this Plan to support the achievement of complete communities. It is estimated that over 30 per cent of infrastructure capital costs, and 15 per cent of operating costs, could be saved by moving from unmanaged growth to a more compact built form. This Plan is aligned with the Province’s approach to long-term infrastructure planning as enshrined in the *Infrastructure for Jobs and Prosperity Act, 2015*, which established mechanisms to encourage principled, evidence-based and strategic long-term infrastructure planning.”*

Policies 3.2.3(1) and 3.2.3(2) state that public transit will be the first priority for transportation infrastructure planning and major transportation investments, and that decisions on transit planning and investment will be made according to a number of criteria including prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels, and increasing the capacity of existing transit systems to support strategic growth areas.

With respect to public open space, municipalities are encouraged to develop a system of publicly accessible parkland, open space, and trails (Policy 4.2.5(1)). Policy 4.2.5(2) encourages municipalities to establish an open space system within settlement areas, which may include opportunities for urban agriculture, rooftop gardens, communal gardens, and public parks.

With respect to climate change, Policy 4.2.10(1) requires that municipalities develop policies within their official plans that will reduce greenhouse gas emissions and address climate change adaptation goals. Such policies should, inter alia, support the achievement of complete communities as well as the minimum intensification and density targets in the Growth Plan, seek to reduce dependence on the automobile and support existing and planned transit and active transportation systems.

The timely implementation of the 2019 Growth Plan policies is seen as a key consideration in the Implementation section (Section 5). In this respect, Section 5.1 provides that:

“The timely implementation of this Plan relies on the strong leadership of upper- and single-tier municipalities to provide more specific planning direction for their respective jurisdictions through a municipal comprehensive review. While it may take some time before all official plans have been amended to conform with this Plan, the Planning Act requires that all decisions in respect of planning matters will conform with this Plan as of its effective date (subject to any legislative or regulatory provisions providing otherwise... Where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of the decision as it relates to the policies of this Plan which require comprehensive municipal implementation.”
(Our emphasis)

Policy 5.2.5(6) addresses targets and states that, in planning to achieve the minimum intensification and density targets in this Plan, municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high-quality public realm and compact built form.

For the reasons set out in Section 5.0 of this Report, it is our opinion that the proposed development and, specifically, the requested Official Plan Amendment and Zoning By-law Amendment, conform with the Growth Plan and, in particular, the policies that seek to optimize the use of land and infrastructure and to encourage growth and intensification in “strategic growth areas”, including “urban growth centres” and “major transit station areas”.

4.5 Metrolinx Regional Transportation Plan

On March 8, 2018, Metrolinx adopted a new Regional Transportation Plan (2041 RTP) that builds on the previous RTP (The Big Move), adopted in 2008. The key goals and directions set out in the new 2041 RTP are summarized below, particularly as they apply to the subject site. The 2041 RTP identifies the Midtown GO station/Lakeshore West Line as existing Regional Rail and Rapid Transit and Frequent Regional Express Bus routes. Moreover, it identifies Trafalgar Road as a Bus Rapid Transit/Light Rail Transit (BRT/LRT) route.

The RTP 2041 uses the Growth Plan 2017’s planning horizon of 2041, which is ten years later than the 2031 horizon used in earlier version of the Regional Transportation Plan referred to as The Big Move.

The 2041 RTP sets out a series of goals and strategies. The five strategies include:

- Strategy 1: Complete the delivery of current regional transit projects;
- Strategy 2: Connect more of the region with frequent rapid transit;
- Strategy 3: Optimize the transportation system;
- Strategy 4: Integrate transportation and land use; and
- Strategy 5: Prepare for an uncertain future.

The 2041 RTP recognizes that, to achieve the vision for the transportation system, investments and decisions must align with land use plans. As such, the 2041 RTP contains actions to better integrate transportation planning and land use, especially around transit stations and mobility hubs.

In addition to the transit projects that are In Delivery and In Development, one of the priority actions under Strategy 2 identified in the 2041 RTP is to build additional LRT/ BRT projects by 2041. In this regard, Trafalgar Road is identified as a proposed BRT/LRT on Map 5, Frequent Rapid Transit Network of the 2041 RTP (see **Figure 15**, 2041 RTP, Map 5). Bus rapid transit (BRT) is defined as transit infrastructure and service with buses running in their own exclusive right-of-way, fully separated from traffic, typically with signal priority measures in place and longer spacing between stops than conventional bus routes (typically 500 metres to 1 kilometre) to maintain higher average speeds and ensure reliability of the service. It may include additional features to improve operational efficiency and enhance the customer experience, such as off-board fare collection, platform-level boarding, and real-time passenger information.

With respect to Strategy 4, the 2041 RTP identifies several approaches to integrate transportation and land use planning, including among others:

- make investment in transit projects contingent on transit-supportive planning being in place;
- focus development at mobility hubs and major transit station areas along priority transit corridors identified in the Growth Plan;
- evaluate financial and policy-based incentives and disincentives to support transit-oriented development;
- plan and design communities, including development and redevelopment sites and public rights-of-way, to support the greatest possible shift in travel behaviour; and
- embed TDM in land use planning and development.

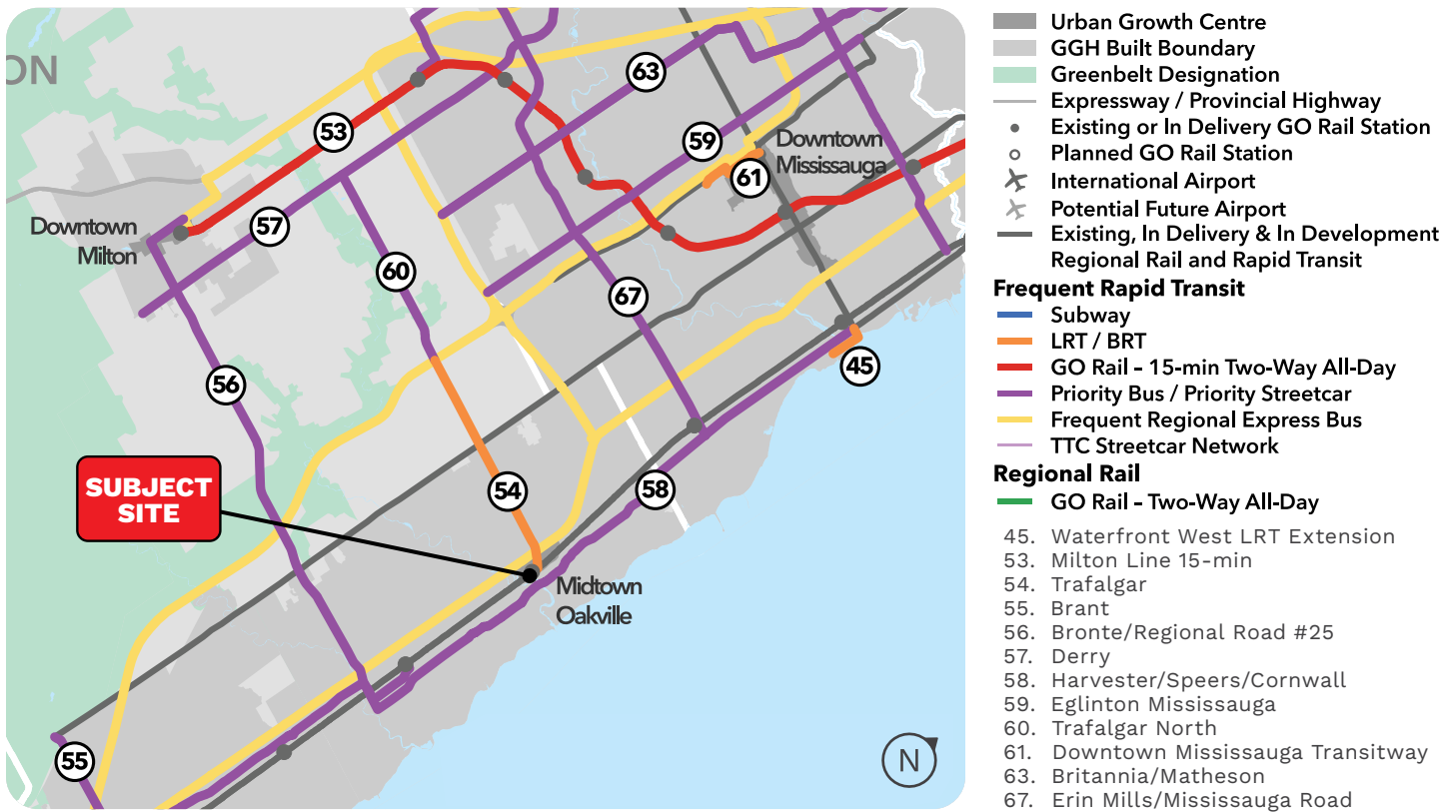


Figure 15 - 2041 Regional Transportation Plan - Map 5

With respect to the second approach, Mobility Hubs continue to be an important planning concept in the 2041 RTP. They are “major transit station areas” at key intersection points on the frequent rapid transit network. Mobility Hubs are intended to create important transit network connections, integrate various modes of transportation, and accommodate an intensive concentration of places to live, work, shop, or play. They are particularly significant because of their combination of existing or planned frequent rapid transit service with an elevated development potential.

Midtown Oakville is identified as an Anchor Mobility Hub (or “Anchor Hub”) on Schedule 1 (15-Year Plan) (see **Figure 16** below). Mobility Hubs are places of connectivity between regional rapid transit services and places where different modes of transportation come together seamlessly. They have, or are planned to have, an attractive, intensive concentration of employment, living and shopping around a major transit station, and are generally forecast to achieve a minimum density of approximately 10,000 people and jobs within an 800-metre radius. As set out in the Metrolinx Backgrounder on Mobility Hubs (2008).

Policy 7.14 of the RTP provides that Anchor Hubs shall be identified and incorporated into municipal Official Plans and Transportation Master Plans. Policy 7.15 requires that municipalities prepare detailed master plans for each mobility hub, which will among other matters: optimize transit-oriented development; identify and implement incentives to promote transit-oriented development; and establish a surface parking reduction strategy.

As set out in detail in Section 5.1 of this report, it is our opinion that the requested Official Plan Amendment and Zoning By-law Amendment support the objectives and policies of the Regional Transportation Plan. In particular, the proposed development would optimize transit-oriented development potential in the Midtown Oakville, an anchor mobility hub.

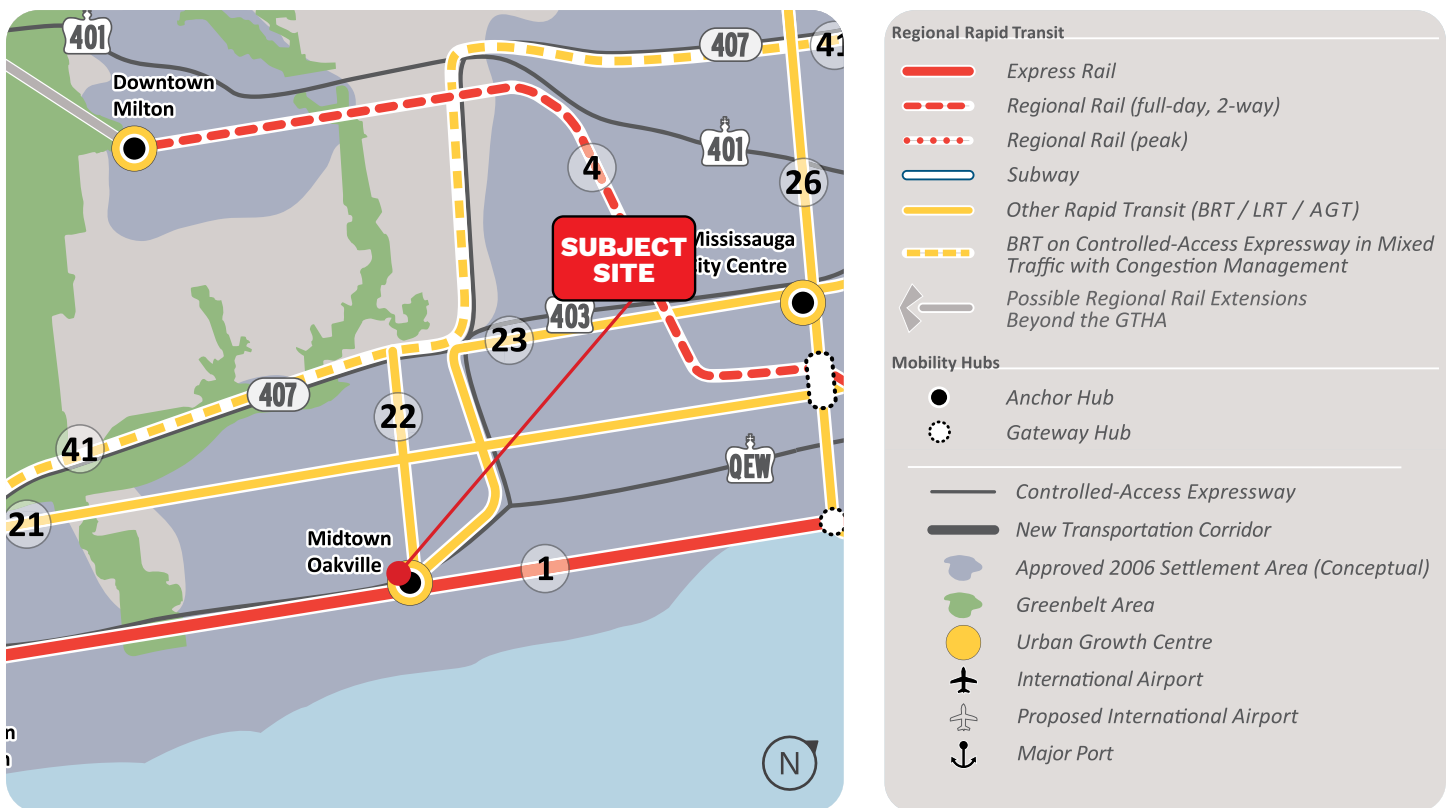


Figure 16 - 2041 Regional Transportation Plan - Schedule 1

4.6 Halton Region Official Plan (2022 Office Consolidation)

The Halton Region Official Plan (ROP) was originally adopted by Regional Council on March 30, 1994, and approved, with modifications, by the Minister of Municipal Affairs and Housing (MMAH) on November 27, 1995. Between 2006 and 2009, the Region undertook a planning exercise called Sustainable Halton which resulted in the adoption of Regional Official Plan Amendment 38 on December 16, 2009. An Official Plan review is currently underway by the Region and on November 11, 2021, the Ministry of Municipal Affairs and Housing approved Official Plan Amendment No. 48 (ROPA 48), with modifications and brought it into full force and effect, and more recently, on November 4, 2022, the Ministry of Municipal Affairs and Housing approved Official Plan Amendment No. 49 (ROPA 49). The most recent Office Consolidation of the ROP is from November 4, 2022.

ROPA 48 establishes the hierarchy of strategic growth areas in the Regional Official Plan and achieves conformity to the 2019 Growth Plan. ROPA advances local plans and priorities that are of strategic importance to the Region and will contribute to the successful implementation of the Region's Integrated Growth Management Strategy, which remains in progress. ROPA 48 also provides updated growth targets to the 2051 planning horizon and defines a Regional Urban Structure by establishing a hierarchy of Strategic Growth Areas in the ROP.

ROPA 49 also provides a framework for accommodating growth in Halton Region to the 2051 planning horizon. The amendment included changes to the policies and mapping related to existing Settlement Area boundaries, the Regional Urban Structure, Strategic Growth Areas, and Employment Areas, as well as forecasts and targets for population and employment growth, intensification, density, and Regional Phasing.

The subject site is located within the Town of Oakville, which is one of the four lower-tier municipalities comprising the Regional Municipality of Halton. As such, the policies of the ROP apply to the subject site, and any decisions related to the proposed development must conform to the policies of the ROP.

On December 6, 2023, Bill 150, *Planning Statute Law Amendment Act, 2023* received Royal Assent. This legislation results in specific decisions issued under the Planning Act by the Minister of Municipal Affairs and Housing being deemed to have never been made,

including the Minister's November 4, 2022, decision to approve ROPA 49, with modifications. As a result, ROPA 49 as adopted by Regional Council on June 15, 2022, is in effect as of November 4, 2022. Bill 150 also implements three modifications related to corridor protection policies and mapping (Modifications #18, #19 and #39 in the Minister decision on ROPA 49), which are also in effect as of November 4, 2022. The policies included below reflect the regulatory framework that is in effect at the date of this application.

Halton's Planning Vision

Part II of the ROP sets out the Region's planning vision and identifies that there will be three primary land use categories in the ROP: 1) settlement areas; 2) the rural countryside; and 3) the natural heritage system.

Part II, Policy 31 provides Halton's planning vision for a healthy community. Policy 31(3) states that a healthy community is one that is physically designed to minimize the stress of daily living and meet the life-long needs of its residents; (4) where a full range of housing, employment, social, health, educational, recreational and cultural opportunities are accessible for all segments of the community; and (5) where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system and non-motorized travel modes.

With respect to development, Part III, Land Stewardship Policies, provides development criteria and states that development is to be directed to environmentally suitable areas with the appropriate land use designation in accordance with the goals, objectives, and policies of the ROP (Policy 57). Further, Policy 58 provides that uses are permitted as specified for each land use designation provided that:

- the site is not considered hazardous to life or property due to conditions such as soil contamination, unstable ground or soil, erosion, or possible flooding;
- adequate supply of water and treatment of wastewater for the proposed use has been secured to the satisfaction of the Region; and
- development meets all applicable statutory requirements, including regulations, Official Plan policies, zoning by-laws and municipal by-laws.

Urban Area & the Regional Urban Structure

As amended by ROPA 48, the subject site is identified as within a Strategic Growth Area as it falls within the Midtown Oakville GO Urban Growth Centre / Major Transit Station Area (the "Midtown Oakville GO UGC/MTSA") on Map 6a (see **Figure 17**). Policy 72.1 of Part III of the ROP sets out a series of objectives for designated Urban Areas, including:

- to accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently;
- to support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships, and fosters a strong and competitive economy;
- to provide a range of identifiable, inter-connected and complete communities of various sizes, types, and characters, which afford maximum choices for residence, work, and leisure;
- to establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages complete communities, and is consistent with the policies of this Plan;

- to identify a Regional Urban Structure that directs growth to Strategic Growth Areas and protects Regional Employment Areas;
- to plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation; and
- to facilitate and promote intensification and increased densities.

Policy 75, as amended by ROPA 49, provides that the Urban Area is to be planned to accommodate the distribution of population and employment as set out in Table 1 (as amended by ROPA 49), which identifies the Town of Oakville as planned to have a population of 331,500 and 161,000 jobs by 2041. Table 2, Intensification and Density Targets, as amended by ROPA 49 provides that the Town of Oakville is to add a minimum of 19,400 new housing units to the built-up area between 2022 and 2041.

ROPA 48 provides further targets for *Urban Growth Centres* and *MTSAs*. Table 2b provides a minimum density target of 200 residents and jobs combined per hectare for the Midtown Oakville *Urban Growth Centre*.

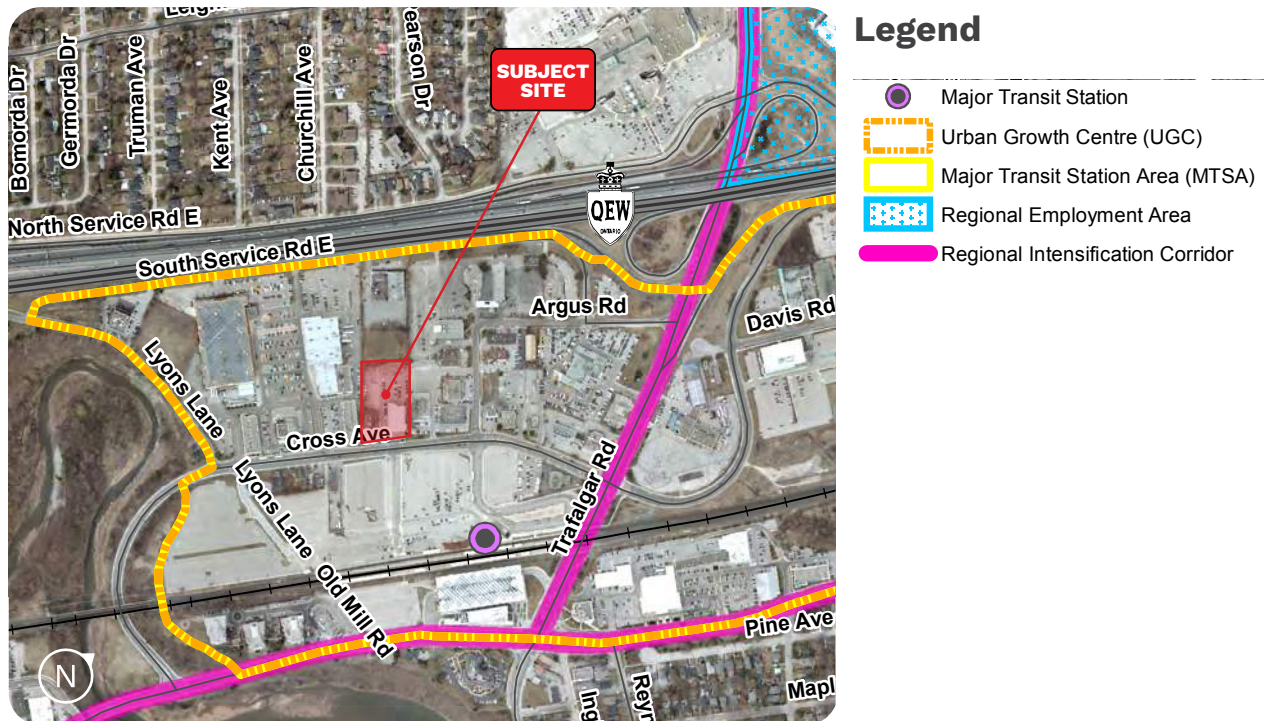


Figure 17 - Midtown Oakville GO UGC/MTSA - Map 6a

Regional Urban Structure

Policies 78 to 78.1 of Part III of the ROP provide Regional Urban Structure Policies. Policy 78.1, as amended by ROPA 49, provides the objectives of the Regional Urban Structure, including:

- to provide a structure and hierarchy in which to direct population and employment growth within the Urban Area to the planning horizon of this Plan;
- to focus significant proportion of population and certain types of employment growth within Strategic Growth Areas through mixed-use intensification supportive of the local role and function and reflective of its place in the hierarchy of Strategic Growth Areas identified in this Plan;
- to provide increased opportunities for the development of affordable housing particularly within Strategic Growth Areas;
- to identify Regional Employment Areas and to protect them for long-term employment use, while providing flexibility to address changes in the role and function of these areas in relation to prevailing trends in the economy of the Region; and
- to support climate change mitigation by directing growth to areas that will support achieving complete communities and the minimum intensification and density targets of this Plan as well as reducing the dependence on the automobile and supporting the existing and planned transit and active transportation.

Policy 79, as amended by ROPA 48 and 49, provides objectives for Strategic Growth Areas, including:

- to provide an urban form that is complementary to existing developed areas, uses space more economically, promotes live-work relationships, fosters social interaction, enhances public safety and security, reduces travel by private automobile, promotes active transportation, and is environmentally more sustainable in order to promote the development of complete communities;
- to provide opportunities for more cost-efficient and innovative urban design;
- to provide a range of employment opportunities, facilities and services in centralized locations that are readily accessible by public transit;
- to provide a diverse and compatible mix of land uses, including residential and employment uses, to support neighbourhoods;

- to create vibrant, diverse, and pedestrian-oriented urban environment;
- to cumulatively attract a significant portion of population and employment growth;
- to provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places to promote the development of complete communities;
- to support transit and active transportation for everyday activities;
- to generally have higher densities than the surrounding areas;
- to achieve an appropriate transition of built form to adjacent areas; and
- to conserve cultural heritage resources in order to foster a sense of place and benefit communities in Strategic Growth Areas.

Policy 79.1, as amended by ROPA 49, provides that Strategic Growth Areas are integral to the Regional Urban Structure within the Urban Area and consist of *Urban Growth Centres*, MTSAs, Primary and Secondary Regional Nodes, Regional Intensification Corridors and Local Nodes and Local Intensification Corridors, which have a concentration of residential and/or employment uses with development densities and patterns supportive of active transportation and public transit.

Policy 79.3 (1) states that it is the policy of the Region to direct development with higher densities and mix of uses to Strategic Growth Areas. Policy 79.3 (2), as amended by ROPA 49, requires Local Official Plans to identify Strategic Growth Areas with detailed boundaries in accordance with the objectives and policies of this plan, and for *Urban Growth Centres*, MTSAs and Primary Regional Nodes, in accordance with the boundaries provided on Map 1H and Map 6. Policy 79.3 (6) requires the Local Municipalities to ensure the proper integration of Strategic Growth Areas with surrounding neighbourhoods through pedestrian walkways, cycling paths and transit routes, and the protection of the physical character of these neighbourhoods through urban design.

Policy 79.3 (7) requires the Local Municipalities to a) include Official Plan policies and adopt Zoning By-laws to meet intensification and mixed-use objectives for Strategic Growth Areas; b) prescribe in Official Plans and Zoning By-laws minimum development densities for lands within Strategic Growth Areas; c) prohibit site-specific reductions to development density within a Strategic Growth Area unless it is part of a review of the Local Official Plan or review of the Area-Specific Plan for the Strategic Growth Area and only where it is demonstrated that the change will not impact the ability to achieve the growth targets; and d) promote development densities that will support existing and planned transit services. Policy 79.3 (8) encourages the Local Municipalities to adopt parking standards and policies within Strategic Growth Areas to promote the use of active transportation and public transit. Policy 79.3 (9) encourages the Local Municipalities to consider planning approval, financial and other incentives to promote the development of Strategic Growth Areas.

Policy 80, amended by ROPA 49, provides the objectives for the *Urban Growth Centres*, including:

- to serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses;
- to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
- to serve as high density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and
- to function as the primary Strategic Growth Areas of the Regional Urban Structure hierarchy where a significant share of population and employment growth will be accommodated.

Policy 80.2 (1) requires *Urban Growth Centres* to be planned to achieve a minimum development density target of 200 residents and jobs combined per gross hectare by 2031 or earlier. Policy 80.2 (2) required Local Official Plans to show how policies have been developed to plan to achieve the development density target for *Urban Growth Centres* under Section 80.2(1).

ROPA 48 added Policy 81 which sets out the objectives of the MTSA, including:

- to leverage infrastructure investments and the development of public service facilities to support a significant share of growth, and achieve transit supportive densities through existing or planned frequent transit service;
- to provide a range and mix of transit-supportive uses, such as residential, retail, office, and public uses, as well as public service facilities and parks and open spaces that support the area in a pedestrian-oriented urban environment;
- to function as an important Strategic Growth Area component of the Regional Urban Structure and leverage infrastructure investment and frequent transit service to accommodate increased densities and transit supportive growth;
- to achieve multimodal access to stations and support complete communities;
- to plan for a diverse mix of uses, including additional residential units and Affordable Housing, where appropriate;
- to protect existing employment uses within MTSA's by ensuring land use compatibility with adjacent new development is achieved; and
- to maximize the number of potential transit users within walking distance of a station, while considering contextually appropriate intensification opportunities within stable residential neighbourhoods to ensure the protection of neighbourhood character, to be determined through the preparation of Area-Specific Plans.

Policy 81.2 (1) directs development with higher densities and mix of uses to MTSA's. Policy 81.2 (2) requires Local Official Plans to plan to achieve the minimum density target for each MTSA as prescribed in Table 2b, which may be achieved beyond the planning horizon of this Plan, and a general target proportion of residents and jobs within each MTSA in accordance with Section 55.3 and Table 2 of the Plan. As previously mentioned, the density target for the Midtown Oakville MTSA is 200 residents and jobs per combined hectare and the general target proportion of residents and jobs is 65% residents and 35% jobs. Policy 81.2(4)(h) directs Local Municipalities to encourage alternative development standards, including reduces parking standards in MTSA's.

Housing Policies

Policies 84 to 86 of the ROP provide the goals, objectives, and policy framework with respect to housing in Halton Region. The Region's housing goal is to provide an adequate mix and variety of housing types to satisfy differing physical, social, and economic needs. The Region's objectives for housing are, among other things to:

- establish housing targets by type and appropriate density for the Local Municipalities and the Region as a whole;
- coordinate, improve upon, and expedite the development approval process so as to reduce the overall cost of housing;
- make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods; and
- encourage the Local Municipalities to maintain the quality of the existing housing stock.

New development applications are monitored by the Region to achieve, at all times, a minimum three-year supply of draft approved and/or registered residential units for the Region as a whole. In this regard, the ROPA 49 provides the following housing targets:

that the percent of new housing units produced annually in Halton in the form of the townhouses or multi-storey buildings be at least 65 percent to 2031 and at least 75 percent each year thereafter; and

that at least 30 per cent of new housing units produced annually in Halton be Affordable or Assisted Housing.

The Region requires the Town of Oakville, through their Official Plan and Zoning By-laws to provide an appropriate mix of housing by density, type, and affordability, consistent with current and projected demands reflecting socio-economic and demographic trends. The proposed site-specific Official Plan and Zoning By-law Amendments will implement the Region's housing objectives.

Healthy Communities

Policy 152 (1) in Part IV, Healthy Communities provides that it is the policy of the Region to develop and adopt Healthy Communities Guidelines which include:

- a description of general characteristics of a healthy community;
- a desirable mix of land uses within the community;
- community design features that will promote integration of the community and accessibility by residents to services within and outside the community through active transportation and public transit (among others);
- physical design features that will promote health and safety of the community's inhabitants;
- land use regulatory tools for promoting the shared use of land or facility by compatible uses or activities to facilitate the local delivery of human services;
- suggested level of service and facility requirement for the provision of human services over the full human lifecycle and under special circumstances, and
- other community features, facilities, programs, and plans that will promote a healthy lifestyle based on the principles of sustainability, including access to local food supplies, reduction in automobile use, use of renewable energy sources, measures of conservation and stewardship of the environment.

4.7 Town of Oakville Official Plan (Livable Oakville) (2009 Office Consolidation)

Transportation

Sections 171 to 173 of the ROP provide the goals, objectives, and policy framework with respect to transportation in the Region. Regional objectives with respect to transportation are:

- to develop a balanced transportation system that:
 - reduces dependency on automobile use;
 - includes a safe, convenient, accessible, affordable, and efficient public transit system that is competitive with the private automobile; and
 - promotes active transportation.
- to support seamless public transit services in Halton that:
 - provide a high level of service internally within Halton,
 - include continuous enhancements of the GO Transit system within Halton,
 - are connected to a higher order transit network throughout the Greater Toronto and Hamilton Area,
 - are complemented and supported by a network of active transportation facilities, and
 - are fully integrated both internally and externally in terms of fare and service.
- to support the early introduction of public transit service in new development and redevelopment areas and in Intensification Areas;
- to ensure development is designed to support active transportation and public transit; and
- to support the provision of public transit service, within reasonable walking distance and at reasonable cost, to all sectors of the public, including persons with a physical disability.

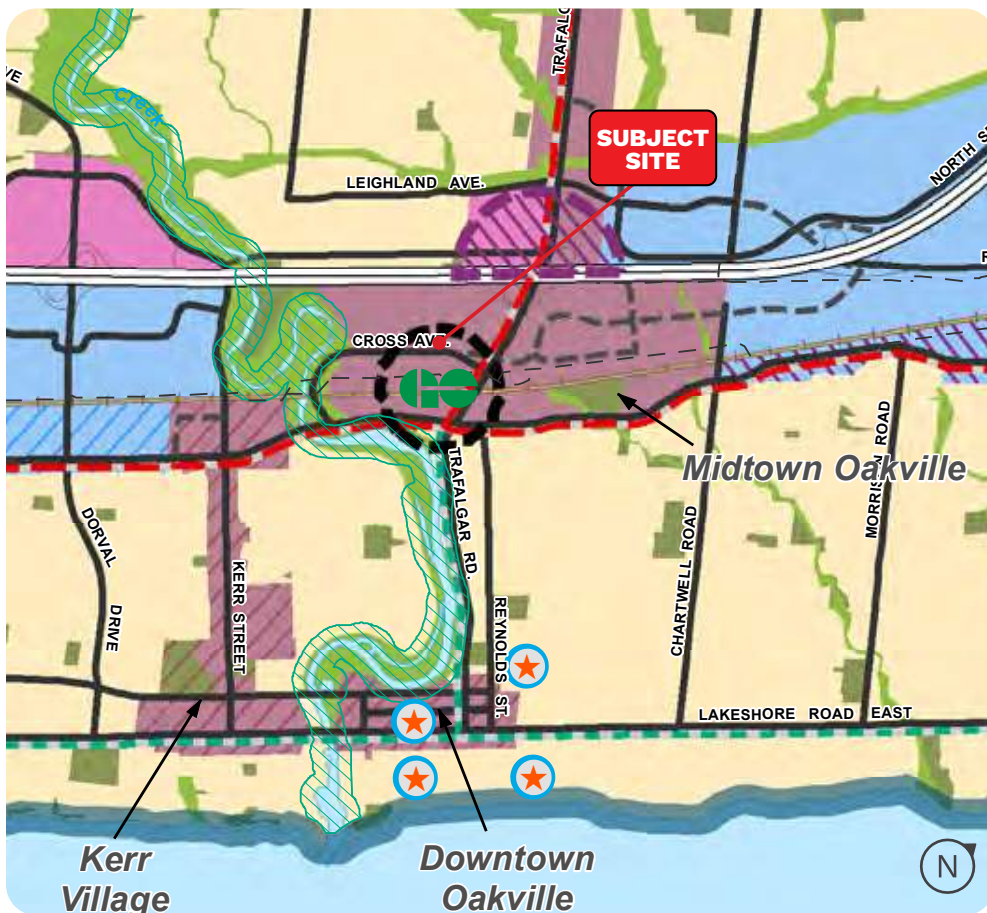
For the reasons outlined in Sections 5.1 and 5.2 of this report, it is our opinion that the proposed development and, more particularly, the requested amendments conform with the Halton ROP and specifically the policies that support building healthy communities, development in the urban areas and the provision of a range and mix of housing types in Halton.

The Oakville Official Plan (Livable Oakville) was adopted by the Council of the Corporation of the Town of Oakville on June 22, 2009, and approved by the Regional Municipality of Halton on November 30, 2009, with modifications. As a number of parties appealed the Region's approval, the Ontario Municipal Board (now known as the Ontario Land Tribunal) approved Livable Oakville with further modifications on May 10, 2011. The most recent Office Consolidation of Livable Oakville is from August 31, 2021. Livable Oakville was prepared to conform to the Province of Ontario's Growth Plan for the Greater Golden Horseshoe, 2006. A town-wide Official Plan Review is currently underway in order to address conformity with the current PPS, Growth Plan and Regional Official Plan Amendment Nos. 48 and 49.

Section 2.2 of Part B of Livable Oakville provides Guiding Principles and Policy 2.2.1(b) speaks to preserving and creating a livable community in order to direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated. Policies 2.2.2 (a) and (b) speak to providing choice throughout the Town to enable the availability and accessibility of a wide range of housing, jobs, and community resources to meet the diverse needs of the community through all stages of life and providing choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails are also guiding principles.

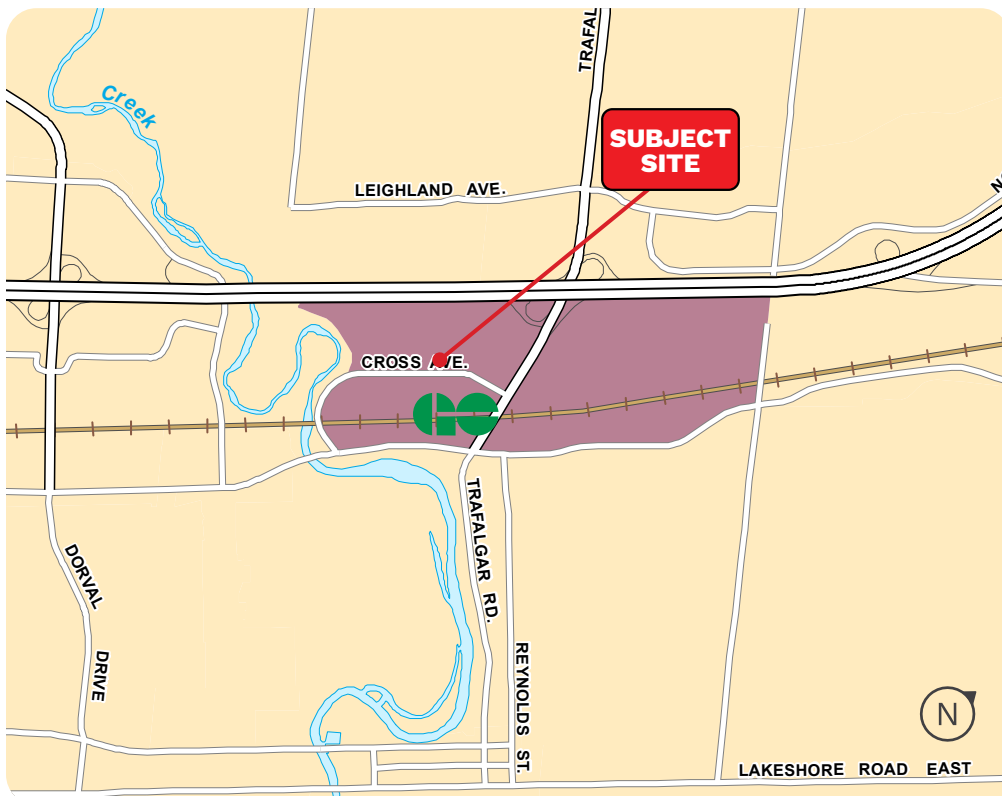
Section 3 of Part C of Livable Oakville provides Urban Structure policies. According to Schedule A1 (Urban Structure) of Livable Oakville, the subject site is within the Midtown Oakville Nodes and Corridors and is within a Regional Transit Node. Moreover, the site is located within 185 metres of the Oakville GO station, which is identified as a Major Transit Station, and 350 metres west of Trafalgar Road, which is identified as a Regional Transit Priority Corridor as outlined on **Figure 18**, Schedule A1 (Urban Structure).

Moreover, the subject site is located within the Midtown Oakville *Urban Growth Centre*, as outlined on **Figure 19**, Schedule A2 (Built Boundary and Urban Growth Centre).



- PARKWAY BELT
- GREENBELT
- GREENBELT - URBAN RIVER VALLEY
- NATURAL HERITAGE SYSTEM
- PARKS, OPEN SPACE & CEMETERIES
- WATERFRONT OPEN SPACE
- NODES AND CORRIDORS
- EMPLOYMENT AREAS
- MAJOR COMMERCIAL AREAS
- RESIDENTIAL AREAS
- MAIN STREET AREA
- EMPLOYMENT MIXED USE CORRIDOR
- REGIONAL TRANSIT NODE
- PROPOSED REGIONAL TRANSIT NODE
- NODES AND CORRIDORS ² FOR FURTHER STUDY
- MAJOR TRANSPORTATION CORRIDOR ³
- PROPOSED MAJOR TRANSPORTATION CORRIDOR
- REGIONAL TRANSIT PRIORITY CORRIDOR
- MOBILITY LINK
- MAJOR ACTIVE TRANSPORTATION CONNECTIONS
- SCENIC CORRIDOR
- UTILITY CORRIDOR
- PROVINCIAL PRIORITY TRANSIT CORRIDOR
- MAJOR TRANSIT STATION
- HERITAGE CONSERVATION DISTRICTS/ ⁴ CULTURAL HERITAGE LANDSCAPES

Figure 18 - Livable Oakville, Urban Structure, Schedule A1



- BUILT BOUNDARY ^{*}
- URBAN AREA
- MIDTOWN OAKVILLE URBAN GROWTH CENTRE
- PARKWAY BELT
- GREENBELT
- LANDS NOT SUBJECT TO THE POLICIES OF THIS PLAN
- RAILWAY LINE
- MAJOR TRANSIT STATION

Figure 19 - Livable Oakville, Built Boundary and Urban Growth Centre, Schedule A2

Policy 3.6 provides that Nodes and Corridors are key areas of the Town and the focus for mixed-use development and intensification. It further states that Nodes and Corridors comprise the Town's Strategic Growth Areas, as the term is defined in the Growth Plan 2017. With respect to Midtown Oakville as an *Urban Growth Centre*, Policy 3.6 provides that it is planned to accommodate a significant portion of Oakville and Halton's required intensification.

Policy 3.12 provides that regional transit priority corridors and mobility links are identified in the Town-wide grid network that is key to connecting people via transit throughout the region as well as to local destination including nodes, mobility hubs, major transit station areas and employment areas. The policy adds that regional transit priority corridors provide a key focus for transit-supportive development.

Policy 3.15 speaks to major transit stations, regional transit nodes and proposed transit nodes and states that they are at key locations to integrate with the Town-wide transportation system and to provide a focus for transit-supportive development that facilitates first mile-last mile connections and solutions.

Section 4 of Part C of Liveable Oakville provides policies regarding managing growth and change. Policy 4.1 provides that majority of intensification in the Town is to occur within the Growth Areas, which includes Midtown Oakville as a primary Growth Area that will accommodate the highest level of intensification. Midtown Oakville is intended to be developed as mixed-use centre with transit-supportive development focused around major transit station areas and along corridors. The Growth Areas, including Midtown Oakville, have been the subject of detailed, comprehensive land use studies or secondary planning exercises that have resulted in objectives and policies to provide for intensification.

Policy 4.2 provides policy direction to the Midtown Oakville *Urban Growth Centre* and indicates that the greatest levels of height and density in the Town are planned for Midtown Oakville. It is to be the primary intensification area with employment, commercial and residential uses concentrated within the major transit station area. The policy further provides that Midtown Oakville is planned to achieve a minimum gross density of 200 jobs and residents combined per hectare by 2031, in accordance with the Growth Plan. Reductions in minimum heights or densities within Midtown Oakville are not permitted.

Policy 4.4 provides that the Town of Oakville is to achieve 14,390 new residential units within the built boundary by 2031. The intensification target of 14,390 residential units within the built boundary is intended to provide for units which can be built as a result of developments that conform to this Plan. The policies provide that number of units built within the built boundary by the year 2015, and each year thereafter, will be monitored to ensure conformity with the Region's requirement under the Growth Plan. As discussed, the Town is undertaking an update to the Official Plan to bring it into conformity with the Growth Plan (2020) and Halton Region's ROPA's 48 and 49.

Urban Design

Section 6 of Part C of Livable Oakville sets out the urban design policies, with Policy 6.1.1 establishing the Town's general urban design objectives, including:

- diversity, comfort, safety, and compatibility with existing communities;
- attractive, barrier-free, and safe public spaces;
- innovative and diverse urban form and excellence in architectural design; and
- the creation of distinctive places and locales, including Midtown Oakville, the other Growth Areas, and high-profile locations such as gateway to the Town.

Policy 6.1.2 (a) provides that development shall be evaluated in accordance with the urban design direction set out in the Livable by Design Manual (referred to in Section 4.11 of this Report) and that alternative design approaches may be proposed with the provision of appropriate justification and after consultation with the Town, subject to the proposed design meeting the intent and purpose of the Official Plan's urban design policies.

Policy 6.2.1 provides that the design of the public realm should promote creativity and innovation and include:

- a network of streets accommodating choices for pedestrians, cyclists, transit, and vehicles;
- walkable street lengths for pedestrians;
- a network of accessible, interconnected, and predictable pedestrian-oriented spaces and routes;
- comfortable and accessible public spaces that respond to their surroundings; and
- furnishings, trees and landscaping, wayfinding, and public art that provide orientation and a sense of identity.

Policy 6.4.2 provides that new development should contribute to the creation of a cohesive streetscape by:

- placing the principal building entrances towards the street and towards corner intersections;
- framing the street and creating a sense of enclosure;
- providing variation in façade articulation and details;
- connecting active uses to the public realm to enhance the liveliness and vibrancy of the street;
- incorporating sustainable design elements such as trees, plantings, furnishings, lighting, etc.; and
- coordinating improvements in building setback areas to create transitions from the public to private realms.

Policy 6.7.3 states that large development projects are encouraged to include a single, large urban square or a series of smaller urban squares.

The built form policies are discussed in Section 6.9 of Livable Oakville, and include:

- buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping, and signage;
- building design and placement should be compatible with the existing and surrounding built form context and carried out in a creative and innovative approach manner;
- to achieve compatibility between different land uses, development shall be designed to accommodate an appropriate transition between different land uses through landscape buffering, spatial separation, and compatible built form;
- 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 pedestrian;
- buildings should present active and visually permeable façades relative to all adjacent streets and amenity spaces through the use of windows, entry features, and human-scaled elements;
- main principal entrances to buildings should be oriented to the public sidewalk;
- development should be designed to include variation in building mass, façade treatment and articulation to avoid sameness;
- 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;
- 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;
- continuous streetwalls of identical building height are discouraged; variety in rooflines through subtle variations in roof form and height should be created;
- where appropriate, the first storey of a building shall have a greater floor to ceiling height to accommodate a range of non-residential uses;
- new development should be fully accessible, including universal design principles to ensure barrier-free pedestrian circulation;
- rooftop mechanical equipment shall not be visible from view from the public realm;
- outdoor amenity areas should incorporate setbacks and screening elements to ensure compatibility with the local context; and
- buildings should be sited to ensure maximum solar energy, adequate sunlight, and sky views, minimize wind conditions on pedestrian spaces and adjacent properties and avoid excessive shadows.

Section 6.10 sets out a series of landscape design policies which provide that, among other things, landscaping associated with new development should:

- enhance the human scale of development, create attractive pedestrian movement and frame desired views or focal objects;
- preserve and enhance the urban forest;
- provide shade and wind protection; and
- preserve and complement the existing natural landscape.

Sections 6.11 to 6.13 set out policies pertaining to pedestrian and vehicular access and circulation, and parking, which include:

- pedestrian walkways should be barrier-free;
- development should incorporate safe and direct access and circulation to and through the site that connects pedestrians to principle building entrances, amenity areas and parking areas and public sidewalks and transit facilities as well as adjacent developments, where appropriate;
- in areas with high levels of pedestrian traffic, walkways should be extended from curb to building face and enhanced by appropriate landscaping treatment;
- walkways should provide continuous routes across driveway entrances, drive aisles and through parking areas;
- development should incorporate safe and direct vehicular access and circulation routes with defined internal drive aisles to direct traffic, establish on-site circulation and frame parking areas;
- consolidated driveway accesses are encouraged to maximize landscaped space, minimize public sidewalk interruptions and expansive paved areas;

- surface parking should be located in rear or side yards with appropriate screening, but be sufficiently visible for safety and functionality, and connect to the on-site pedestrian network and streetscape through landscaped pedestrian linkages;
- barrier-free parking spaces should be located in close proximity to principal building entrances; and
- surface parking areas should incorporate planted landscaped areas that effectively screen parked vehicles from view from the public realm, provide shade, wind break and visual relief from hard surfaces, clearly define the vehicular circulation routes and are sufficiently sized to support the growth of trees and other vegetation.

The design of service, loading and storage areas is discussed in Section 6.16:

- servicing and loading areas should be located and orientated away from pedestrian and vehicular circulation both on-site and in the public right-of-way; accessible but not visible from the public realm; and, separated and buffered from residential areas;
- the visual and noise effects of activities associated with service and loading areas on the surrounding environment should be minimized by locating such areas behind buildings, erecting noise walls and fences, as well as screening with tree and shrub plantings;
- when lands are adjacent to residential land uses, service and loading areas should be internalized in the building or appropriately screened from the public realm and adjacent uses; and
- site servicing and utility elements should be located within the rear yard or away from or screened from public streets, adjacent residential areas, and other sensitive land uses.

Transportation

Cross Avenue is identified on Schedule C (Transportation Plan) as a Minor Arterial Road (see **Figure 20**).

As illustrated in Schedule L3 (Midtown Oakville Transportation Network), Cross Avenue is anticipated to have a future right-of-way width of 28 metres, whereas the future north-south and east-west roads are identified as local roads (see **Figure 4**). The future north-south local road is planned to have an ultimate width of 19 metres, whereas the east-west local road is planned to have a width of 24 metres.

The proposed development has been designed to accommodate the land conveyances required to meet the ultimate right-of-way widths supported by BA Group. The road widths supported by the transportation consultant are wider than what has been illustrated in the Livable Oakville Plan. Cross Avenue is proposed to have a right-of-way width of 33 metres, whereas the east-west and north-south streets are proposed to have widths of 24- and 19-metres respectively. Furthermore, these future rights-of-ways are acknowledged as "streets" within Section 3 of this report, as well as in Section 5, given "street" has more of a multi-modal connotation, which is the objectives for the future north-south and east-west streets. As discussed in Section 5.6 below, BA Group is of the opinion that the proposed road widths are appropriate and supportable. References to the future roads in the remaining sections of this report will be in reference to those being sought through this application.

Moreover, Trafalgar Road, which is approximately 315 metres east of the subject site is identified as a Major Arterial Road and a Busway Corridor. Policy 8.9.2 states that the Town will encourage transit-supportive development within major transit station areas and around transit terminal facilities.

Policy 8.12.1 provides that the Town will coordinate land use and transportation planning to maximize the efficient use of land. Policy 8.12.2 provides that development proposals will reflect, among other things: transit supportive densities that are commensurate with the type and frequency of transit service planned for the area and/or corridor, particularly near transit stops and stations, as well as a road pattern, pedestrian and cycling facilities that provide direct pedestrian and cycling access to transit routes and stops.

Schedule D (Active Transportation Plan) of Livable Oakville outlines a proposed cycling facility (bike lane) along Cross Avenue (see **Figure 21**). Policy 8.10.5 provides that development proposals, and upgrades to existing roads, will be required to incorporate pedestrian and cycling facilities in accordance with Schedule D and have regard for the implementation guidelines set out in the Active Transportation Master Plan.

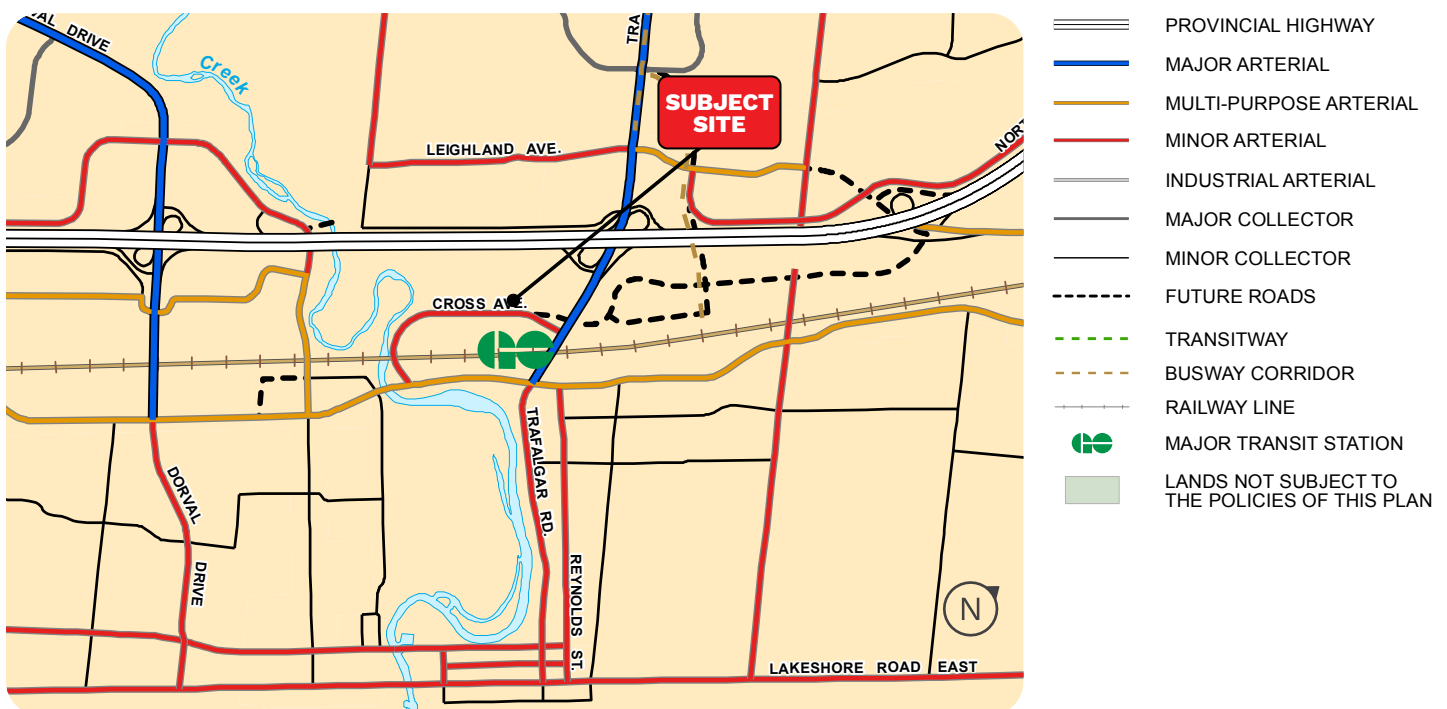


Figure 20 - Livable Oakville, Transportation Plan, Schedule C

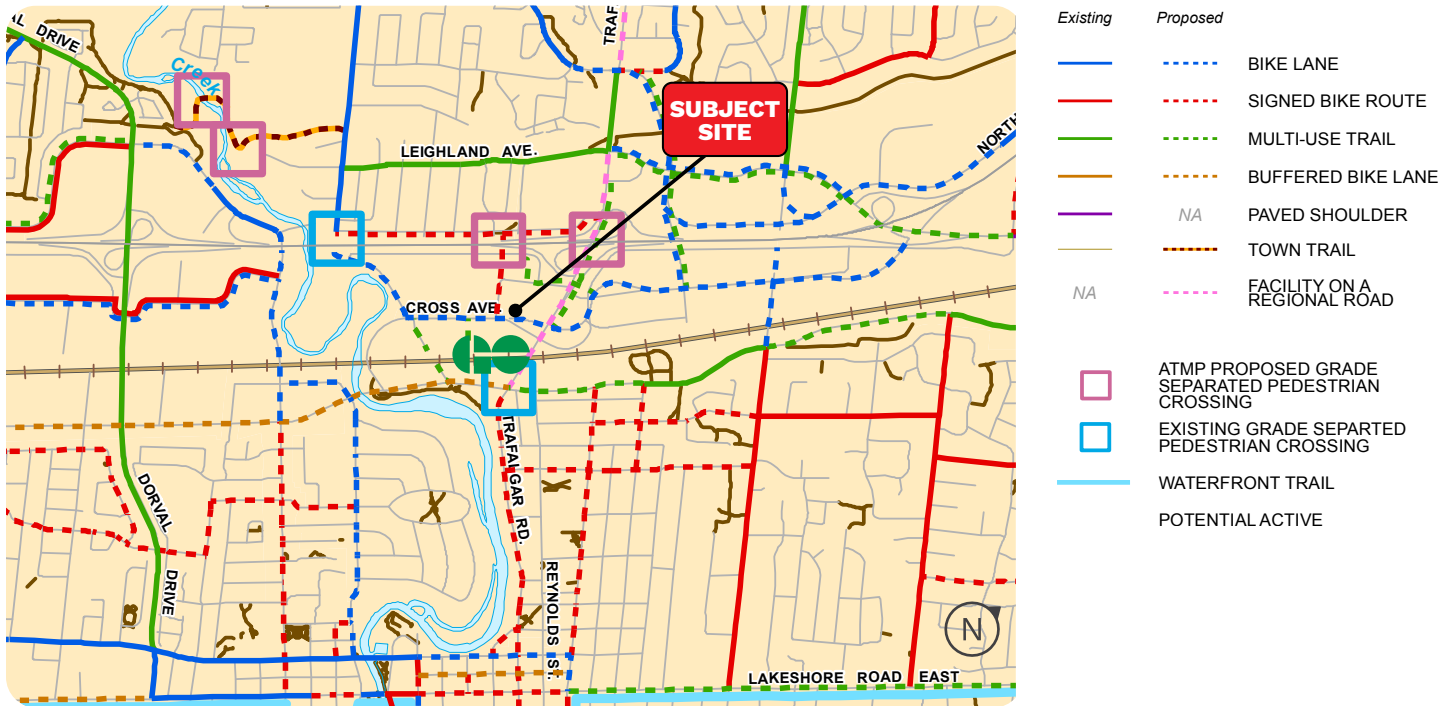


Figure 21 - Livable Oakville, Active Transportation Plan, Schedule D

Land Use

Part D of Livable Oakville set out the Land Use designations and policies. Schedule G (South East Land Use) identifies the subject site and the immediate surroundings as a *Growth Area* (see **Figure 22**).

With respect to the land use designation, Schedule L1 (Midtown Oakville Land Use) identifies most of the subject site as *Urban Centre*, with the northern portion of the site, south of the proposed east-west future road, as *Urban Core* (see **Figure 23**). The properties to the immediate east, south and west are also designated *Urban Centre*, whereas the properties to the north are designated *Urban Core*.

The *Urban Centre* and *Urban Core* designations, applicable to the subject site, are within the *Mixed Use* land use category, a category that is to be focused on the lands within the Growth Areas including Midtown Oakville. Section 12 of the Plan provides that the *Mixed Use* designations provide areas where residential, commercial and office uses are integrated in a compact urban form at higher development intensities. *Mixed Use* areas are to be pedestrian-oriented and transit-supportive. Policy 12.1.1 provides that the intent of the *Mixed Use* designations is to allow for a diversity

of residential commercial and office uses which are integrated in buildings to provide for the efficient use of municipal services and infrastructure. Policy 12.1.2 states that mixed use development will be focused on lands located within Oakville's *Growth Areas* and along identified corridors. Policy 12.1.3 provides that the *Mixed Use* designations are intended to create animated streets by providing retail and service commercial uses on the ground floor of mixed use buildings, fronting onto the street and other pedestrian environments.

Policy 12.4 provides that the *Urban Centre* designation shall incorporate a mix of uses including retail and service commercial, major office, offices, and residential uses. Development should be oriented to the street and shall contribute to a high-quality pedestrian-oriented and transit-supportive environment. Policy 12.4.1 (a) outlines the permitted uses which include a wide range of retail and service commercial uses, including restaurants, commercial schools, major office, offices, and residential uses may be permitted in the *Urban Centre* designation. The policy adds that retail and service commercial uses shall be provided on the ground floor of mixed use buildings that directly front a public street. These uses may also extend to other floors.

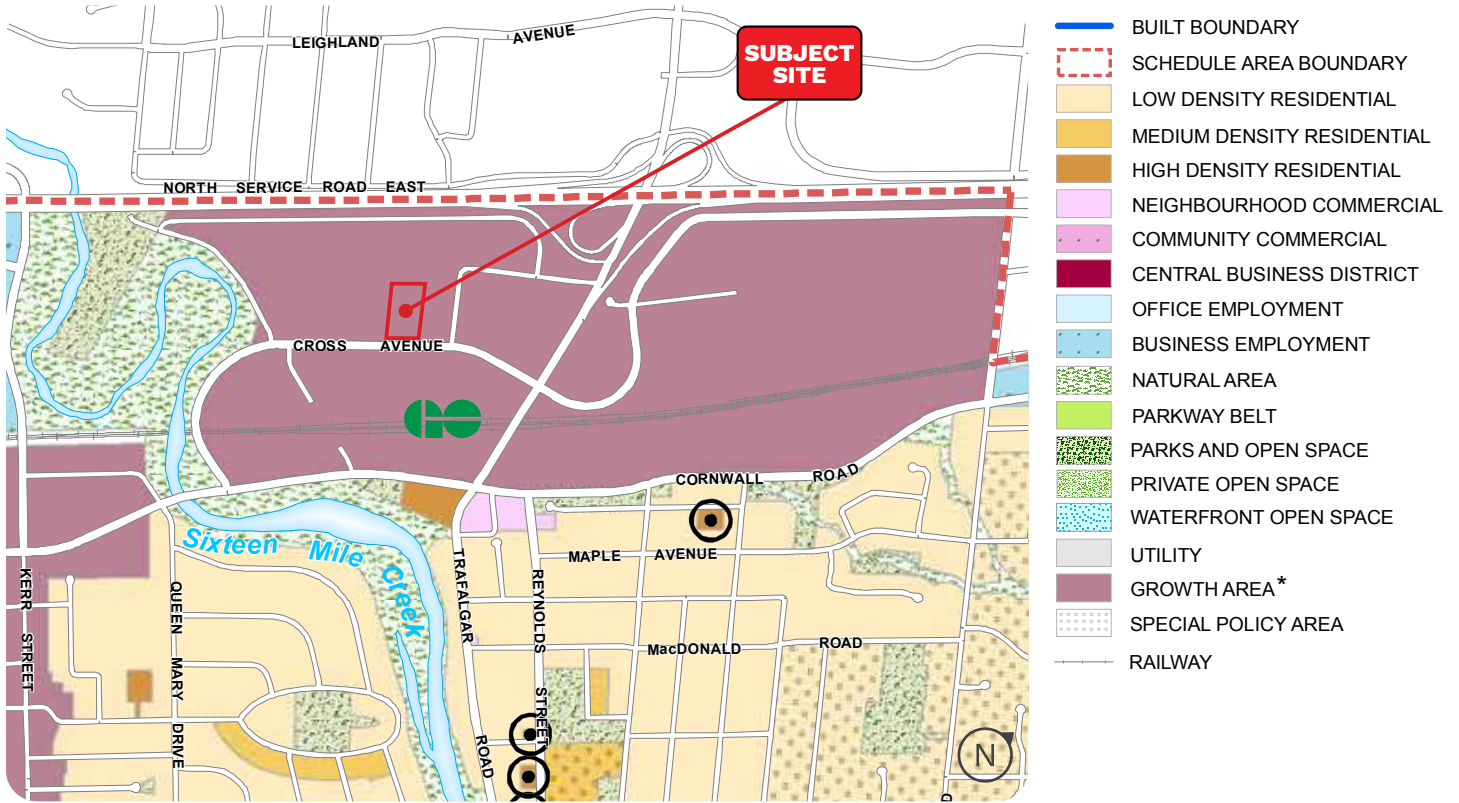


Figure 22 - Livable Oakville, Land Use, Schedule G

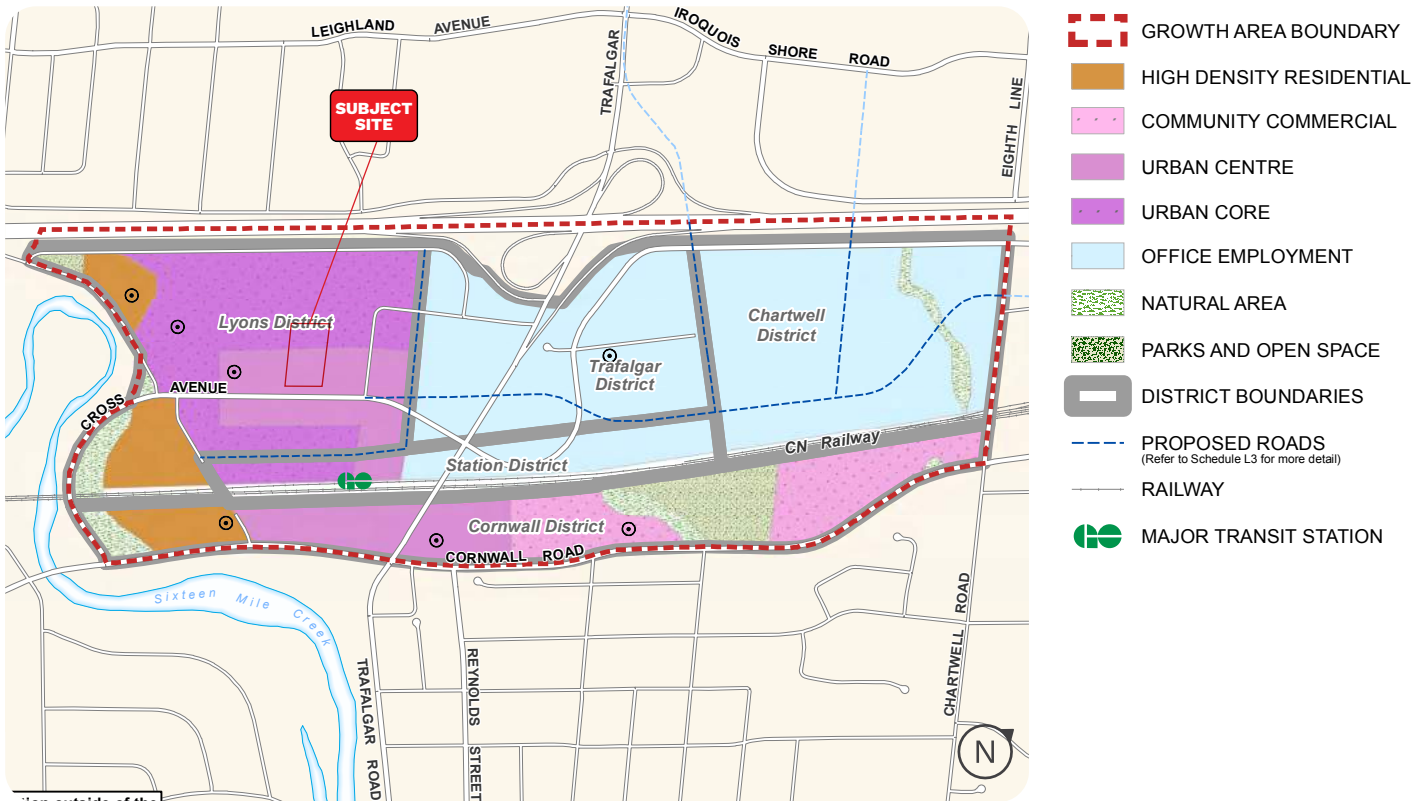


Figure 23 - Livable Oakville, Land Use, Schedule L1

Midtown Oakville Growth Area Policies

Places of entertainment, indoor sports facilities, and hotels may also be permitted. Office uses and ancillary residential uses may be provided on the ground floor and/or above the ground floor. Policy 12.4.1 (b) provides that the size and location of uses shall be determined through the development process and regulated by the implementing zoning.

Buildings within the *Urban Centre* designation shall be a minimum of six storeys in height and a maximum of eight storeys in height (Policy 12.4.2.a). Additional building height may be considered in accordance with the applicable bonusing policies in this Plan (Policy 12.4.2.b).

Policy 12.4.3 provides that underground and/or structured parking shall be encouraged, and surface parking should not be permitted between buildings and the adjoining streets. However, consideration may be given to limited surface parking within these areas for the purpose of visitor or commercial parking.

Policy 12.5 provides that the *Urban Core* designation is envisioned to have a strong urban focus and incorporate retail and service commercial, office and residential uses. Development should be oriented to the street and shall contribute to a high-quality pedestrian oriented and transit-supportive environment. Midtown Oakville and the Uptown Core are the primary location for this designation.

A wide range of retail and service commercial uses, including restaurants, commercial schools, offices, and residential uses may be permitted in the *Urban Core* designation. Retail and service commercial uses shall be provided on the ground floor of mixed use buildings that directly front a public street. These uses may also extend to other floors. Entertainment facilities and hotels may also be permitted. Office uses and ancillary residential uses may be provided on the ground floor and above the ground floor (Policy 12.5.1.a). The size and location of uses shall be determined through the development process and regulated by the implementing zoning (Policy 12.5.1.b).

Buildings within the *Urban Core* designation shall be a minimum of eight storeys in height and a maximum of 12 storeys in height (Policy 12.5.2.a). Additional building height may be considered in accordance with the applicable bonusing policies in this Plan (Policy 12.5.2.b).

Policy 12.5.3 provides that underground and/or structured parking shall be encouraged, and surface parking should not be permitted between buildings and the adjoining streets. However, consideration may be given to limited surface parking within these areas for the purpose of visitor or commercial parking.

Part E of the Livable Oakville Plan set outs policies for the *Growth Areas* and Special Policy Areas. Section 20 of the Livable Oakville Plan provides the Midtown Oakville *Urban Growth Centre* policies. Midtown Oakville is located at the interchange of Trafalgar Road and the QEW and the Oakville Station, which are major entry points to the Town and distinguish Midtown Oakville as a strategic location to accommodate both population and employment growth. The accessibility by major roads and local and inter-regional transit, combined with a large amount of vacant and underutilized land, provide the infrastructure and development opportunity to create a complete urban community comprised of a mix of high density residential and employment uses. Midtown Oakville is intended to be a vibrant, transit-supportive, mixed use community and employment area.

Section 20.2 of Livable Oakville provides the following objectives for Midtown Oakville:

- To create *transit-supportive development* by:
 - ensuring the entire area is developed as a pedestrian-oriented environment focused on access to, and from, transit;
 - improving internal road circulation and connections to, and through, Midtown Oakville for public transit, pedestrians, cyclists, and vehicles; and
 - promoting a compact urban form with higher density and higher intensity land uses;
- to create a vibrant and complete new community by:
 - providing a mix of residential, commercial, employment, civic, institutional, cultural, and recreational uses, complemented by public open spaces and public art, to attract different users throughout the day;
 - directing *major office* and appropriate large scale institutional *development* to Midtown Oakville;
 - ensuring high quality urban design that complements and contributes to the vitality of both Midtown Oakville and the Town;
 - providing a transition between the concentration, mix and massing of uses and buildings in Midtown Oakville and neighbouring areas and properties;
 - facilitating public investment in transit, *infrastructure*, and civic facilities to support future growth; and
 - promoting *district energy* facilities and sustainable building practices;

- to achieve required growth targets by:
 - promoting and enabling the evolution of Midtown Oakville as an *urban growth centre* and the Town's primary *Growth Area*;
 - ensuring a minimum gross density of 200 residents and jobs combined per hectare – a combined total of approximately 20,000 residents and jobs – by 2031 in accordance with the *Growth Plan*;
 - providing opportunities for increased building height through bonusing; and
 - ensuring that *development* occurs in a comprehensive and progressive manner by monitoring key *development* indicators at regular intervals.

Section 20.3 provides a development concept for Midtown Oakville including five development districts in accordance with Schedule L1 (refer to **Figure 23**). The five districts include: Station District, Trafalgar District, Lyons District, Chartwell District and Cornwall District. Each of the five districts have a distinct character in terms of land use and built form.

The subject site falls within the Lyons District. Policy 20.3.3 provides that the Lyons District shall evolve from its current focus on strip malls and large format retail uses into a compact mixed use neighbourhood. Cross Avenue is intended to be an attractive central spine animated by at-grade retail uses, cohesive streetscapes and open spaces that enhance the experience of the public realm. Taller residential buildings shall be located in the vicinity of Sixteen Mile Creek and the railway.

Section 20.4 provides the following Functional Policies that are applicable to the Midtown Oakville. With respect to Transportation, Policy 20.4.1 provides that significant road, transit, and active transportation infrastructure, to the Midtown Oakville is needed to accommodate the growth the Town is required to achieve in Midtown Oakville. Many existing roads shall be realigned, widened, extended, or replaced. Schedule L3 (Midtown Oakville Transportation Network) illustrates a future local road along the north boundary of the subject site, with a planned right-of-way width of 22 metres. Along the eastern boundary of the subject site, a future north-south local road has been proposed with a planned right-of-way width of 19 metres. Cross Avenue framing the subject site to the south is identified as a having a Minor Arterial Road with a planned right-of-way width of 28 metres (see **Figure 4**).

The Town may secure rights-of-way on alignments through the planning approval process. Final rights-of-way shall be consistent with the Midtown Oakville Class Environmental Assessment, 2014, and shall otherwise be determined through detailed transportation studies, environmental assessments where required, and the planning approval process Subject to section 8.2.3, changes to the requirements, location or alignment of new transit services, roads and pedestrian linkages will not require an amendment to this Plan provided that the general intent and purpose of this Plan is maintained and intensification opportunities are not precluded. The rights-of-way of future roads shall be required to achieve the maximum widths identified on Schedule L3.

Policy 20.4.1(e) provides that development shall not preclude, amongst others: a new multi-purpose arterial road – the North-South Crossing – across the QEW to link to the extension of Cross Avenue, east of Trafalgar Road, and Station Road; and the future local road network as identified on Schedule L3.

With respect to the parking, Policy 20.4.1(j) provides that parking structures are preferred for the provision of required parking. Surface parking lots are discouraged. However, where surface parking is provided, it shall be in the side or rear yard and the visual impact shall be mitigated by a combination of setbacks and significant landscaping in accordance with the Livable by Design Manual and the Designing Midtown document. Reduced parking standards may be considered in the implementing zoning. The policy encourages shared driveways and parking facilities, and provides that access to parking, service and loading areas should be from local roads or service lanes, and to the side of rear of buildings. The policy adds that implementation of the Midtown Oakville Parking strategy shall be undertaken.

With respect to the Urban Design, Policy 20.4.2 (b) provides that Midtown Oakville shall be designed as a regional destination and an urban centre with a focus on creating a safe and attractive public realm that encourages walking, cycling and transit use. New development shall support this objective through its form, scale, and detail. Policy 20.4.2 (e) indicates that it is intended that some of the Town's tallest buildings locate in Midtown Oakville. These buildings shall be designed to the highest architectural quality and detail to create landmark buildings and contribute to a distinct skyline.

With respect to building heights, Policy 20.4.2 (f) provides that the minimum and maximum building heights shall be permitted in accordance with Schedule L2 (Midtown Oakville Building Heights). The permitted heights on the majority of the subject site are between 6- and 12-storeys, whereas the northern portion of the subject is permitted building heights between 8- and 20-storeys (see **Figure 24**, Schedule L2, Midtown Oakville Building Heights). The policy adds that additional building heights may be considered in accordance with bonusing policies.

With respect to the growth targets, Policy 20.4.4 provides that Midtown Oakville shall provide for a minimum gross density of 200 residents and jobs combined per hectare by 2031, which translates to approximately 20,000 residents and jobs. A mix of approximately 5,900 residential units and 186,000 – 279,000 square metres of commercial and employment space is accommodated to provide for an estimated 12,000 residents and 8,000 jobs.

The land use policies for Midtown Oakville are provided in Section 20.5. In particular, Policy 21.5.5 provides that on lands designated *Urban Core* and *Urban Centre*, a creative centre to provide studio, office, exhibition, performance, and retail space for the cultural community may also be permitted. Policy 20.5.6 adds that on land

designated *Urban Core* within the Lyons District, the development of a single-use building, townhouse, and stacked townhouses with a minimum height of three storeys, in combination with permitted residential or mixed use buildings may also be permitted.

Section 20.7 provides the Implementation Policies including the phasing/transition and bonusing policies. Policy 20.7.1 speaks to phasing and transition of development related to the vision of a high density and transit supportive area. Policy 20.7.1(a) provides that development is likely to occur over the long-term and be co-ordinated with the provisions of infrastructure, including:

- transit (conventional and rapid transit);
- road network capacity;
- pedestrian and cycling facilities;
- water and waste water services;
- stormwater management facilities;
- streetscape improvements; and
- utilities.

Policy 20.7.1(b) adds that the initial phases of development shall not preclude the achievement of a compact, pedestrian-oriented, and transit-supportive urban form, or the transportation network.

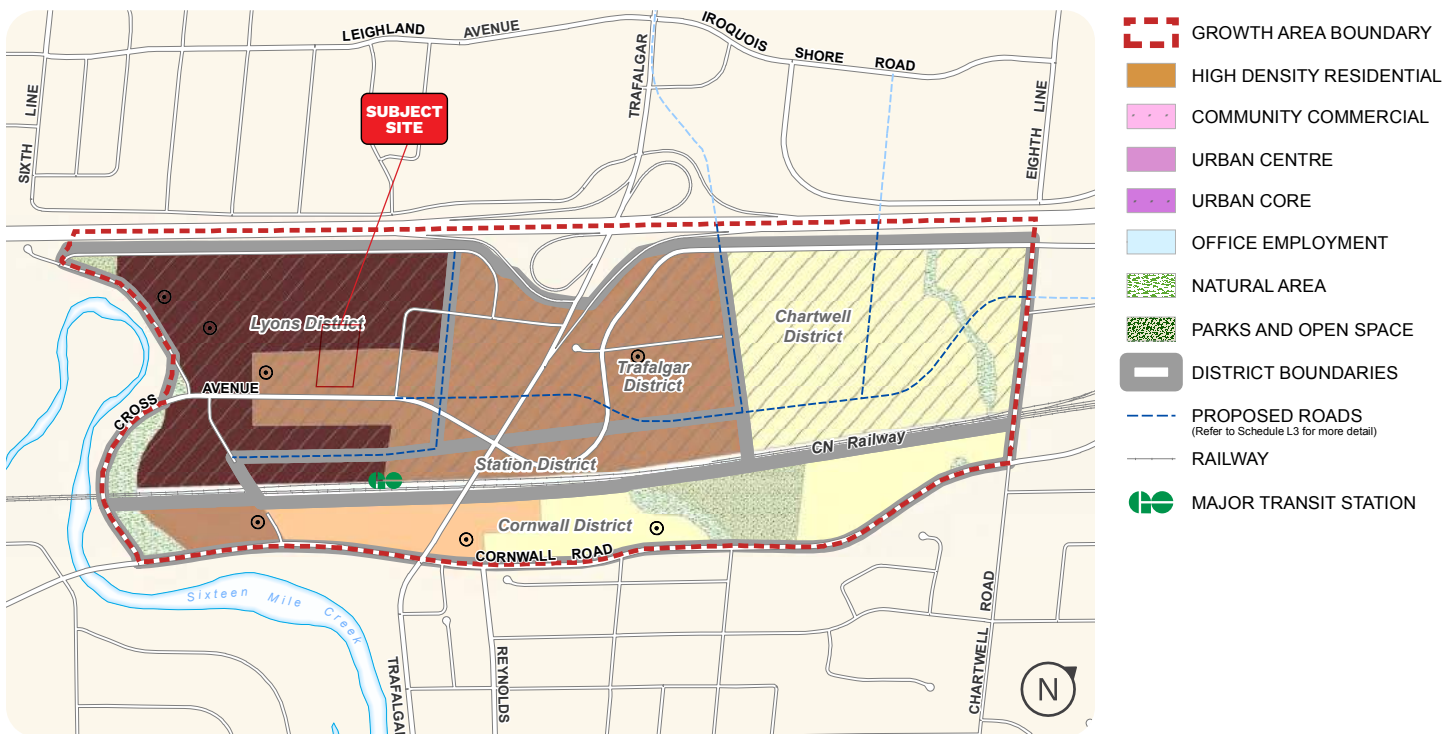


Figure 24 - Liveable Oakville, Midtown Oakville Building Heights, Schedule L2

4.8 Town of Oakville Official Plan Official Plan Review

With respect to the Bonusing, Policy 20.7.2 provides the following:

- The Town may allow increases in building height in the areas of Midtown Oakville delineated on Schedule L2, without amendment to this Plan, in exchange for the provision of public benefits as listed in section 28.8.2, and with priority given to those public benefits in section 20.7.2 c).
- Bonusing shall only be permitted if in conformity with section 20.7.1 and is supported by a transportation impact analysis which confirms that the additional development will not adversely impact the transportation network or, where cumulative impacts are identified, such impacts are accommodated through road and transit improvements which are to be provided through agreement by the applicant.
- Public benefits considered appropriate for the application of increased height and density in Midtown Oakville may include, but are not limited to:
 - grade separated pedestrian and cycling facilities across the QEW, railway tracks or Trafalgar Road;
 - community facilities such as a creative centre, including a studio office, exhibition, performance, and retail space;
 - a library
 - improved local transit facilities and transit user amenities;
 - parkland improvements beyond the minimum standards for public squares and plazas; and,
 - public art.
- For the purposes of bonusing in Midtown Oakville, there is no prescribed building height limit, and no Official Plan amendment shall be required to increase building height as a result of bonusing.

The Official Plan Review was launched at a special meeting during Planning and Development Council on May 11, 2015. The intent of the Official Plan Review is to consolidate and harmonize the Town's Official Plan documents under the Livable Oakville Plan and to ensure conformity with current and updated PPS, Growth Plan, the Halton Region Official Plan, and the Halton Region's Integrated Growth Management Strategy.

The Town's Official Plan review projects include studies such as Urban Structure Review, Primary *Growth Area* Reviews including Midtown Oakville.

The Urban Structure Review (OPA 15) was adopted by Town Council on September 27, 2017, and received approval by Halton Region on April 26, 2018. At the time of approval, the town-wide urban structure was deemed to be consistent with the Provincial Policy Statement, 2014, to conform to the Regional Official Plan, 2009 and the Growth Plan, 2017. Following the Region's approval of OPA 15, it was appealed to Ontario Land Tribunal (at the time, the Local Planning and Appeal Tribunal), and came into full force and effect on July 9, 2021.

More recently, the Town has undertaken a review of the Midtown Oakville Growth Area Policies, which are discussed in greater detail in Section 4.12 below.

4.9 Town of Oakville Zoning By-law

The subject site zoned Midtown Transitional Commercial (MTC) in Zoning By-law 2014-014, as amended, (see **Figure 25**). In this regard, the majority of Midtown Oakville land parcels are currently under appeal, and therefore is not in force.

The MTC zone permits a range of uses, including retail, service commercial, office, open space, and community uses. Residential uses are not permitted. There are no specific zoning regulations in the Midtown Oakville Zones, including the MTC zone. Table 7.3 of the By-law provides that the regulations shall be as legally existing as of the effective day of this By-law.

More recently, the Town adopted By-law 2023-065, which amends Zoning By-law 2014-014 to make a number of housekeeping, technical and other modifications affecting various zones. Most notably, the definition of *Floor Space Index* is amended by deleting "net floor area" and replacing with "gross floor area". As well, a new definition for *Floor Area, Gross* has been added to mean the total area of all of the floors in a building measured from the exterior faces of the exterior walls, but shall not include an attic, basement or mechanical penthouse.

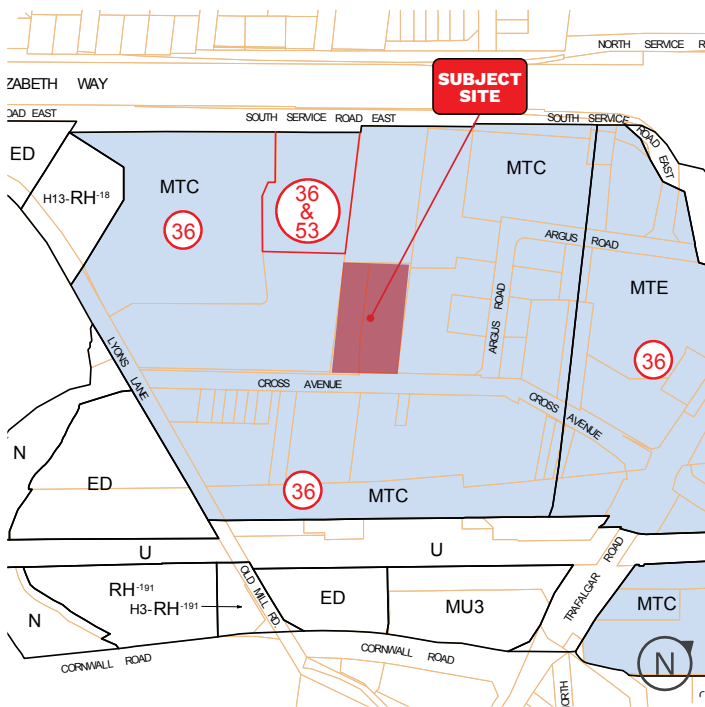


Figure 25 - Town of Oakville Zoning By-law 2014-014 Map 19(8b)

4.10 Liveable by Design Urban Design Manual

On May 12, 2014, Town of Oakville Council endorsed the Liveable by Design Urban Design Manual, and it was updated in December of 2019. The Manual provides a comprehensive set of guiding design principles and urban design directives applicable Town-wide for all forms of development, redevelopment, and capital projects. The Manual implements the policies in Section 6 (Urban Design) of Livable Oakville and applies to all development proposals that are subject to review and planning approval by the Town of Oakville.

The Manual specifically notes that it is intended to, among other things:

- visually articulate the design objectives set out in Livable Oakville;
- set clear expectations for preferred design and development outcomes that achieve function and attractive design;
- establish an assessment framework for the review of development proposals through the provision of detailed design directives to evaluate whether projects will be well-executed, function properly and enhance the public realm; and
- provide guiding design principles and urban design direction for the creation of detailed design documents tailored to specific context, land use, or development form.

The Manual includes a section on tall and mid-rise buildings and provides guidelines with respect to the height of the base building, ground floor treatment, entranceways, frontage, and setbacks, building base separation and side property setbacks, the middle portion of a building, relation to the building base, floorplate control and massing, tower spacing and orientation, the building top, transitions to adjacent surroundings, building detailing and materials and amenity areas.

Relevant guidelines include, but are not limited to:

- establish the height of the building base to be no greater than 80% of the right-of-way width up to a maximum height of 6-storeys. Above this established maximum height, stepback the remaining building at a 45-degree angle from the main street wall, to allow for sunlight penetration on the street (#1);
- Where a stepback of the main wall of the building base is proposed, situate it no lower than 12.0m above grade and with a minimum depth of 1.5m, to ensure the building continues to frame abutting public spaces and streets (#2);
- enhance the building façade along the street edge by incorporating creative building elements that are compatible in style, scale and placement (#3);
- for ground floor commercial uses facing a public street incorporate a minimum first storey floor to ceiling height of 4.5m, a minimum of 75% glazing on façade(s) to achieve visual interest, and access to natural lighting, and architectural treatments on all non-transparent surfaces (#4);
- within *Growth Areas* and along Intensification Corridors, design the main wall of the building to occupy a minimum of 85% of the façade zone along the length abutting a public street (#14);
- design the building at a maximum length of 55.0m along the façade zone before incorporating a significant break in massing. Incorporate a break with a minimum depth of 6.0m and minimum length of 9.0m to achieve a significant vertical break and setbacks (#16);
- incorporate strategic setbacks from the property line in the façade zone to accommodate urban squares, seasonal retail and patio space, extensions of the streetscape, public art, and entrances to above-grade uses (#17);
- setback buildings a minimum of 5.5m from a side property line at a minimum height that is based on 80% of total right-of-way width. This design direction does not apply to buildings that are six storeys or less (#18);
- for a tall building, stepback the middle component a minimum of 5m from the main wall of the building base (#23);
- for tall buildings, design the floorplate above the building base with maximum area of 750 square metres. This control results in slender tower design and lessens shadow and wind impacts at ground level (#25)
- In order to provide enhanced privacy for building units and access to sky views and sunlight incorporate a minimum separation distance of 25.0 metres between building towers, whether located on the same or an adjacent property (#27);
- Design the architectural treatment of the rooftop to complement the overall building design and to integrate penthouses, stair towers, elevator towers and mechanical equipment. For rooftop equipment and enclosures taller than 2.0 metres in height, setback these elements a minimum of 5.0 metres from all edges of the roof to reduce their visibility from the public realm (#31)
- For buildings abutting a low-rise stable residential area and parks/open spaces, setback the building a minimum of 7.5 metres from the shared property line. Above the base building, (to a maximum of 10.5 metres above grade), incorporate setbacks of the main wall to achieve appropriate transitioning (#35)
- For residential buildings, incorporate private outdoor amenity space in a form of a roof terrace or balcony for each unit (#48).

4.11 Designing Midtown Oakville (2013)

The Midtown Oakville Urban Design Guidelines were prepared as part of the 2014 Midtown Strategy which consisted of three major studies: the Midtown Oakville Class Environmental Assessment, Midtown Oakville Parking Strategy and Designing Midtown Oakville. The recommendations of these studies will inform updates to the Liveable Oakville Plan and Zoning By-law 2014-014 to continue to support the long-term redevelopment of lands in Midtown Oakville. Reports about the Midtown Strategy studies were presented at a Special Planning and Development Council meeting on May 27, 2014. At the same time, a statutory public meeting was held to receive public input about town-initiated official plan and zoning by-law amendments to support the redevelopment of Midtown Oakville. Those amendments were subsequently put on hold.

Designing Midtown Oakville aims to guide the future look, feel and functional operations of Midtown Oakville. The document proposes a number of recommendations to guide the shape of public spaces, buildings, sidewalks, and roads, and also looks at how the Town of Oakville can best supply parking to this emerging community. A summary of key guidelines are outlined below.

The Guidelines recommend development blocks that are intended to accommodate developments considering the urban structure as outlined in the Midtown Oakville Growth Area policies of the Liveable Oakville Official Plan. The blocks consider the transportation network, natural environment, and major transit infrastructure.

Transportation Guidelines

In Figure 1, Cross Avenue is identified as being part of "Existing and future transit lines" and as the "Main Pedestrian Spine (see **Figure 26**, Urban Structure). In Figure 2, Cross Avenue is identified as a "Traditional Main Street Right of Way", whereas the planned future north-south and east-west streets adjacent to the subject site are identified as a "Local Street Right of Way" (see **Figure 27**, Street Right of Ways). As it relates to street design, Figure 3 identifies a proposed bike routes/lanes on Cross Avenue, and the planned future north-south and east-west roads adjacent to the site as part of Midtown's proposed road network (see **Figure 28**).

Guideline 3.1.2 pertains to Cross Avenue, which is envisioned to be Midtown's traditional main street, its primary pedestrian corridor and its primary function is to create a pleasant pedestrian experience.

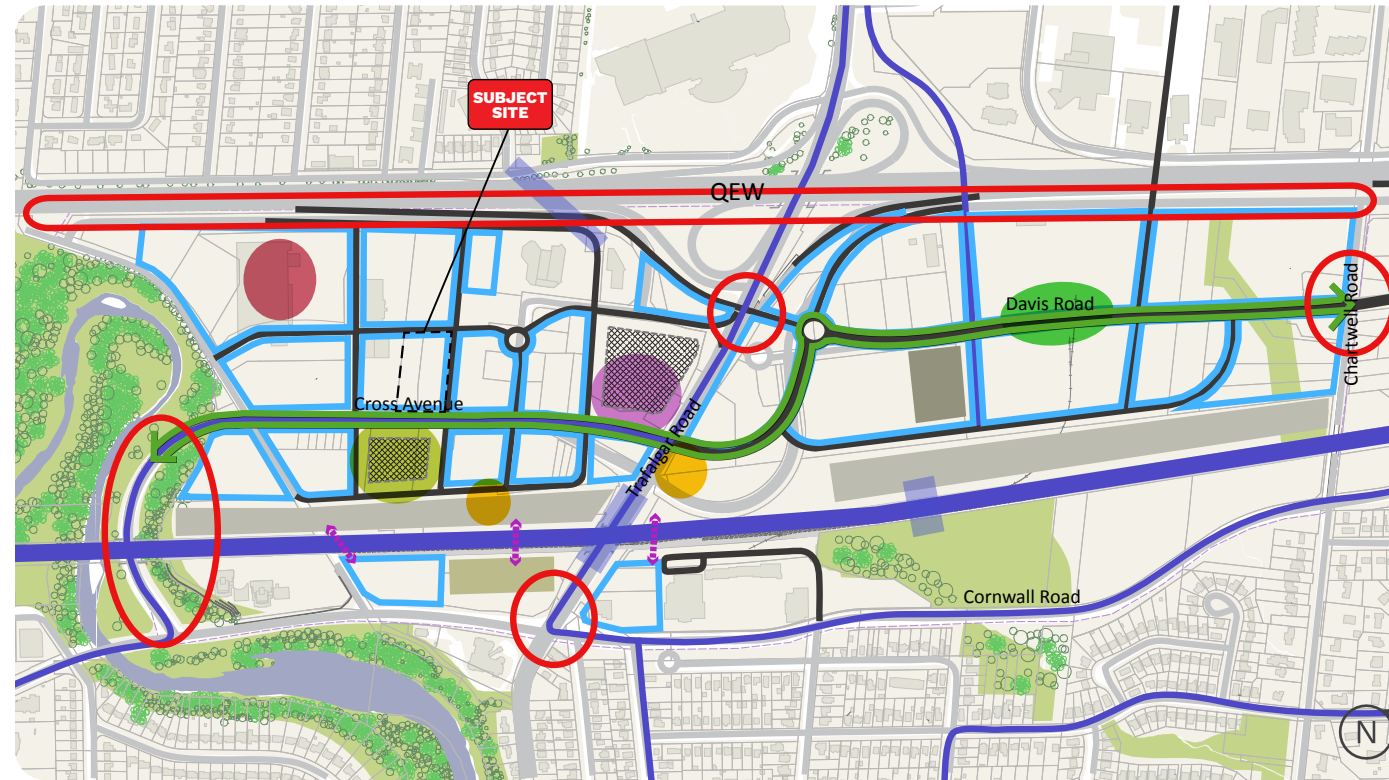


Figure 26 - Designing Midtown Oakville, Figure 1, Urban Structure

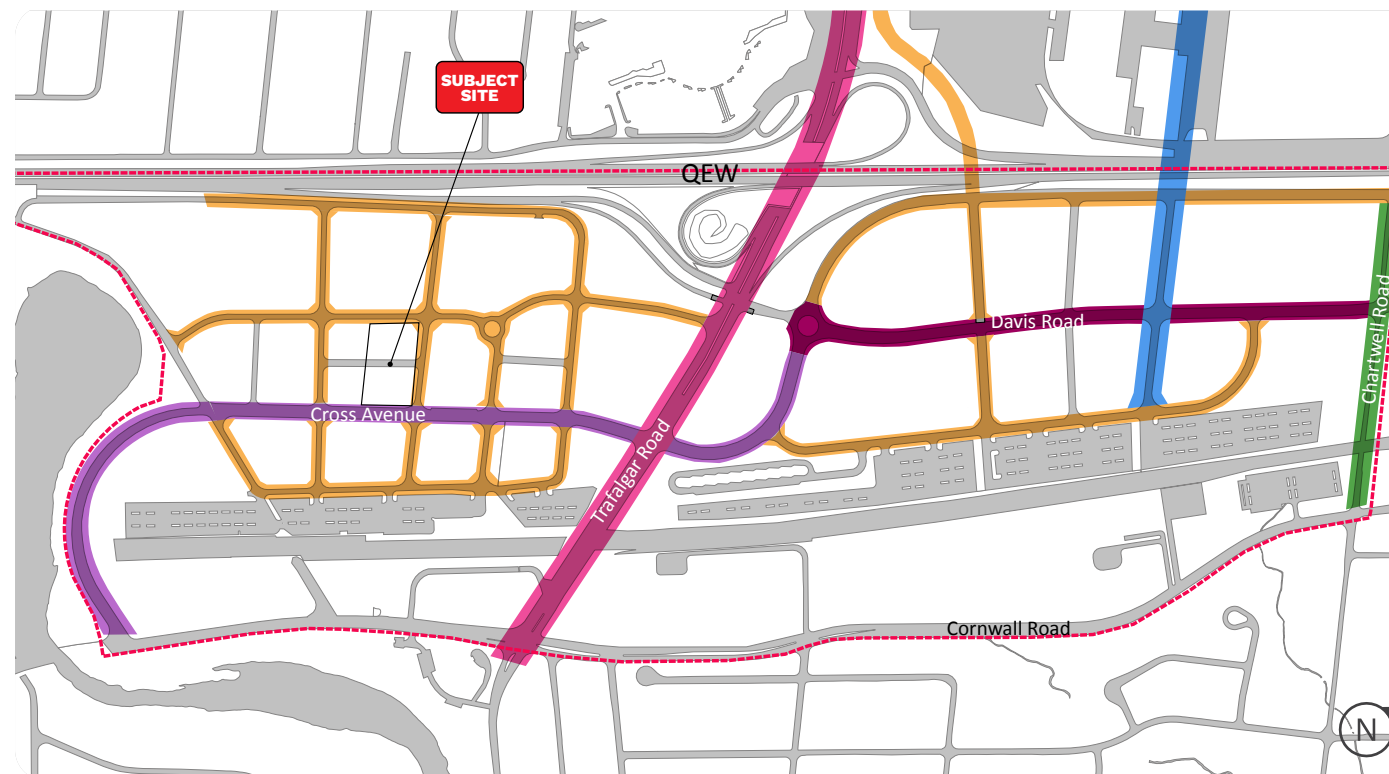


Figure 27 - Designing Midtown Oakville, Figure 2, Street Right of Ways

- Existing roads and streets
- Proposed roads and streets as per Liveable Oakville*
- Existing and future transit lines**
- Existing GO parking deck
- Proposed locations for above-grade crossing
- Midtown Oakville gateways
- Proposed development parcels
- Potential location for future community park
- Potential location for future Civic Square
- Potential location for future office district park
- Potential location for future station plaza next to existing station buildings
- Potential location for future station plaza next to future station building
- Potential location for future retail plaza
- Potential location for future parking deck
- Potential location for future underground parking
- Potential location for future surface parking
- Main pedestrian spine
- Underpass

- Local street right of way
- Traditional main street right of way
- Commercial / Employment Corridor
- Potential new street right of way with overpass
- Mixed use corridor street right of way
- New right of way for existing street

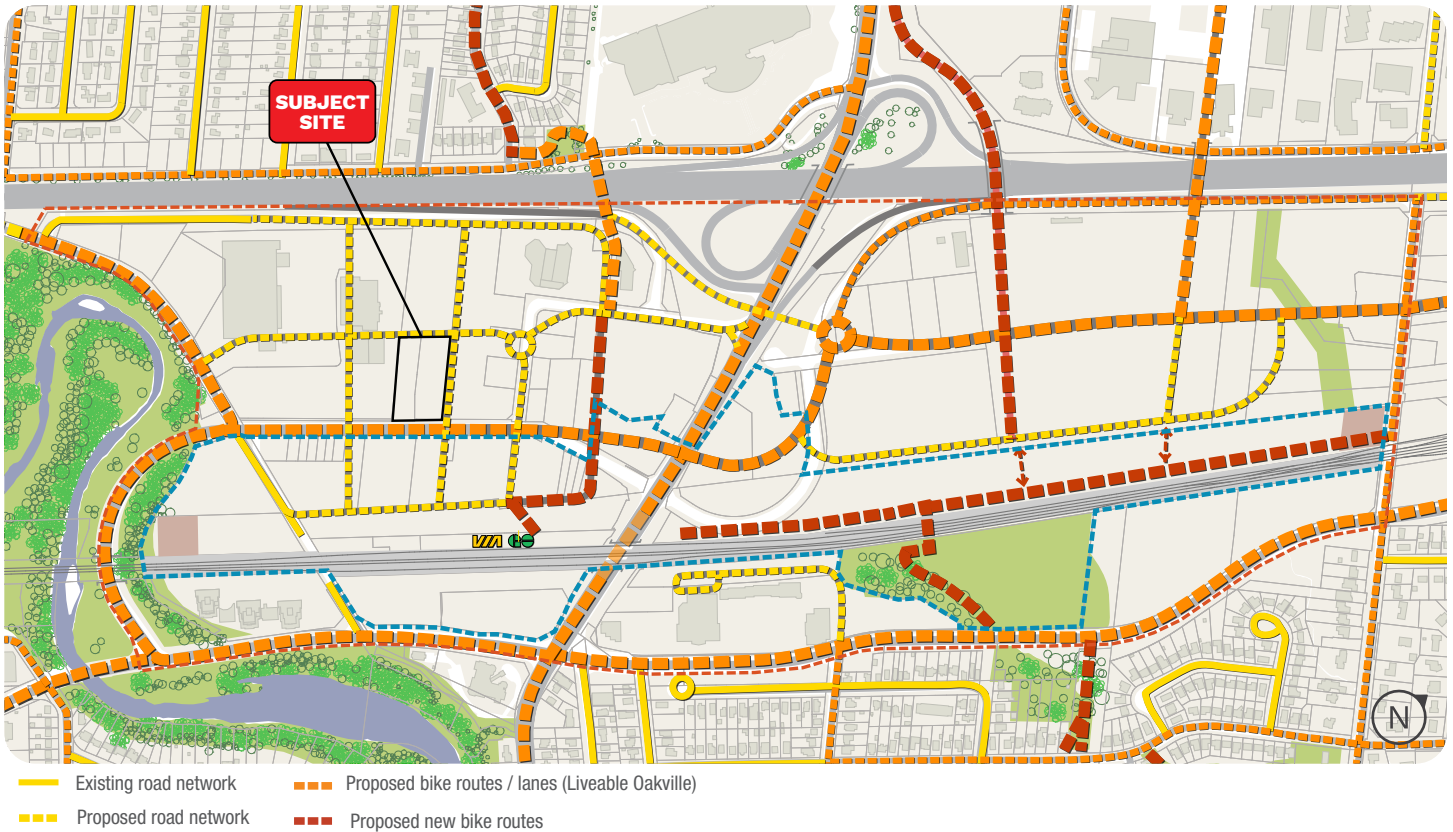


Figure 28 - Designing Midtown Oakville, Figure 3, Bicycle Network

The following guidelines may apply to Cross Avenue:

- cross Avenue should have 4 vehicle travel lanes and one turning lane;
 - the north side of Cross Avenue could have permanent lay-by parking, while the south side should accommodate off peak-hours lay-by parking;
 - new development should be set back from the front property line to accommodate street-animating activities like patios, restaurants, seating, and landscaping;
 - the curb travel lanes should be wider to accommodate vehicles, buses, and bicycles.
 - paved sidewalks should be minimum 2 metres wide;
 - the planting and furnishing zone should be generously landscaped and provide ample benches and bicycle parking as well as public transit amenities (i.e., bus stops, shelters, and benches);
 - special paving, bump outs and/or traffic tables may be utilized to indicate pedestrian crosswalks; and
 - the building interface zone (setback) should be used for front landscaping to provide a transition between the public and private realms, while maintaining the character of the street.
- Guideline 3.1.3 contemplates other alternatives for Cross Avenue in order to create a better streetscape and to increase the year-round use potential of the pedestrian zone. Additional guidelines that may be applied include:
 - permanent lay-by parking can be located on the curb, beside the paved roadway.
 - the number of lay-by parking spaces could be reduced during summertime;
 - the remaining lay-by parking spaces can become an extension of the pedestrian realm for patios during mild weather seasons;
 - bollards may be used to delineate the vehicle travel lane from the extended sidewalks during the mild weather seasons; and
 - additional street furniture may be included in the seasonal sidewalk extension areas.
 - Guideline 3.1.8 provides recommendations for Midtown Local Streets, including the planned future streets adjacent to the site. According to the Guidelines, Midtown local streets are smaller scale residential streets and provide local access within the Midtown and enable movement through the district.

Public Realm Guidelines

The following guidelines may apply to Midtown local streets:

- midtown local streets should have 2 bicycle friendly vehicle travel lanes;
- lay-by parking should be included on one side of the street;
- pedestrian crossings should be designed on traffic tables to calm traffic and enhance pedestrian safety;
- the building should be setback from the front property line to create space for landscaped entry zone and front-yard landscaping to complement the streetscape;
- if the unit entry is higher than the street elevation, the development setback should be less wide compared to entry points at street level; and
- the pedestrian zone should be landscaped with trees and lighting.

Figure 23 (**Figure 29**) identifies potential locations for future parks and open spaces within Midtown. As it relates to the subject site, a potential community park has been identified to the immediate south, with Cross Avenue continuing to be identified as the main pedestrian spine.

Guideline 4.1.1 provides that the potential community park should be designed to accommodate a range of active and passive uses, among other considerations. The Guideline notes that development that fronts on to the Community Park should feature complementary uses at the ground floor that encourage interaction and animation between the streetscape and the park.

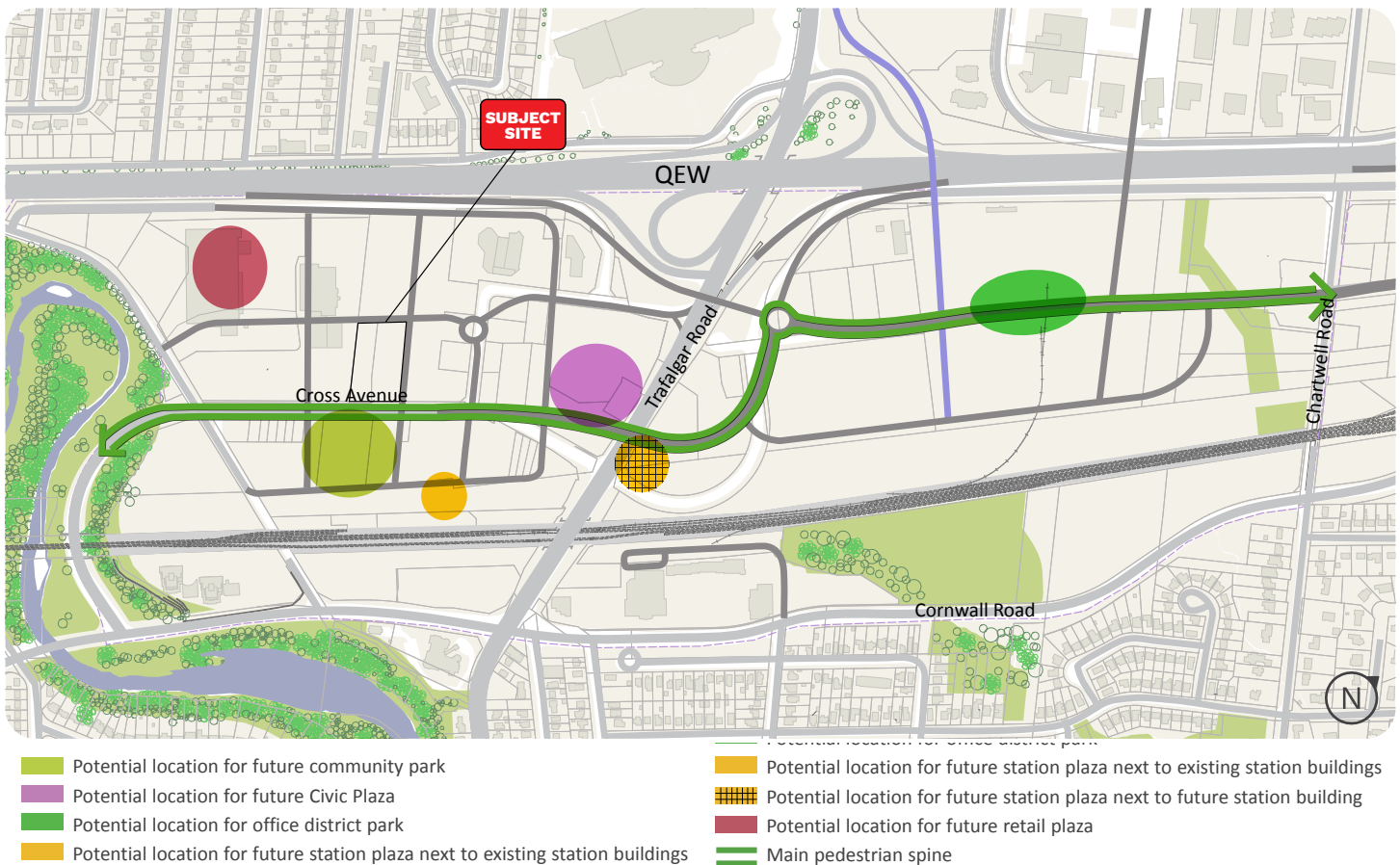


Figure 29 - Designing Midtown Oakville, Figure 23, Parks and open spaces

Built Form Guidelines

The guidelines identify six (6) districts in Midtown Oakville, each of which will have a distinct character. Similar to the Liveable Oakville Official Plan, the subject site falls within the boundaries of the Lyons District, and Figures 32 and 33 of the Guidelines identify the subject site as both Urban Core and Urban Centre, with planned heights between 6-20 storeys (see **Figures 30 & 31**).

Section 6.1 indicates that the Lyons District will become a compact mixed use neighbourhood and that Cross Avenue will be an attractive central spine animated by at-grade retail uses, cohesive streetscapes and open space that enhance the experience of the public realm. The text goes on to state that taller residential buildings should be located in the vicinity of Sixteen Mile Creek and the railway.

With respect to tall buildings, Guideline 6.1.3 indicates that tall buildings:

- may be up to 20-storeys as per the Liveable Oakville Official Plan;
- are located at the vicinity of Sixteen Mile Creek, the station area and railway as well as some areas close to the QEW highway;
- should minimize the impacts on avenues, parks, and low-rise buildings;
- will provide appropriate transition to adjacent lower-scale buildings and area through angular plane, building separation, setback and stepback requirements; and
- should have 3 main elements: the podium (base), tower, and top floors.

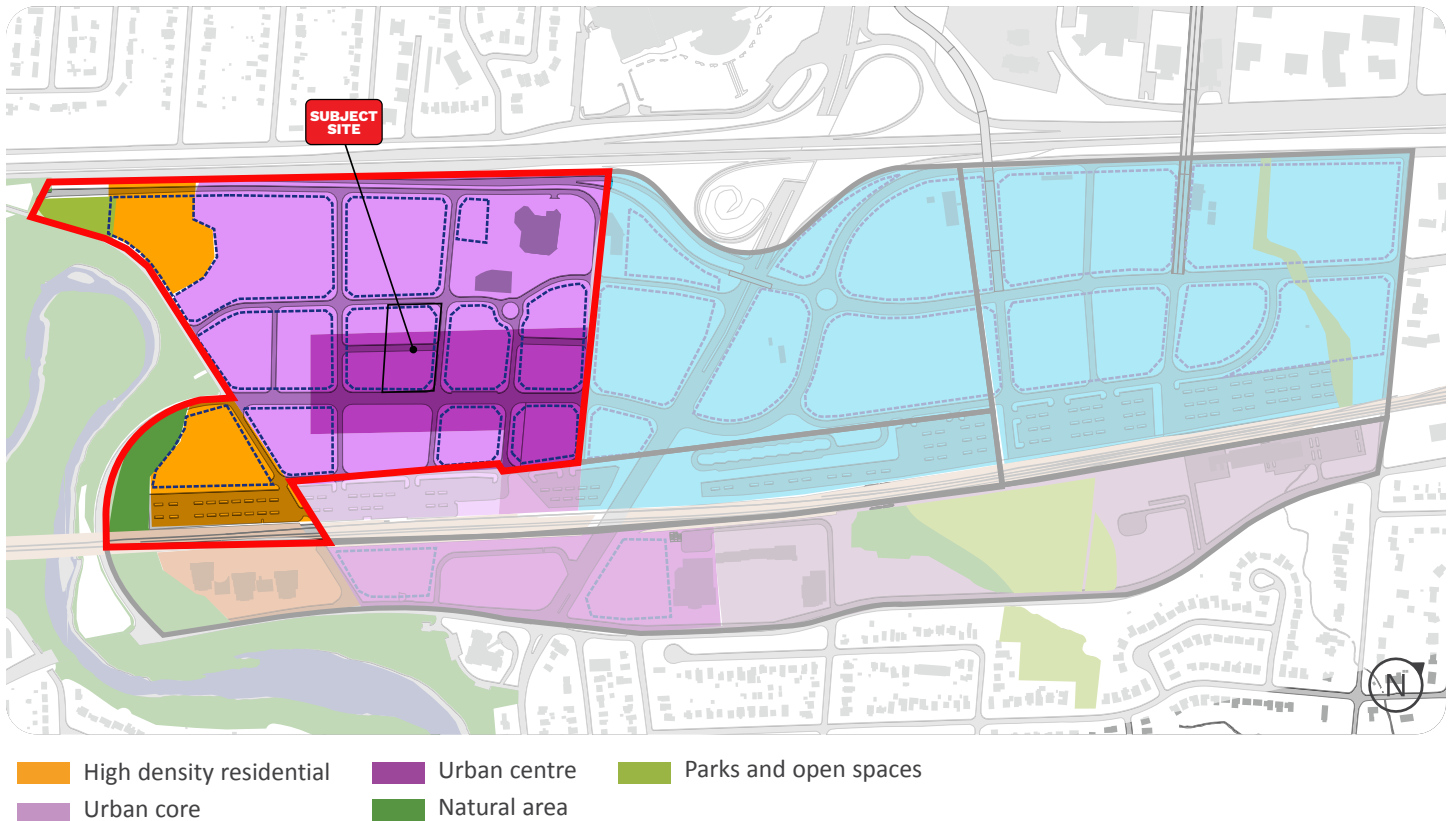


Figure 30 - Designing Midtown Oakville, Figure 32, Land Use Plan

Guideline 6.1.3.1 relates to podium elements of tall buildings. Key recommendations include:

- podiums will be built to the property line unless the podium contains individual residential entrances, in which case that section should be set back to provide a semi-private entrance zone;
- podium heights will generally be a minimum 3-storeys and the maximum height will equal to the street right-of-way width, however, the recommended height for podiums along narrow streets is 80% of the right-of-way;
- podiums should conform to the height of any low-rise buildings attached or adjacent to them that adhere to these guidelines;
- podiums facing main streets should allow permeability and be built with transparent materials;
- the ground floor of podiums should generally have a minimum ground floor height of 4.5 metres to accommodate retail uses at-grade where possible, especially where retail is required (such as along Cross Avenue); and
- podiums should also provide the entrance to the tall buildings with a clear and well-defined access from a public street.

Guidelines 6.1.3.2 relates to tower component of a tall building, and indicates that:

- any tower floorplate must fit within a 40-metre diameter circle to guarantee slender towers, thereby reducing the impact of tall buildings;
- towers should be setback a minimum of 5 metres from the edge of the podium, however, in some cases should be more;
- there should be a minimum separation of 30 metres between any two tower elements with less than 30 storeys, minimum 50 metres between towers over 30-storeys, and 25 metres between convex towers;
- towers should be oriented to create minimum shadow and wind impact; and
- tower orientation should guarantee the preservation of vistas and key view corridors.

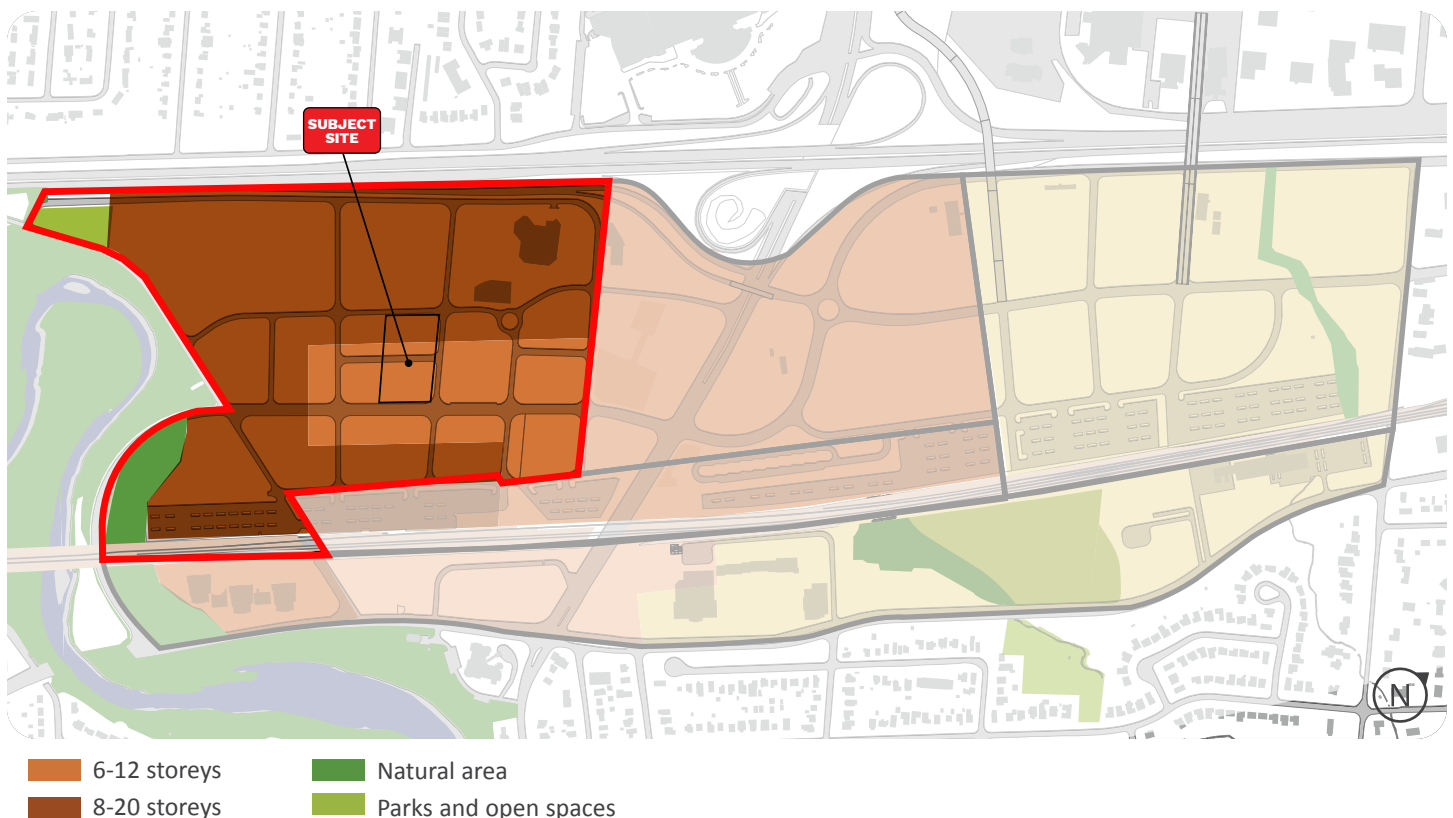


Figure 31 - Designing Midtown Oakville, Figure 33, Building Height Plan

With respect to tall buildings adjacent to other properties, key recommendations from Guideline 6.1.3.3 state that:

- tall buildings should have a minimum 15 metre setback from the adjacent properties if they are below 30-storeys, a minimum 25 metre setback from the adjacent properties if they are over 30-storeys, and a minimum of 12.5 metre if they are convex towers; and
- the minimum separation should be minimum 30 metres between towers below 30-storeys, minimum 50 metres between towers over 50-storeys and a minimum of 25 metres if between convex towers.

As it relates to the top floors of towers, Guideline 6.1.3.5 provides that top floors should be designed to achieve a distinctive skyline profile, and architectural methods should be used to highlight the top floor of tall buildings while keeping material consistency and harmony with the rest of the building.

Guideline 6.1.3.4 relates to new buildings adjacent to parks and open spaces, and provides that minimum of 5 hours of sunlight is available on pedestrian-focused streets (Cross Avenue); a minimum of 7 hours of sunlight is available on parks and open spaces; buildings will be designed and oriented to minimize shadow impacts on all parks and open spaces at all times of the day.

As it relates to at-grade retail, Guideline 6.1.4.1 indicates that:

- retail at-grade should have a distinct entrance and address from the main street;
- in cases where there are patios on main streets the pedestrian clear way should be maintained without any interruption;
- retail facades should use of transparent materials;
- retail units should have clear signage facing the main streets;
- features that provide continuous weather protection, such as canopies, are encouraged;
- canopies and signs must not encroach into the public right-of-way; and
- landscape treatments, planters and paving that extend public walkways are encouraged within the commercial setback.

Parking Guidelines

Section 7 of the guidelines provides recommendations for parking. Guideline 7.1 speaks to underground parking and indicates that underground parking should be provided for residential developments. Specific guidelines include:

- access to parking should be via public streets or private driveways;
- the design of parking areas should maximize safety and security;
- access to and from parking areas should be controlled;
- visitor parking should be separated from resident parking;
- garage vents should be integrated into hard surface areas with limited impact on pedestrian amenities or landscaped areas; and
- shared parking should be encouraged between residential and commercial uses.

Guideline 7.7 relates to vehicular access. Key recommendations include:

- vehicular access to buildings and development blocks should be located to minimize curb cuts and disruption of the pedestrian environment;
- there should be no vehicular access into development blocks from Cross Avenue and Trafalgar Road;
- access areas should be architecturally treated, incorporating landscaping, lighting, and other mitigation measures;
- vehicular entrances should be surrounded by and recessed into occupied building space so as to integrate access areas into the building and reduce its street presence.
- parking areas should be designed to have safe pedestrian paths;
- parking areas should use porous paving to reduce stormwater runoff; and
- where possible, parking areas should feature tree planting and landscaping.

In terms of bicycle parking, Guideline 7.3 indicates, among others, that bicycle lock posts/ rings are to be located along streetscapes and in parks and that secure bicycle storage facilities should be incorporated into the underground first parking level garage of areas or within apartment buildings at grade.

4.12 Emerging Policies & Regulatory Frameworks

Draft Provincial Planning Statement (June 2023)

The draft Provincial Planning Statement was released on April 6, 2023, for public input with an update on June 16, 2023, to the natural heritage policies. This document combines the elements of the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement into a new land use policy document to support the achievement of Provincial Direction on matters including increasing the supply of housing.

The proposed policies of the draft Provincial Policy Statement are grouped under five pillars:

1. Generate an appropriate housing supply

With respect to generating an appropriate housing supply, the proposed policies identify large and fast-growing municipalities, with specific directions to plan strategically for growth. The specific directions in this regard include establishing and meeting minimum density targets for major transit station areas, nodes and corridors, and urban growth centres, as well as encouraging transit-supportive greenfield density targets.

The proposed policies require municipalities to provide a range and mix of housing options with an expanded definition to include multi-unit typologies, as well as require all municipalities to implement intensification policies.

The proposed policies also require municipalities to align land use planning policies with housing policies, including addressing homelessness and facilitating the development of a full range of housing options and affordability levels to meet local needs.

2. Make land available for development

The proposed policies provide flexibility for municipalities to use government or municipally established forecasts (at minimum). For municipalities in the Greater Golden Horseshoe, a transition phase is provided. The proposed policies now require the municipalities to plan for a minimum 25-year horizon, maintain a 15-year residential land supply and maintain land with servicing capacity for a 3-year supply of residential units.

Furthermore, the policies allow municipalities to undertake settlement area boundary expansions without being required to demonstrate the need for expansion. Municipalities will be required to plan for and protect industrial and manufacturing uses that are unsuitable for mixed use areas, using a new definition of "area of employment." The policies also provide municipalities with greater control over employment area conversions to support the forms of development and job creation that suit the local context.

3. Provide infrastructure to support development

The proposed policies require municipalities to plan for infrastructure and to protect major infrastructure to accommodate growth. The policies also require the integration of land use planning and transportation as well as planning for schools and growth to ensure a coordinated approach.

4. Balance housing with resources.

In this regard, the proposed policies eliminate the requirement to use the Provincial agricultural system mapping and require municipalities to designate specialty crop areas and prime agricultural areas. However, the policies still require protection of specialty crop areas by maintaining minimum separation distances between livestock operations and houses.

5. Implementation

The implementation policies speak to alignment with recent legislative amendments, requiring municipalities to undertake early engagement with Indigenous communities and coordinating with them on land use planning matters.

At the time this report was prepared, the Minister had not yet made a decision on the new Provincial Policy Statement, and accordingly, it is not yet in force and effect. However, upon such time that the Provincial Policy Statement is approved by the Minister, the application will be reviewed to ensure conformity with the policy directives.

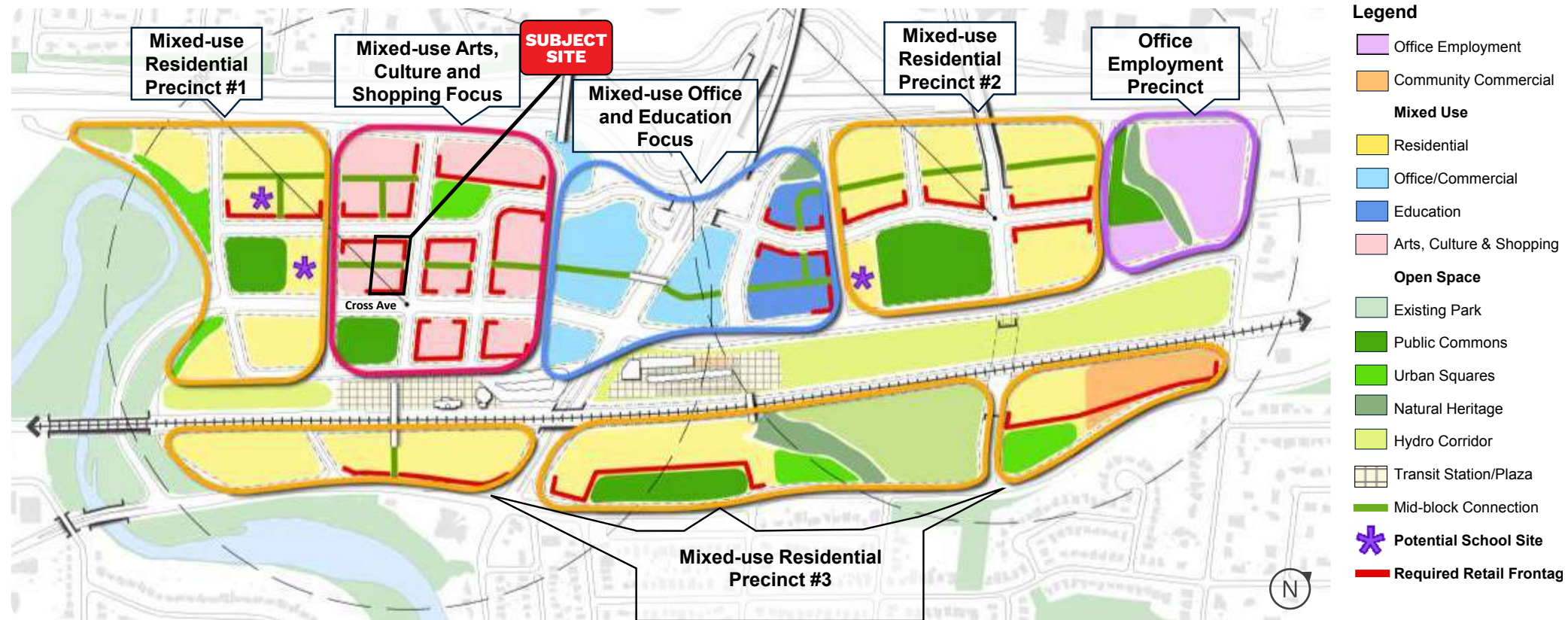


Figure 32 - Preferred Development Concept Plan (January 2024)

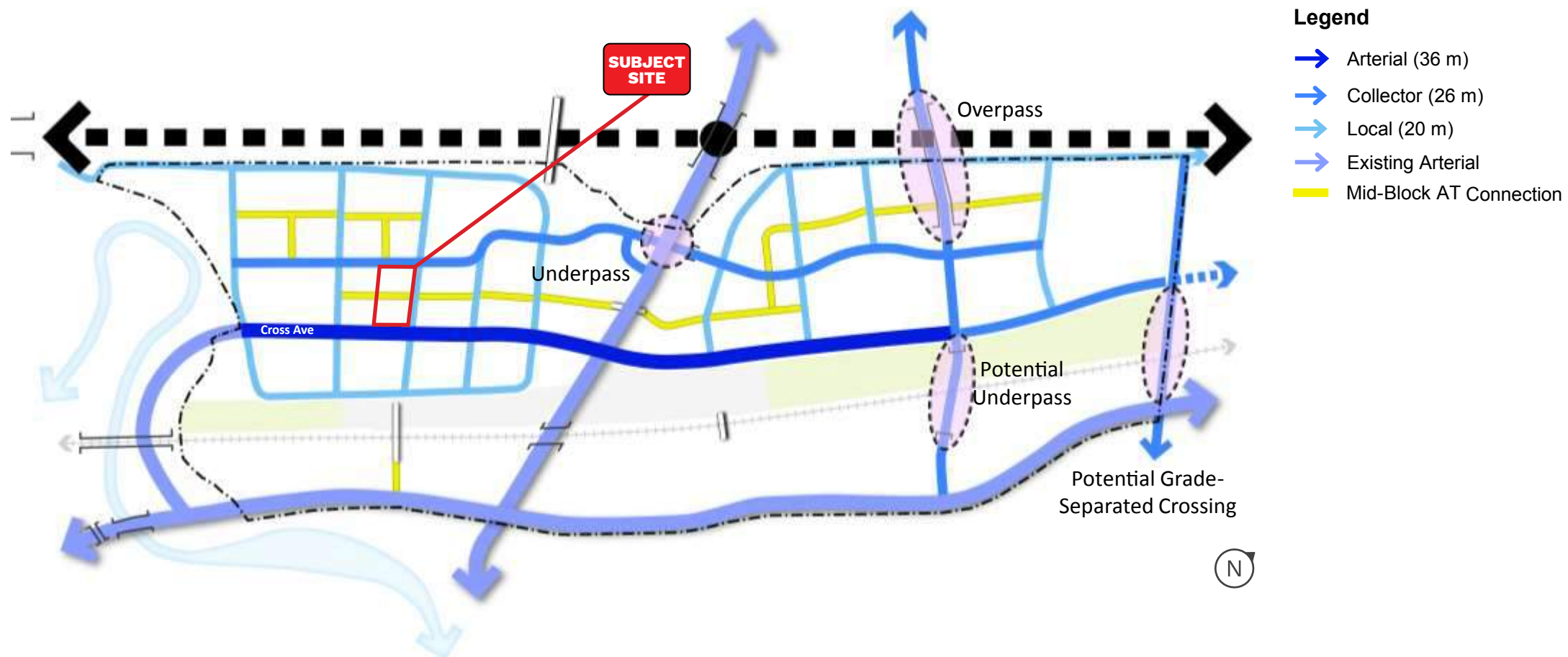


Figure 33 - Key Directions Plan

Midtown Oakville Growth Area Review

As part of the Town's review of the Livable Oakville Plan, the Town has undertaken an update to the Midtown Oakville Growth Area policies in collaboration with a consortium team led by Urban Strategies Inc. The purpose of the proposed amendment is to update the land use policies applying to Midtown Oakville Urban Growth Centre in the Liveable Oakville Plan to the year 2051, in accordance with the updated Growth Plan. The amendment is to replace Section 20, Midtown Oakville, in its entirety.

At the time this report was prepared, the Town had presented their preferred development concept plan for Midtown (the "preferred development concept") at the Committee of the Whole ("COW") meetings on January 30 and 31, 2024. It is our understanding that feedback will continue to be collected on the preferred development concept through consultation sessions with occurring throughout February 2024. Refinement of the preferred development concept and the accompanying policies are planned to be released in early April 2024. A Public Statutory meeting is scheduled for late April 2024 to present the Draft OPA, with a final version expected to go to Council by mid-2024.

Preferred Development Concept Plan

The preferred development concept is a product of three previous iterations of the concept plan, which had been presented to the COW on November 14, 2023. Following public input and consultations with key stakeholders, the Town and consortium team presented the development concept to the COW in January 2024. As illustrated in **Figure 32** below, the preferred development concept indicates how land uses and community infrastructure are expected to be distributed amongst Midtown, as well as the maximum building heights and densities.

The preferred development concept subdivides Midtown into several precincts, comprised of three *mixed-use residential* precincts, a *mixed-use arts, culture, and shopping focus* precinct, a centrally located *mixed-use office and education* precinct, and an *office employment* precinct. The subject site is located within the *mixed-use arts, culture, and shopping focus* precinct, which is expected to contain arts, culture, and shopping uses, public commons, urban squares, and required retail frontages along Cross Avenue and Argus Road. In this regard, the preferred development concept indicates that the frontages of the subject site are to have retail a primary main street frontage (see **Figure 33**).

As it relates to height and density, the preferred development concept provides that the subject site have a maximum building height of 40-storeys and density of 5.25 FSI (see **Figures 34 & 35**). The greatest heights and densities are planned east of the subject site, around the intersection of Cross Avenue and Trafalgar Road (the *central office/education precinct*). The preferred development concept anticipates this precinct to have the heights and densities up to 48-storeys and 6.0 FSI, with a stepping down of built form intensity away from the *central office/education precinct* towards the periphery of Midtown.

With respect to open space, the preferred development concept contemplates a comprehensive network of new open spaces and connections throughout Midtown (see **Figure 29**). As it relates to the subject site, the preferred development concept provides for an east-west mid-block connection to bisect the subject site. In terms of the road network, Cross Avenue has been identified as an arterial road with a planned right-of-way width of 36 metres (see **Figure 4**). There is a new east-west collector road proposed to the north has a planned right-of-way width of 26 metres. There are also several 20-metre-wide local roads proposed by the preferred development concept, including a north-west road along the eastern edge of the subject site.

Emerging Policy Directions

A series of six livability strategies were presented as part of the January 2024 COW meeting. These key strategies are related to housing, precincts, mobility, open spaces, height and density, as well as destinations, and are intended to be integrated into the OPA. To accompany the strategies were a series of key policy directions were shared for implementing the key strategies.

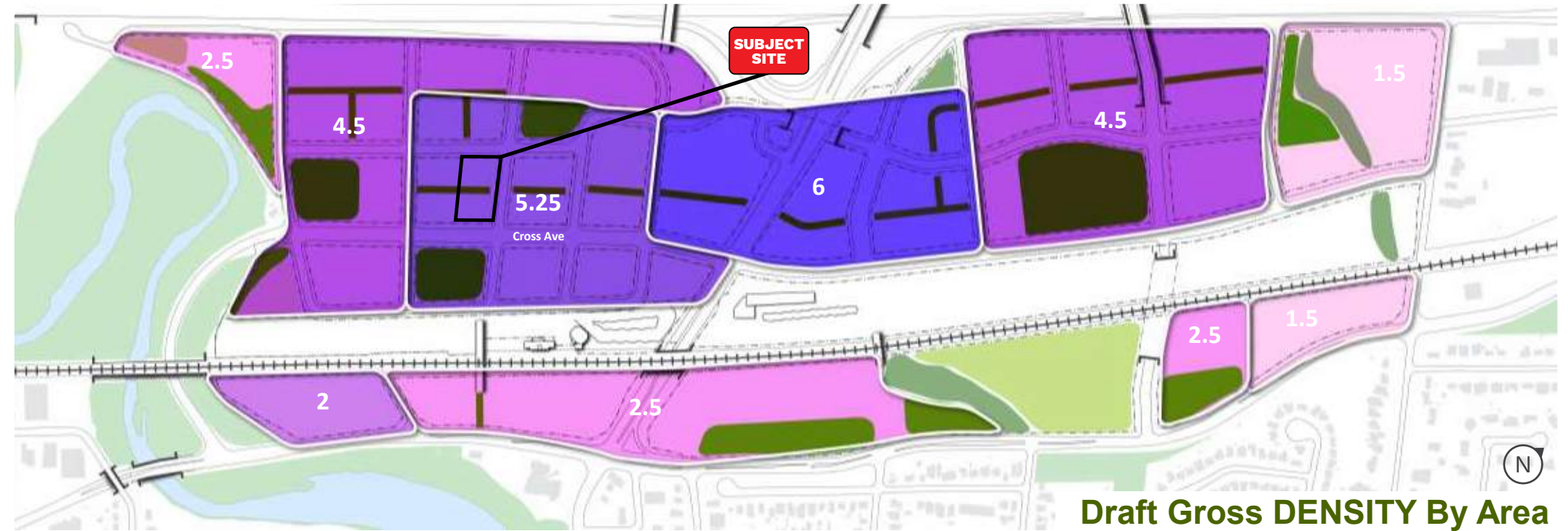


Figure 34 - Draft Height Ranges

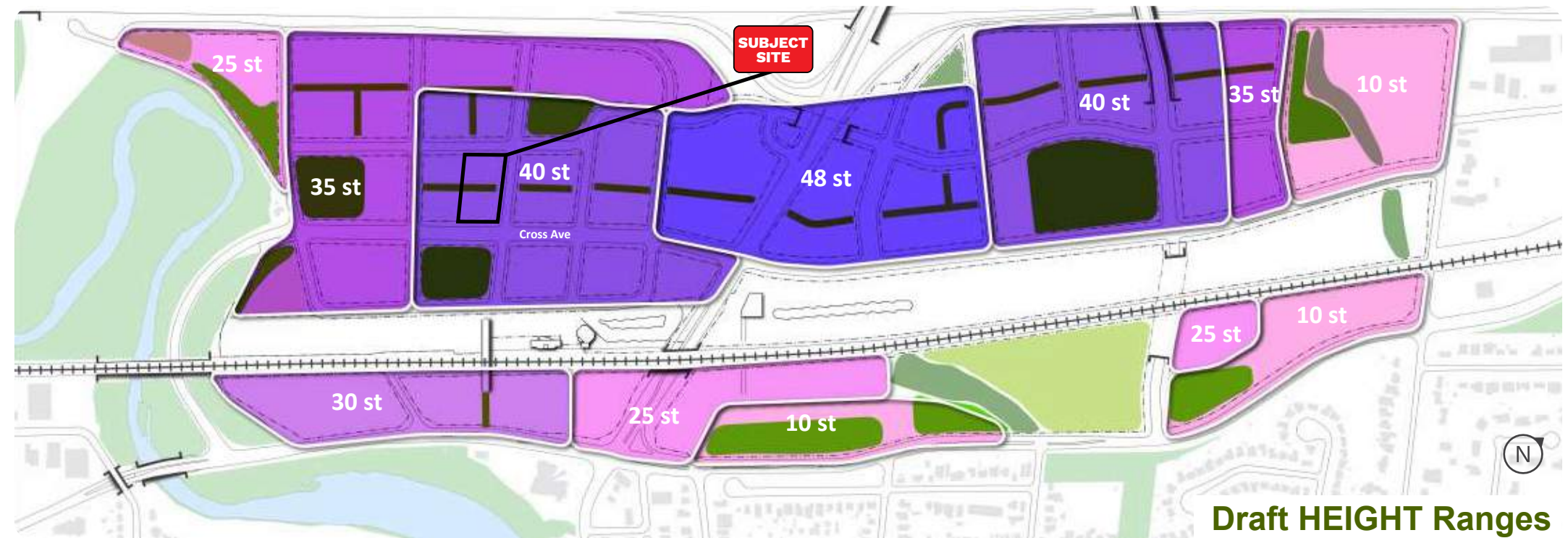


Figure 35 - Draft Height Ranges

A photograph of two women in an office setting, looking at a model. The woman on the left is wearing a striped shirt and the woman on the right is wearing a light blue button-down shirt. They are both looking down at a model in the foreground. The background is a blurred office environment. The image has a dark blue overlay.

5

Planning & Urban Design Analysis

5.1 Intensification

The proposed mixed-use intensification on the subject site is appropriate, desirable, and supportive of policy directions articulated in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Regional Transportation Plan, the Region of Halton Official Plan and the Town of Oakville Official Plan, all of which promote significant intensification on sites that are well served by municipal infrastructure, particularly higher-order transit.

The subject site is located within Midtown Oakville, which is identified as an urban growth centre in both Regional and Provincial policy documents. The Growth Plan directs that urban growth centres will be planned to accommodate significant population and employment growth and Midtown Oakville is planned to achieve, by 2031 or earlier, a minimum density target of 200 residents and jobs combined per hectare. This target has also been set out in the Regional Official Plan Amendment No. 49.

As well, the subject site is located in an area that is well-served by existing higher-order transit and planned frequent transit. In this regard, the subject site is within a "major transit station area" as defined by the Growth Plan, being within approximately 185 metres of the Oakville GO station and within approximately 315 metres of the planned Trafalgar BRT.

The Growth Plan directs that the boundaries of major transit station areas are to be delineated in a transit-supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station (our emphasis). The Region of Halton recently completed their delineation of Major Transit Station Areas. ROPA 48 identifies the subject site within the Midtown Oakville GO UGC/MTSA.

Accordingly, the subject site is within a "strategic growth area" as defined in the Growth Plan. Strategic growth areas are a focus for accommodating intensification and higher-density mixed uses in a more compact built form.

In our opinion, the proposed development conforms to the Growth Plan's intensification policies as it directs significant intensification and growth to built-up areas including major transit station areas on priority transit corridors while focusing intensification in a transit-supportive manner, reducing reliance on the private automobile. Furthermore, Bill 23 (More Homes Built Faster Act, 2022) seeks to advance the Province's plan to

address the housing crisis by building 1.5 million homes over the next decade, of which 33,000 homes are targeted within the Town of Oakville. The proposed intensification of the subject site will support the achievement of this target and provide additional ridership to the existing and planned public transit network.

From an Official Plan perspective, there is strong policy support for new intensification within the Midtown Oakville Urban Growth Area. Midtown Oakville is a prominent location identified as suitable for intensification which provides for a concentration of mixed uses and higher densities. Policy 4.1 provides that the majority of intensification in the Town is to occur within Growth Areas, which includes Midtown Oakville as the primary Growth Area that will accommodate the highest level of intensification. Midtown Oakville is intended to be a pedestrian-oriented walkable, transit-supportive, mixed use urban centre, which provides for high density housing, offices and a mixture of retail and service commercial areas.

In addition, the Liveable Oakville Plan designates the subject site as *Urban Centre* and *Urban Core*, which are within the *Mixed Use* land use category. Liveable Oakville provides that *Mixed Use* designations provide residential, commercial and office uses in an integrated and compact urban form at higher development intensities. Furthermore, the Livable Oakville Plan promotes higher density development in proximity to municipal services and infrastructure, particularly transit services.

In our opinion, the subject site, which is adjacent to the Oakville GO Station and Trafalgar Road (a Busway Corridor), is underutilized in its current form. Residential/mixed use intensification on the subject site will contribute to the policy objectives for Midtown Oakville as a mixed use centre, and will support the existing and future transit infrastructure. Further, the intensification of these lands will support transit ridership, assist in establishing the role of Midtown Oakville as a desirable living area and contribute to the achievement of minimum population and job forecasts for the Town as set out in the Growth Plan and the Official Plan.

In summary, the proposed development supports provincial, regional and Town objectives and policies for intensification within the built boundary and along higher order transit. In our opinion, the proposed intensification is consistent with the PPS, conforms with the Growth Plan, the Halton Region Official Plan and the Livable Oakville Plan.

5.2 Land Use

The development proposes a broad mix of land uses including residential, retail / commercial, office, as well as significant public realm contributions, such as a privately-owned publicly accessible space (POPS), all of which are in keeping with the land use permissions set out in the Livable Oakville Plan, which permit a broad range of residential and commercial uses and open space on the site. The proposed mix of uses will serve both future residents of the development, as well as those in the surrounding community.

The proposed development will provide for a range of housing options for existing and future Town residents and will contribute to the diversification of the overall housing stock across the Town. The proposed development will provide an opportunity for residents to live close to retail, services and employment, as well as access to public or active transportation routes. The proposed development will provide a mix and range of housing options for existing and future residents of Oakville. A total of 1,198 units are proposed, of which 37% will be two- and three-bedrooms in size.

The residential uses of the development will be complimented by the retail / commercial and office uses proposed within the podium building on the ground floor and Level 2. Cross Avenue and the future north-south local street will be activated by the proposed retail / commercial units and lobbies. Similarly, the POPS will be famed by the retail / commercial units on the ground floor and by those in the mezzanine and Level 2 above. By consolidating all servicing and loading activities to the western portion of the podium, the street frontages can be reserved for non-residential activation, and enhancements to the public realm experience for pedestrians and residents of the building.

In this regard, the proposed development will contribute to the expansion of the public realm through the provision of an at-grade POPS and pedestrian walkway, as well as the conveyance of lands for the widening of Cross Avenue and the alignment of two future local streets. An approximate 1,057.9 square metre privately-owned publicly accessible space (POPS) will serve as an extension of the public realm by creating the space for pedestrian life and activity to spill into the interior of the subject site.

As discussed in Section 4.8, the Livable Oakville Plan intends that the Midtown Growth Area will absorb a significant amount of intensification provided through a mix of uses, including housing. The Livable Oakville

Plan provides that Mixed Use land use categories, including *Urban Centre* and *Urban Core*, are to be focused on the lands within the Growth Areas, including Midtown Oakville. Midtown Oakville is intended to be developed as a mixed use centre with transit supportive development. Section 20 of the Livable Oakville Plan provides that Midtown Oakville will be developed as a new complete community with a mix of residential, commercial, employment, civic, institutional, cultural, and recreational uses, complemented by public open space. Furthermore, Policy 20.3.3 provides that Lyons District is to evolve from its current focus on strip malls and large format retail uses into a compact mixed use neighbourhood. In our opinion, the proposed mix of uses in a compact transit-oriented built form conforms with this policy direction.

As discussed in Section 4.12 above, the Town of Oakville is currently undertaking an Official Plan Review, including a review of Midtown Oakville policies. The Town intends to implement a base residential permission to permit residential uses across the majority of Midtown, including permitting and accommodating a range and mix of market and non-market housing options in a range of unit sizes and bedroom types. The preferred development concept contemplates subdividing Midtown into distinct precincts to support a true mixed use community, with the most complex land use precincts being located in the centre of Midtown to reinforce a unique sense of arrival to mixed-use office employment and post-secondary opportunities. Notwithstanding the status of the preferred development concept, the proposal for the subject site has regard for the planned mix of retail and office uses anticipated for the subject site.

From a zoning perspective, the subject site is zoned as Midtown Transitional Commercial (MTC) in By-law 2014-014. In this regard, the MTC zone permits a range of retail, service commercial, office, open space and community uses, but does not permit residential uses. As such, the rezoning of the site to Urban Core (MU4) is required to permit the redevelopment of the subject site.

In our opinion, the proposed mixed use development is consistent and conforms with the Provincial policies and plans, the Regional Official Plan, and the Livable Oakville Plan with respect to the permitted land uses. The proposed mix of uses are in keeping with the *Urban Core* designation and will contribute to the goals and objectives for Midtown Oakville Growth Area to create a mixed use centre with transit supportive developments.

5.3 Height, Massing and Density

In our opinion, and as noted in Section 5.1 above, the subject site is an appropriate location for significant residential/mixed use intensification in land use policy terms. From a built form perspective, it is our opinion that the subject site is a contextually appropriate location for tall buildings given its location within the Midtown Oakville urban growth centre and its proximity to existing higher-order GO Transit and future planned BRT along Trafalgar Road.

From an urban structure perspective, the Livable Oakville Plan provides the framework for directing population and employment growth within the Town's built up area. In accordance with the Plan, growth is to occur primarily within the defined *Growth Areas*, with the highest level of intensification accommodated within primary *Growth Areas* that include Midtown Oakville, the Uptown Core and Palermo Village. Midtown Oakville is differentiated from the other primary *Growth Areas* as it is an identified urban growth centre and served by higher-order transit (Oakville GO Station). In this regard, the Livable Oakville Plan provides that the greatest levels of height and density in the Town are planned for Midtown Oakville, and that taller residential buildings are to be located in the vicinity of Sixteen Mile Creek and the railway.

As such, from an urban structure perspective, building heights are anticipated to peak within the Midtown Oakville *Growth Area*, with lesser heights and densities within the Uptown Core and Palermo Village primary *Growth Areas*. This is further supported by policy directions regarding permitted height ranges set out in the *Growth Area Schedules L1-Q2* of the Livable Oakville Plan and summarized in **Table 2** below.

Midtown Oakville permits the greatest height maximum of the three primary *Growth Areas*. Although, it is recognized that the difference in maximum height between the Uptown Core and Midtown is only two stories, height bonusing policies provide that in exchange for public benefits, additional height of up to 4-storeys may be achieved in Uptown Core without Amendment to the Official Plan whereas there is no maximum building height with respect to height bonusing in Midtown Oakville without Amendment to the Livable Oakville Plan, allowing for greater heights in exchange for public benefits to be achieved.

In addition to the hierarchy of building heights directed to the primary *Growth Areas* by Official Plan Policy, there has been recent development approvals within the Uptown Core *Growth Area*, including 25-storeys at 278 Dundas Street East (currently under construction), and 26-storey and 31-storey towers at 256, 260, and 294 Hays Boulevard and 271 Oak Park Boulevard. Further to this, within North Oakville, which is not an identified *Growth Area*, nor served by high-order transit, approvals for two 30-storey towers were recently approved at 3064 Trafalgar Road.

In consideration of the site's location within an urban growth centre, within the Oakville GO major transit station boundary, and Official Plan policy direction that the greatest levels of height and density in the Town are planned for Midtown Oakville, it is reasonable to expect that heights far in exceedance of those permitted in other primary growth areas and outside primary growth areas of the Town would be provided, subject to achieving appropriate built form relationships. This is evident in both the draft and in-force policies for Midtown Oakville, which contemplate greater heights in Midtown Oakville through its greater height permission maximums and permissive bonusing policies beyond those height maximums in order to achieve non-residential development objectives.

Table 2 - Height Permissions in Oakville's Growth Areas

Growth Area	Minimum Height*	Maximum Height*
Midtown Oakville	2-storeys	20-storeys
Uptown Core	2-storeys	18-storeys
Palermo Village	2-storeys	8-storeys (10-storeys for corner sites)

* minimum and maximum heights account for all land use designations in the Growth Areas

In this regard, the in-force Midtown Oakville policies applicable to the subject site permit increases in building height in exchange for the provision of public benefits (Policy 20.7.2). As mentioned in above, Midtown Oakville has no cap as to the number of stories that can be achieved through its bonusing policies, unlike the Uptown Core which permits height bonusing up to up to 4-storeys. This policy distinction between Midtown Oakville and the Uptown Core further demonstrates the patterns of height anticipated in the growth areas.

With respect to the proposal's conformity to the in-force bonusing policies, it is our opinion that the development has provided for public benefits which support the bonusing requirements set out in Policy 20.7.2, and that were identified in Policy 20.7.2(c) and 28.8.2. In this regard, the development proposes several public benefits which include land conveyances to improve existing and planned roads, contributions to Midtown's public open space network, as well as new commercial and office uses.

As the bonusing policies set out in the Livable Oakville Plan do not provide for a maximum number of additional storeys, it is our opinion that the overall heights should be considered in light of overarching intensification policies, the Town's urban structure plan and associated policies, and evaluation of any built form impacts. As discussed in Section 5.4 below, the siting of the proposed towers and their respective heights will not result in unacceptable built form impacts within the site or with respect to surrounding properties, and as a result will achieve appropriate light, view, and privacy conditions to the other towers on the lands, as well as to adjacent existing and potential future buildings in the surrounding area. Furthermore, the size and orientation of the tower elements have been designed to mitigate shadow impacts on adjacent areas and maximize sky views.

Policy 20.7.2(b) provides that bonusing shall only be permitted if in conformity with Section 20.7.1 and is supported by a transportation impact analysis which confirms that the additional development will not adversely impact the transportation network or, where cumulative impacts are identified, such impacts are accommodated through road and transit improvements which are to be provided through agreement by the applicant. With respect to Section 20.7.1, the development proposal is intended to be phased and occur over the long-term and will be coordinated with the provision of infrastructure. The proposal will be providing land conveyances for the widening of Cross

Avenue, and to secure the alignment of the future streets. As the application moves through the approvals process, consideration will be given to the interim and final conditions of the planned local roads and their relationship to the proposed development.

Finally, as discussed in Section 4.12 above, the Town has been undertaking a review of the Livable Oakville Plan policies for 6 years (since January 2018), including those applicable to the Midtown Oakville Growth area. After numerous iterations, the most recent direction provides the Town's preferred development concept. With respect to building heights, the preferred development concept does not prescribe numeric heights for new developments, but rather provides maximum heights in storeys. The maximum building height recommended for the subject site is 40-storeys, which is only 9-10-storeys *greater* than what has been approved in the Uptown Core. The Uptown Core is neither an Urban Growth Centre nor a Major Transit Station Area, and thus is not anticipated to accommodate the same level of growth. Within the preferred development concept, the greatest building heights of up to 48-storeys are anticipated around the intersection of Trafalgar Road and Cross Avenue within the 'mixed-use office and education' precinct, despite the subject site being located closer to Oakville GO station. In consideration of the subject site's proximity to higher-order transit, and a future BRT line, as well as from a Town-wide urban structure perspective as discussed above, it is our opinion that building heights should be greater than 40 storeys. Furthermore, as a general principle, it is our opinion that the inclusion of maximum building heights is overly prescriptive and prematurely limits the ability of any given site in Midtown Oakville to optimize the use of existing urban land supply and investments in transit infrastructure, in accordance with overarching provincial policy direction. It is our opinion that building height be the result of appropriate built form, urban design principals and conformity to the urban structure hierarchy already in place within Oakville.

With respect to the height of the podium elements of the proposed buildings, the Livable by Design Urban Design Manual sets out that podiums will have heights up to 80% of the ROW and be up to 6-storeys in height. However, in accordance with Guideline 6.1.3 of Designing Midtown Oakville, the maximum podium height will be equal to the street right-of-way width, with the recommended height for podiums along narrow streets being 80% of the right-of-way.

As it relates to the subject site, Cross Avenue is proposed by BA Group to have an ultimate right-of-way width of 33 metres. To the east, the future north-south local street is proposed to have an ultimate right-of-way width of 19 metres, and to the north, the future east-west collector street is proposed to have an ultimate right-of-way width of 24 metres. In this regard, it is our opinion that the proposed podium, with a height of 3-storeys (15.5 metres) along Cross Avenue is appropriately scaled in relation to the planned right-of-way width. The proposed podium height will fall within 80% of the respective widths of the local roads, and the application of materiality, massing and step backs will create a scaled podium base that is generally in keeping with the intent of the Livable by Design Urban Design Manual and Designing Midtown Oakville guidelines.

From a massing perspective, it is our opinion that the proposed development will respond appropriately to its existing and planned surrounding context through the orientation of building elements, the articulation of the massing, floor plate size and separation distances. At a micro level, the design of the buildings has had regard for the proposed public realm improvements to the existing and future street network, and the on-site publicly accessible open space. The podiums, including their mass and programming, have been designed to frame, activate and urbanize these spaces to foster a vibrant pedestrian-oriented public realm.

The proposed podium building will activate and urbanize the Cross Avenue and future local street frontages, as well as proportionally frame the POPS located at the southeast corner of the subject site. As a corner property, the podium will frame the existing and future streets with good proportion and will have regard for the planned function of these streets. The proposed podium minimizes the pedestrian perception of height through the use of step backs. In particular, the podium is set back, and steps away from the southeast corner of the site to bring prominence to the POPS and secure an unobstructed view corridor from the public streets.

With respect to architectural expression, the podium incorporates a curvilinear design into the massing, most notably seen in the design of the interior walls of Podium Buildings A and B. In comparison to the tower components, which generally are massed as point towers, the podium buildings are defined and distinguished from the towers above.

The tower components of the development have been strategically sited to mitigate built form impact, maximize separation distances, as well as limit facing conditions between towers. By locating the towers in the southwest and northeast corners of the site, and in particular siting the taller tower (Tower A, 61-storeys) at the south end, shadow impacts on the surrounding lands are mitigated and a minimum tower separation distance of 30 metres can be achieved. The siting of the tower components limits the degree of overlap between towers and mitigates negative privacy and overlook conditions. Moreover, the orientation and location of the towers will not impact the development of future towers adjacent to the subject site. Tower A provides for a setback of 12.5 metres to the westerly property line and achieves more than 12.5 metres to the east. If the lands immediately west or east of the subject site were to redevelop, it is our opinion that the siting of Tower A has had regard for future tall buildings and will allow for a minimum 25 metre tower separation distance to be achieved. Similarly to the south, Tower A will be set back an approximate minimum of 5.0 metres from the property line, plus the proposed right-of-way width of 33 metres for Cross Avenue, would amount to a separation distance far exceeding the recommended 25 metres. As such, if the GO Station lands were to redevelop, it is our opinion that the siting of Tower A will not result in any negative built form impacts or impede on the opportunities for redevelopment.

Tower B will be set back 12.29 metres from the westerly property line, whereas a setback of approximately 3.5 metres has been provided to the east property line. It is our opinion that the proposed easterly setback, coupled with the proposed right-of-way width of the north-south local road (19.0 metres), will provide an appropriate separation distance between Tower B and a future tower to the immediate east. Similarly, the tower will be setback 3.5 metres to the north property line. It is our opinion that there will not be any built form impacts on the proposed tower to the north (located at 166 South Service Road East). The proposed setback and the planned right-of-way width of the north-south collector road (24 metres) will exceed the recommended 25 metre separation distance between towers.

The proposed floorplates of both Towers A and B have an approximate average floor plate size of 850 square metres, which exceeds the 750 square metre maximum recommended in the Livable by Design Urban Design Manual and the draft Midtown Oakville policy directions.

5.4 Built form Impacts

It is our opinion that the proposal would not result in unacceptable built form impacts on surrounding properties, streets or internally within the site.

Light, View & Privacy

Light, view and privacy (LVP) impacts are generally addressed through a combination of spatial separation, orientation and mitigating measures between buildings. The urban design policies in Section 6 of the Livable Oakville Plan and the guidelines in the Livable by Design Manual and Design Midtown guidelines have been reviewed, and it is our opinion that the proposed development conforms to the policies and has appropriate regard for guidelines addressing LVP impacts on-site, as well as impacts from the proposal to adjacent properties. In our opinion, the LVP impacts will be appropriately limited given the proposed tower separation distance and setbacks as well as siting of Towers A and B.

The Livable Oakville Plan provides that buildings should be sited to ensure maximum solar energy, adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties and avoid excessive shadows (Policy 6.9.15). Furthermore, Guideline No. 27 of the Liveable by Design Urban Design Manual provides that in order to provide enhanced privacy for building units and access to sky views and sunlight, a minimum separation distance of 25 metres between building towers, whether located on the same or an adjacent property be incorporated. The draft Midtown Oakville policy direction also requires a minimum of 30 metres separation distance between tower elements. We note that Guideline No. 27 is inconsistent with Guideline 6.1.3.2(3) of Designing Midtown Oakville, which provides that there should be a minimum separation of 30 metres between any two tower elements with less than 30 storeys, a minimum of 50 metres between towers over 30 storeys, and 25 metres between convex towers.

As the Liveable by Design Urban Design Manual was released more recently in 2019, and is currently in-force, we would consider these to be representative of the current urban design direction for the Town of Oakville. Additionally, the 25-metre building separation distance requirement is similar to what is applied in other high-density urban areas, such as those in the City of Toronto, the City of Markham, and the City of Burlington, amongst others. A separation distance of at least 25 metres is appropriate and is in line with current urban design practice and results in sufficient separation to accommodate appropriate light, view and privacy (LVP) conditions for the residential dwelling units proposed within the development, and to future developments.

We acknowledge that the Town of Oakville does not currently have in-force policies that regulate the size of tower floorplates, and that they are currently governed by guidelines. In this regard, it is our opinion that the proposed tower floor plates meet the intent of the guidelines, which is to provide a slender tower design and which lessens shadow and wind impacts at the ground level and maximizes sky view (as discussed in Section 5.4 below). Furthermore, the proposed towers are separated by a minimum of 30 metres and will achieve appropriate separation distances from future towers adjacent to the subject site.

Firstly, it is important and appropriate from a land use planning perspective to optimize density on the subject site due to its location within a UGC and MTSA as well as the site's proximity to Oakville GO Station and planned BRT, in accordance with the policy directions set out in the Provincial Policy Statement, the Growth Plan, the Region of Halton Official Plan and the Livable Oakville Plan. It is noted that there is no maximum density set out for the lands in the Official Plan and in-force Midtown Oakville policies, and, in our opinion, it is reasonable to establish the appropriate density based on specific built form design, context and urban structure considerations, rather than on the basis of density numbers. As discussed in Section 5.4 below, the configuration of the site, including tower locations and orientation, will not result in unacceptable built form impacts within the site and the adjacent properties.

Further to this, the proposed density will positively contribute to the Province's growth targets for Midtown Oakville. As discussed in Section 4.5, the 2020 Growth Plan states that Midtown Oakville will be planned to achieve a minimum density target of 200 residents and jobs per hectare required for Midtown Oakville by 2031. ROPA 48 further provides that for Urban Growth Centres, the minimum density target is planned to be achieved by 2031, and for Major Transit Station Areas and Regional Nodes, achieved beyond the 2051 planning horizon of this Plan. Further to this, of the targeted 200 residents and jobs per hectare, the proportion of residents is anticipated to be approximately 65% of the general target, and the remaining 35% for jobs. The development proposal will positively contribute to the Midtown Oakville growth targets, and the anticipated proportion of residential growth.

In this respect, Towers A and B have been staggered within the development site to limit direct facing conditions between dwelling units and to achieve tower separation distances that exceed 25 metres. In this regard, a separation distance of at least 30 metres has been achieved between Towers A and B. In terms of LVP conditions for the adjacent area, the podium and the tower elements have been sufficiently set back to limit inappropriate LVP conditions.

With respect to the podium elements, it is our opinion that the proposed separation distances between buildings is appropriate and will not result in any inappropriate LVP conditions. At least 30 metres will be provided between the upper levels of the podium where there is a facing condition between residential units. On Level 2, where the minimum separation distance is approximately 10.9 metres between podium elements, it is our opinion that this separation distance is appropriate and will not result in negative overlook or privacy impacts. The portion of the buildings experiencing this reduced setback will be used for non-habitable uses (i.e., amenity and), and is therefore reasonable and appropriate in our opinion.

With respect to the tower elements, it is our opinion that the proposed setbacks and separation distances will mitigate any negative built form impacts between towers and to future developments adjacent to the subject site. As discussed above, a minimum 30 metre tower separation distance will be provided between Towers A and B. It is our opinion that this separation distance achieves the intent of the Liveable by Design Urban Design Manual and the draft Midtown Oakville policy directions and is in keeping with the standards applied to all building developments within high-density urban areas. With respect to the adjacent properties, it is our opinion that the tower setbacks provided, as well as the planned right-of-way widths, will be sufficient to mitigate any overlook and privacy impacts that may result as Midtown continues to evolve and develop.

Based on the foregoing analysis, it is our opinion that the siting of buildings on the subject site would provide adequate separation distance to achieve light, view and privacy conditions to the other towers on the lands, as well as to adjacent properties. The orientation of the tower elements have been designed to mitigate shadow impacts on adjacent areas and maximize sky views, as well as not preclude the redevelopment of adjacent properties.

Shadow Impacts

A shadow impact analysis was prepared by Teeple Architects in support of the proposed development in accordance with the Town's Terms of Reference. The shadows cast by the proposed development are demonstrated in the shadow impact analysis and summary, filed under a separate cover.

Wind Impacts

A Pedestrian Wind Comfort Assessment was prepared by RWDI in support of the proposed development. The assessment was based on computational modelling, simulation, and analysis of wind conditions for the proposed development design, in conjunction with the local wind climate data and the RWDI wind criteria for pedestrian comfort and safety. The findings of the report are summarized below:

- In the existing scenario, wind speeds on and around the site are appropriate for pedestrian use in the summer. Higher wind speeds occur during the winter, with conditions being uncomfortable in some areas due to the site exposure.
- The proposed towers are significantly taller than their surroundings and, as a result, their interaction with the prevailing winds is expected to induce higher wind speeds at grade level when compared to the Existing scenario. Current design features such as the podium of the towers help to moderate the wind impact at grade.
- With the addition of the proposed buildings, wind conditions in most areas on the sidewalks around the site are expected to remain suitable for pedestrian use during the summer. Uncomfortable wind speeds are predicted around the north corner of Tower B, between Towers A and B (POPS), and around the south corner of Tower A. In the winter, however, elevated wind speeds are predicted on most of the site.
- Appropriate wind speeds are anticipated at most building entrances in the summer. Wind speeds at the entrances on the north and southwest sides of Tower B are predicted to be higher than ideal. In the winter, wind speeds at the northeast entrance of Tower B are still expected to be adequate. However, speeds at most other entrances are predicted to be higher than recommended.
- In the summer, wind speeds on the shared podium-level terraces (Levels 2 and 3) are expected to be generally higher than recommended for outdoor amenities in the summer. Adequate wind speeds are anticipated on the south side of Tower A.

- The Safety Criterion may be exceeded at grade around the north corner of Tower B, between Towers A and B, and around the south corner of Tower A. Exceedances may also occur between the two towers on the terraces on Levels 2 and 3.
- Conceptual wind control measures are discussed in the report. RWDI can help guide the placement of wind control features to achieve appropriate levels of wind comfort based on the programming of the various outdoor spaces.
- Wind tunnel testing should be conducted at later design stages to quantify the predicted wind conditions and refine the recommended wind control measures.
- The proposed loading provisions meets the minimum loading requirements of Zoning By-law 2014-014.
- The proposed 1,204 bicycle parking spaces meets the minimum requirements of Zoning By-law 2014-014.
- The proposed development will generate approximately 340 new vehicle trips during the weekday AM peak hour and 401 new vehicle trips during the weekday PM peak hour. The Study acknowledged that deficiencies currently exist at specific locations, primarily along the Trafalgar Road corridor within the study area, and that they can be expected to persist in the future with anticipated growth in traffic, independent of the development.

5.5 Urban Design

A review and analysis of the applicable Official Plan urban design policies, the Livable by Design Manual Guidelines and Designing Midtown Oakville urban design guidelines is provided in the Urban Design Brief prepared by Bousfields Inc. and submitted under separate cover with this Application.

5.6 Transportation Considerations

A Transportation Impact Study (TIS) was prepared by Paradigm Transportation Solutions Ltd and BA Consulting Group Ltd. As outlined in the Executive Summary, the Study aims to assess current traffic and the additional traffic generated by the proposed development, analyze the traffic impact on the adjacent roadway network, and provide the municipality and owner with any improvements required to mitigate the identified effects of the site-generated traffic.

The Study reviews existing conditions, the proposal, parking, bicycle and loading supply, TDM, travel forecasts, future conditions, provides an operational assessment and mitigation. As it relates to Paradigm Transportation Solutions Ltd and BA Group 's review of the development concept, the Study provides the following conclusions:

- Both the reduced residential and non-residential parking supply is appropriate based on the provincial and local policy that direct municipalities to reduce or eliminate minimum parking requirements, as well as evolving transportation context, comparison with other Zoning By-law standards and approvals within the GTHA, and the proposed TDM plan.
- The intersection of Argus Road and South Service Road East currently operates efficiently during peak weekday hours, with individual movements performing at a level of service ("LOS") C or better. Regarding the implications of traffic generated by new development, similar levels of operation are expected under the total conditions with site-generated traffic volumes.
- The intersection at Cross Avenue and Argus Road is currently functioning at an acceptable level of service during peak hours on weekdays, with most movements operating at LOS C or better. Regarding development traffic implications, the eastbound shared through/right turn movement is projected to operate at LOS C with av/c ratio of 0.86, slightly exceeding the critical threshold point under the 2032 Total scenario.
- During the peak hours on weekdays, the individual movements at the signalized intersection of Cross Avenue and Lyons Lane are currently operating at LOS C or better. However, it is expected that the northbound left-turn operations will deteriorate from LOS C to LOS D with a v/c ratio of 0.89 by 2037 Background conditions. Total traffic conditions are expected to be similar to Background conditions, with only a minor increase in delay due to site-generated traffic volumes.
- The signalized intersection at Cross Avenue and GO Station West Access currently operates well, with individual movements running at LOS B, except for the westbound approach that operates at LOS F due to the high volume of left-turning traffic during the weekday AM peak hour. This creates a v/c ratio exceeding 1.00, causing increased delay for this approach, which is projected to continue under the 2027 Background horizon. With the addition of site-generated traffic, the southbound left-turn movement under the 2037 Total conditions is expected to experience increased delay.

- The westbound movement at the intersection of Street C and Street 1 is forecast to operate at LOS D in the 2037 Background scenario AM peak hour. This delay is due to westbound traffic rerouting from Argus Road to Street 1 and onto Street C to access the GO station. With additional traffic generated by the proposed development, the intersection is projected to operate with increased delay for the westbound approach.
- Water quality criteria is met by means of a stormwater filtration system (Jellyfish unit), placed upstream of the stormwater tank.
- Grading of the site is designed to ensure runoff from the 100-year event is captured, and there is an emergency overland flow route.
- Erosion and sediment controls will be implemented during construction in accordance with the Erosion and Sediment Control Guidelines for Urban Construction as set out by the Greater Golden Horseshoe Conservation Authority.

5.7 Servicing Considerations

A Functional Servicing, Water Sanitary and Stormwater Management Report was prepared by Trafalgar Engineering in support of the proposed development. The report presents a site servicing strategy for the proposed development that addresses the requirements of the applicable regulatory agencies and provides the basis for future detailed servicing design work. The servicing strategy for the development is summarized below:

- There is an existing 300 mm diameter municipal water infrastructure adjacent to the site on Cross Avenue. The proposed average daily water demand for the site is 371 L/min with an estimated maximum daily plus fire demand of 6,834 L/min.
- The estimated peak wastewater flow based on Region of Halton criteria is 21.6 L/s for the entire site. Per the Urbantech analysis, there is sufficient downstream capacity to accommodate the development once the Region's capital works project is complete.
- Stormwater quantity controls will be provided by controlling post development peak flows to the preferred pump release rate. Storage will be provided in a stormwater tank located in the underground parking structure. Stormwater will be pumped to the preferred release rate of 63 L/s to a proposed 450 mm diameter storm connection connecting into the proposed municipal storm sewer in Street 'A'. The required storage volume is 201.3 m³.
- Groundwater will be collected, treated if required, and discharged uncontrolled to the municipal storm sewer in Street 'A' using the 450 mm diameter storm sewer connection.
- The groundwater uncontrolled flow is equivalent to 0.83 L/s. The site's allowable storm discharge rate has been reduced to reflect the addition of groundwater flow.
- The water balance criteria of 25 mm is equivalent to 151.1 m³ of storage. This water will also be stored in the underground stormwater tank and will be re-used for irrigation and other best efforts to be determined at the detailed design stage.

Based on the foregoing, the proposed development is supportable from a civil engineering perspective.

5.8 Draft Plan of Subdivision

A Draft Plan of Subdivision application is being submitted contemporaneously with the Official Plan Amendment and rezoning application.

Section 51(24) of the *Planning Act* R.S.O 1990, specifies that, in considering draft plans of subdivisions, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to the following criteria. In reviewing the proposed draft plan of subdivision against each of the criteria outlined above, our planning opinion is as follows:

- a. The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
The plan of subdivision will address matters of provincial interest by facilitating transit-supportive mixed-use intensification on the subject site, which in turn will contribute to the achievement of numerous provincial policy objectives outlined in the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.
- b. Whether the proposed subdivision is premature or in the public interest;
The proposed draft plan of subdivision is not premature. Should the location or configuration of the proposed buildings, or future roads be revised as a result of Town comments, any required revisions to the boundaries can be made through the review process. Moreover, the proposed draft plan of subdivision is in the public interest, as it will enable the redevelopment and intensification of the subject site and the creation of new roads and open space.

- c. Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
As set out in this report, the proposal conforms with the Region of Halton Official Plan and the Livable Oakville Official Plan, and specifically, conforms with the applicable Urban Centre and Urban Core designations. The resulting block patterns will conform with the pattern of development envisioned for Midtown Oakville per the Liveable Oakville Official Plan as well as the surrounding context.
- d. The suitability of the land for the purposes for which it is to be subdivided;
The subject site is suitable for its intended purposes. The proposed mix of uses will create a vibrant complete community that includes a range of housing options, commercial and office uses, and public open spaces. Furthermore, the proposed development will contribute to significant public realm improvements in the area through a new POPS, as well as the conveyance of lands for the widening of Cross Avenue and the future north-south and east-west local streets.
- d.1. If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
Affordable housing units are not currently proposed.
- e. The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
The draft plan of subdivision outlines the lands to be dedicated for the widening of Cross Avenue, as well as the development of the two new future local roads to the along the northern and eastern portion of the subject site. As outlined in Section 5.6 of this report, a Transportation Impact Study was prepared in support of the Official Plan Amendment and rezoning application, which provides an analysis of the surrounding road network, the traffic generated by the proposed development, and other background developments. Mitigation measures have been identified in the TIS that could be implemented, through coordination with the Town and Region, to better accommodate the proposed development and background development within the wider road network in Midtown Oakville.
- f. The dimensions and shapes of the proposed lots;
The dimensions and shapes of the proposed blocks are in keeping with the existing and planned surrounding context.
- g. The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
Not applicable as there are no existing easements on the subject site.
- h. Conservation of natural resources and flood control;
Not applicable as the subject site is not subject to flooding and is not in proximity to identified natural features.
- i. The adequacy of utilities and municipal services;
As discussed in Section 5.7 of this report, a Functional Servicing and Stormwater Management Report has been submitted in support of the Official Plan Amendment and rezoning application. The report concluded that the proposed development is supportable from a civil engineering perspective.
- j. The adequacy of school sites;
The adequacy of school sites will be determined in consultation with the Halton District School Board and the Halton Catholic District School Board through the review of the Official Plan Amendment and rezoning application.
- k. The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
The lands to be conveyed to the Town are labelled as Block 2, and Streets 'A' and 'B'.
- l. The extent to which the plan's design optimizes the available supply, means of supplying, efficient use, and conservation of energy; and
The redevelopment of the site will be consider the Town of Oakville's Sustainable Design Guidelines and will be studied reviewed through the Site Plan Approval process.
- m. The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.
Not applicable as the lands are not subject to the City of Toronto Act, 2006.
- Based on the foregoing, it is our opinion that the proposed draft plan of subdivision application satisfactorily addresses the criteria set out in Section 51(24) of the *Planning Act* and that it has appropriate regard for the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the Town by facilitating the creation of new housing options.



Conclusion

For the reasons set out in this Report, it is our opinion that the proposed development will appropriately intensify an underutilized site with new residential and commercial uses, as well as office uses. The development will contribute to Midtown's urban evolution through the provision of land conveyances for new streets, and contribute to the expansion of the public realm network. The development proposal supports the envisioned built form context for the area and supports the development of a complete community in Midtown Oakville.

From a planning policy perspective, the proposed mixed use development is consistent and conforms with the Provincial policies and plans, the Region of Halton Official Plan and the Livable Oakville Plan, and will contribute to the goals and objectives for Midtown Oakville Growth Area, all of which promote the intensification of underutilized sites within built-up urban areas, particularly in locations that are well served by existing municipal infrastructure, including higher-order public transit. The subject site is located in the Midtown Oakville GO UGC/MTSA, as defined through ROPA 48. The subject site is located approximately 185 metres north of the Oakville GO Station and approximately 350 metres west of the planned Trafalgar BRT. It is our opinion that the proposed intensification of the subject site is consistent with the PPS, conforms with the Growth Plan and the Halton Region and Livable Oakville Plan. In our opinion, the subject site is a contextually appropriate location for intensification as it is located within an Urban Growth Centre, is in walking distance of the Oakville GO Station and is designated Urban Centre and Urban Core in Midtown Oakville, where the greatest intensity of development is anticipated.

From a built form and urban design perspective, the proposal is contextually appropriate and will fit within the planned built form context and will be compatible with the anticipated heights and massing envisioned for the Midtown Oakville area. As discussed in this report, achieving greater height on the subject site is appropriate and will not result in unacceptable built form impacts or impede upon the redevelopment potential of the surrounding land uses. This report has demonstrated that the site can accommodate two towers that achieve an appropriate separation distance to mitigate any negative LVP impacts. It is our opinion that the proposed tower heights and massing of the podium elements conform with the built-form policies of the Official Plan and have appropriate regard for the Liveable by Design Urban Design Manual and Designing Midtown Oakville Urban Design Guidelines.

From a planning policy perspective, overall, the proposed Official Plan and Zoning By-law Amendments and resulting redevelopment of the subject lands:

- are consistent with the Provincial Policy Statement;
- conform with the Growth Plan for the Greater Golden Horseshoe;
- conform to the Region of Halton Official Plan
- conform to the Town of Oakville Official Plan (Livable Oakville);
- have been designed with regard to the Town's Urban Design Guidelines; and
- represent good planning and an efficient use of land in Midtown Oakville.

Accordingly, it is our opinion that the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision application is appropriate and desirable and should be approved.

