



# **PLANNING JUSTIFICATION REPORT**

## **Official Plan Amendment & Zoning By-law Amendment**

349 Davis Road, Oakville, Ontario  
*Part of Lot 12 Concession 3 South of Dundas Street,  
Town of Oakville, Regional Municipality of Halton*

**Prepared for:**

1539059 Ontario Inc.

**Prepared by:**

Corbett Land Strategies Inc.

**Updated April 2023**

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## 1.0 INTRODUCTION

Corbett Land Strategies Inc. (CLS) has been retained by 1539059 Ontario Inc. (the “Client”) with respect to the development of their lands legally described as Part of Lot 12 Concession 3 South of Dundas Street, municipally identified as 349 Davis Road (the “Subject lands”) in the Town of Oakville, within the Regional Municipality of Halton. The Client is proposing to amend the Town of Oakville’s Official Plan, *Liveable Oakville Plan 2009*, and the Town’s Zoning By-law 2014-014 to facilitate the development of a 58-storey mixed-use building comprised of above ground retail use, office use, and residential apartment units.

As part of the development application review process, this Planning Justification Report has been prepared to provide planning analysis and justification in support of the proposed site-specific Official Plan Amendment, Zoning By-law amendment, and for future development applications as required for the full execution of the proposed development.

This report will provide the appropriate rationale to assess the proposal relative to provincial, regional, and municipal planning policies that dictate land use, employment and population growth, density, and urban design goals and objectives. It is the intent of this report to demonstrate that the proposed development is not only of sound planning and design, but in fact, presents an early opportunity to realize the vision for the Midtown Oakville Growth Centre and Major Transit Station Area precinct.

## 2.0 THE SUBJECT LANDS

The subject lands are located south of Queen Elizabeth Way (QEW), east of Trafalgar Road, and on the northeast corner of South Service Road and Davis Road. The lands consist of an existing one-storey brick office building occupied by M. Edward Powell Insurance Brokers Ltd. The lands have a total site area of 0.42 hectares (1.05 acres) with a frontage of approximately 54 metres onto Davis Road.

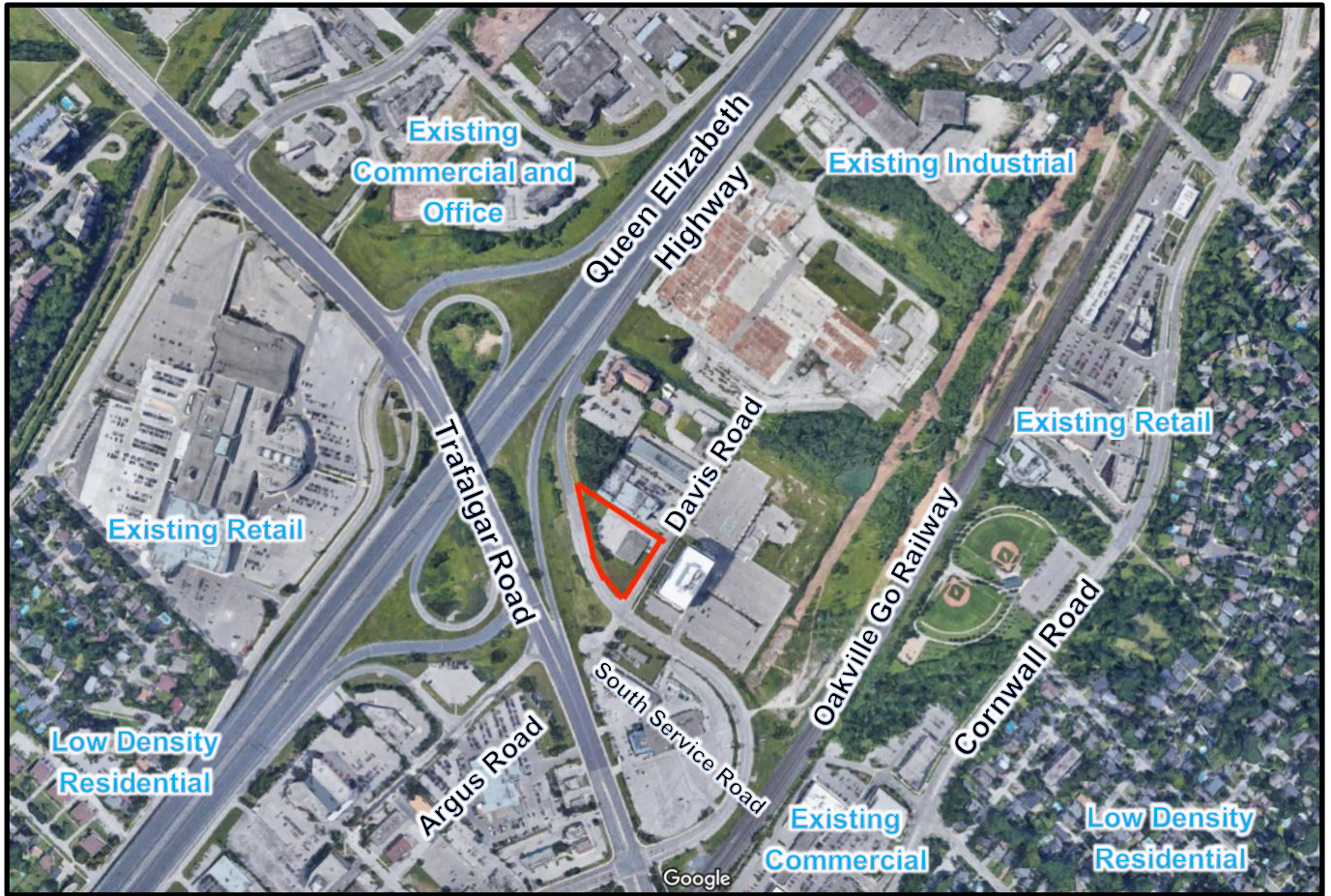
The lands have minimal tree vegetation along the northwest corner of the property line. It is generally characterized by a concrete paved parking lot and some grassy areas.

### 2.1 Surrounding Land Uses

The immediate surrounding land uses are characterized by other office use and commercial buildings as well as major arterial roads.

North:	To the immediate north of the subject lands are four parcels that host an auto repair shop, a dance studio, a wholesale warehouse, and the Monte Carlo Inn hotel.
East:	To the east of the subject lands exists a six-storey building owned by PwC Canada. There are also three large parking lots on this property.
South:	The intersection of Davis Road and South Service Road is located to the immediate south of the subject lands. Davis Road continues for approximately 55 metres before ending in a cul-de-sac. There is a decommissioned warehouse building that fronts Davis Road to the south-east.
West:	To the west of the subject lands is South Service Road that runs parallel to the Queen Elizabeth Highway and intersects with Trafalgar Road.

Figure 1 – Location and Context Map



 Subject lands

### 3.0 BACKGROUND

On November 23, 2021, CLS submitted its formal comments to the Draft Midtown Oakville Growth OPA, dated February 2022. The comments expressed concerns related to the new Midtown Oakville Growth Centre (MOGC) land use and policy provisions that impact on the lands owned and operated by the Client. Despite the Environmental Assessment (EA) completed in 2014, the MOGP has not yet been implemented into the Town's Official Plan (OP). The concerns expressed by CLS were directed toward the road network recommended by the Environmental Assessment and its impact on the development potential of the subject lands and the entire Midtown area. Various elements of the road network would significantly impede the attainment of the growth targets identified for the MOGC given the resulting land fragmentation necessary to accommodate the prescribed road alignments.

There were two pre-consultation meetings conducted in respect to the proposed development. The first pre-consultation meeting was conducted on December 15, 2021, where the Client formally introduced a proposed 20-storey mixed-use building. During this meeting, staff acknowledged that the proposed development concept aligns with the new policies drafted for the Midtown Oakville Urban Growth Centre (2021). It was concluded in the meeting that a second pre-consultation meeting would be required by the Town in order to review detailed plans prior to the first submission.

As per the Town staff's request, a second pre-consultation meeting was held on May 11, 2022, to provide further details of the proposal. This meeting was also attended by the Client's architect and engineers, Studio VMA and Crozier Engineering Consultants, respectively. In the pre-consultation meeting, it was concluded that:

- Town staff advised that despite concerns of the road extension, the proposed development does indeed align with the overall planning objectives of the MOGC;
- Regional staff require site condition, phase 1 and 2 ESA, land use compatibility, servicing, WMP and truck turning analysis, TIS and noise study;
- Conservation Halton stated that they do not need to be circulated at this time; and,
- Various issues with the current conceptual site plan (loading area, pedestrian traffic, walkways, parking). An emphasis to follow the Midtown Urban Design Guidelines to meet town standards.

To support the proposed mixed-use development, CLS has retained a consultant team to complete the following studies/ reports which are included with this submission. Further information can be found under the Technical Studies section of this report. The list of studies and reports completed are provided below:

1. Photometric Study;
2. Landscape Plan including Urban Design Brief;
3. Functional Servicing and Preliminary Storm Management Report;
4. Transportation Impact Study (TIS) including Parking Justification Plan and Truck Turning Analysis;
5. Noise and Vibration Studies;
6. Environmental Study including Phase 1 ESA, ESSQ, and RSC and;
7. Wind Study

Following the second pre-consultation meeting, the Town of Oakville released its new draft for the Midtown Oakville Urban Growth Centre (MOGC), dated May 12, 2022. Effectively, the policy updates to the draft OP will reflect our proposed mixed-use development.

#### **4.0 PROPOSED DEVELOPMENT**

The Client is proposing to demolish the existing building as part of the redevelopment of the lands to facilitate the proposed mixed-use development comprised of 58-storey building that will offer possibilities for retail, office, and residential purposes. Specifically, the mixed-use development of the 58-storey building will consist of the following:

- Six floors of underground parking;
- Three floors of above-ground parking screened with a dynamic wind façade that will become a major public art piece and attraction for the development;
- A restaurant as part of the ground floor plate;
- One floor of office tenant space; and,
- 52 floors of residential units containing a mixture of bachelor, one-bedroom, two-bedroom and three-bedroom units create a variety of community members and encouraging places for families.

The residential component of the building starts at floor 6 and concludes at floor 58. The residential units will be allotted into small and medium plate, giving the building more character while considering elements such as building shadow, overall height, and wind. There will be a total of 388 residential units with a mix of one bedroom to three-bedroom units that will accommodate the socio-economic needs in Oakville. The proposed mixed-use development will yield a residential density of 9.75 FSI.

Immediately below the residential sections will see one floor of office space with a floor area of 1,470 square metres covering a total of four units. Below the office floor will be three floors of above ground parking which will yield 69 parking spaces and 36 bicycle parking spaces. The ground level of the building will provide retail opportunities which will include a restaurant, a lobby, a mail room, bicycle storage, garage areas, and an internal loading space. A ramp to the lower-level parking structure (P1) is also included.

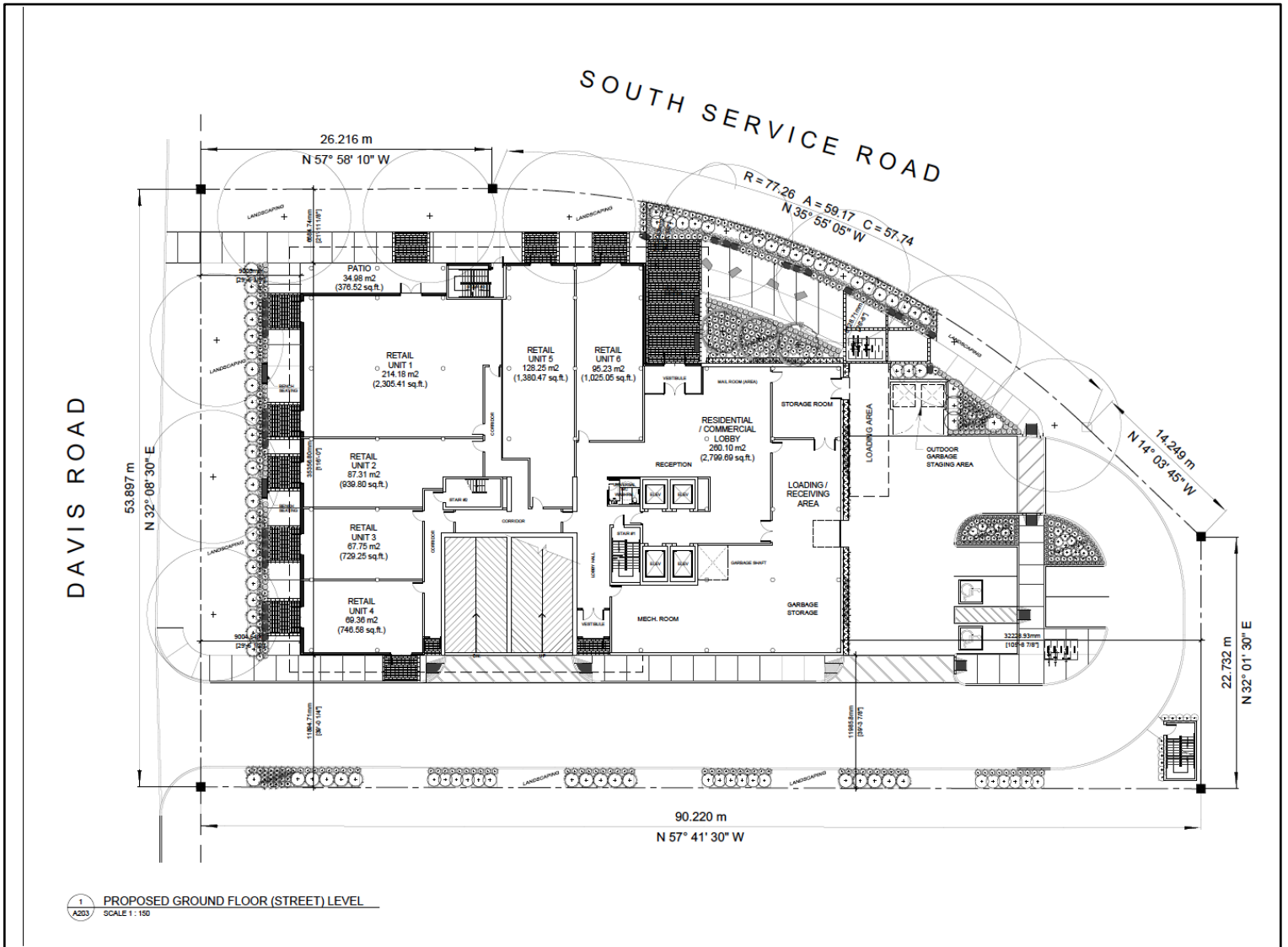
The proposed development will utilize the existing driveway from Davis Road. The main access will allow for both ingress and egress vehicular traffic with an approximate width of 7.5 metres. The private driveway will provide access to a ramp leading to six levels of underground parking, and to the rear surface parking and bicycle parking spaces and loading area. The site design includes a variety of exterior paths for pedestrian circulation including walkways, ramps, and curbs. A network of walkways connects pedestrians along all edges of the site. Starting from Davis Road, a pedestrian walkway lined with vegetation is provided along the retail areas of the south and west facades. The walkway extends to the residential and commercial entrance on the west façade and extends past the short-term parking at the north of the site. A secondary pedestrian walkway is provided along the east elevation to create continuity of the path and provide the necessary access from the emergency exits. The walkways are distinctively separated from the loading areas and are marked with clear crosswalk areas.



Please see enclosed architectural package for detailed site and project statistics.

<b>349 Davis Road – Site Statistics</b>	
Site Area	.42 ha (1.05 acres)
Building Height	175.5m
Lot Coverage	36.58%
Landscaped Area	20.12%
No. of Commercial Units	6
No. of Residential Units	388
No. of Office Units	4
Parking Spaces	622
Bicycle Spaces	400
Floor Space Index (FSI)	9.75

Figure 2 – Site Plan



**Figure 3 – Proposed Building (View 1)**





**Figure 4 – Proposed Building (View 2)**



## 5.0 PLANNING POLICY ANALYSIS

### 5.1 The Planning Act

The Planning Act (the “Act”) of Ontario provides land use legislation to ensure that landowners and developers maintain the integrity of its goals and policies. The Act is a framework to be considered interactively with other planning plans, where applicable, such as the Provincial Policy Statement and Greater Golden Horseshoe Growth Plan. The Act promotes provincial interests such as adequate and affordable housing, employment growth, protection of natural resources and farmland, and to design pedestrian-oriented developments.

#### 5.1.1 Matters of Provincial Interest

Section 2 of the Act bestows interests that must be considered and met within the planning process. The following are the most relevant to the proposed development:

(e) *the supply, efficient use and conservation of energy and water;*

The proposed mixed-use development will supply residential housing units that will suit the socio-economic needs of Oakville.

(f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*

The proposed development will make efficient use of the existing municipal infrastructures. The proposed high-rise mixed-use development will utilize the existing water and transportation infrastructure that would otherwise be reconstructed as part of the road network reconfiguration as proposed in the Oakville EA of 2014.

(g) *the minimization of waste;*

Waste management program by Halton Region and Town of Oakville will be complied for the overall delivery of the proposed development.

(h) *the orderly development of safe and healthy communities;*

The location of the Subject lands is advantageous in providing the needs of the MOGC that will see the area revitalized and become a hub for the Town.

(j) *the adequate provision of a full range of housing, including affordable housing;*

As mentioned, the proposed mixed-use development will supply residential housing units that will suit the socio-economic needs of Oakville.

(k) *the adequate provision of employment opportunities;*

The mixed used development will provide opportunities for office and retail spaces uses to assist the town in achieving employment targets.

(l) *the resolution of planning conflicts involving public and private interests;*

Public consultations and engagements will be hosted to gather feedback and opinion and determine the public interest.

(o) *the protection of public health and safety;*

The proposed mixed-use development will integrate principles of urban design and CPTED to ensure the protection of public health and safety.

(p) *the appropriate location of growth and development; and*

The proposed development is in the Midtown Oakville Urban Growth Centre (MOGC) envisioned to accommodate for growth and intensification in the Town of Oakville.

(q) *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.*

(r) *the promotion of built form that,*

(i) *is well-designed,*

(ii) *encourages a sense of place, and*

(iii) *provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*

As mentioned, urban design principles will be the guiding document to ensure the proposed development is sustainable, transit supportive and pedestrian friendly.

The mixed-use building will promote sustainable development with other like developments in the MOGC, adding to a walkable and transit supportive community. Accordingly, the development proposal serves to implement the *Planning Act* as described above.

## **5.2 Provincial Policy Statement (2020)**

The Provincial Policy Statement (the “PPS”) is a document that provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario. The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic, and social factors in land use planning. The PPS focuses on growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting, or sustaining development. It encourages to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Relevant policies of the PPS apply to the proposed high-rise mixed-use development of the Subject lands including:

### **5.2.1 Building Strong Healthy Communities**

*“1.1.1 Healthy, liveable and safe communities are sustained by:*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) *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;*
- f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) *promoting development and land use patterns that conserve biodiversity; and*
- i) *preparing for the regional and local impacts of a changing climate.*

1.1.2 *Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.*

*Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.*

The proposed mixed-use development promotes efficient use of lands as it represents a redevelopment of lands located within the settlement boundary area specifically within the delineated built boundary area which prevents the expansion of settlement areas, promotes cost-effective development patterns, land consumption, and servicing costs.

Moreover, the property is located within the Midtown Oakville Growth Urban Area, as identified by the Province, which is designated to accommodate growth in the Town of Oakville. The proposed mixed-use development represents intensification of lands within an area designated to accommodate high density developments ranging from 4 FSI to 10 FSI as per draft Midtown OPA (May 12, 2022) Schedule L2 - Density. The proposed apartment units will provide for an appropriate mix of housing forms, type, tenure, size, and price ranges that will complement the existing supply of residential units in the Midtown Oakville Growth Area and will assist in satisfying the Province's housing needs up to a 25-year time horizon. The proposed apartment units will be served by parks and open spaces planned by the Town of Oakville, commercial uses and will utilize the existing and planned transit facilities and community services.

Section 1.1.3 of the PPS provides direction to municipalities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities, and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas shall be the focus of growth and development.*

1.1.3.2 *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive.*

*Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

1.1.3.3 *Planning authorities shall 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, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

As mentioned, the proposed mixed-use development facilitates intensification and redevelopment of lands within the Town of Oakville's settlement area. It represents redevelopment of lands within a growth area envisioned and planned for accommodating a significant portion of growth of the Town and Region's required intensification to the year 2051 and beyond.

The proposed mixed-use development contains a land use pattern and density that is consistent with the new drafted policies in the MOGC draft (May 2022). The proposed development efficiently uses an under-utilized parcel of land, and it will utilize existing and planned infrastructure including roads, water, and sanitary services as demonstrated by the Functional Servicing Report (FSR) and the Transportation Impact Study (TIS) prepared by Crozier. Furthermore, the location of the subject lands is within the MTSA radius which effectively supports ridership in the Town of Oakville. The Oakville GO Station Parkade is located just south of the subject lands and is approximately a 10-minute walk. Transit stops along Trafalgar Road are a 5-minute walk from the subject lands, and lastly active transportation are supported via connection of parks and community hubs and walkway networks.



Overall, the proposed mixed-use development comprising of retail, office and residential uses will be a transit supportive as it will provide population growth and employment growth, which will assist the Midtown Oakville to achieve its minimum density target of 200 residents and jobs combined by 2031.

- 1.1.3.4 *Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*
- 1.1.3.5 *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.*
- 1.1.3.6 *New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

Overall, the proposed residential development facilitates intensification, redevelopment of lands within the Midtown Oakville Growth Area, and represents a compact built form with a density that allow for the efficient use of land, infrastructure, and public service facilities.

The proposed 58-storey mixed-use development comprising of residential apartment units, office uses, and retail uses will be on a property that boasts a total site area of 0.42 hectares (1.05 acres). The proposed mixed-use development will have a total density yield of 106.67 units per hectare (9.75 FSI), which aligns with the draft Midtown Oakville OPA (May 12, 2022) and its established and implemented targets for intensification and redevelopment of growth areas.

The proposed residential units will contribute to the supply and mix of housing types complementing the envisioned complete community by the Town of Oakville where people are able to work, live, and play in a walkable, mixed-use neighbourhoods connected via cycling paths, transit, and street networks. The compact built form will contribute to the housing type, size and price ranges satisfying the Town's housing needs. The redevelopment of the subject lands promotes opportunities to utilize existing municipal infrastructure in place to service the proposed residential development.

Overall, the Town of Oakville has provided appropriate density targets within both the Official Plan and Secondary Plan, respectively.

- 1.3.1 *Planning authorities shall promote economic development and competitiveness by:*
  - a) *providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
  - b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses*

- which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
  - d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
  - e) ensuring the necessary infrastructure is provided to support current and projected needs.*

The proposed mixed-used development conforms with the above policies through the proposed office spaces within the proposed development suitable for employment uses. The proposed retail, restaurant, and office uses will contribute to an employment growth in the Town of Oakville.

The proposed mixed-use development is supported by the proposed residential apartment units. From employment opportunities mixed with residential, this mix of compatible uses will provide a more diversified economic base and ultimately a stronger and more viable development for the MOGC.

As Urban Growth Centres such as the MOGC contain residential use opportunities that are compatible with employment, it is essential that the continued success of implementing these compatible uses be encouraged to support the employment and population goals set forth by the relevant policy plans. In particular, the PPS has set out policies such as the following for the municipality and the Region to follow.

*1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

*Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.”*

*1.4.3 Planning authorities shall provide 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 of the regional market area by:*

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
- b) permitting and facilitating:*
  - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
  - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

As the subject lands are located within an Urban Growth Centre and Major Transit Station Area (MTSA) designation as identified by Halton Region, higher densities should be supported through intensification. Moreover, the subject lands are located within a Priority Transit Corridor with proximity to a Major Transit Station (*Map 1H – Regional Urban Structure, Halton Region*). Accompanying the need and demand for higher density development that will support both employment and population uses, the proposed development is advantageously located to utilize the ample transportation network options.

Regarding infrastructure of sewage, Water, and Stormwater:

*1.6.6.1 Planning for sewage and water services shall:*

- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing;*
- b) municipal sewage services and municipal water services;*

*1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the*

*environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.”*

By virtue that the subject lands are already a serviced area, the proposed development will utilize municipal sewers and water services in accordance with the PPS as described in greater detail within the Functional Servicing Report prepared by Crozier Consultants Inc.

In this regard and based on the comprehensive review above of the relevant policies of the PPS, the proposed development represents appropriate development and good planning in a designated area that envisions employment and population growth. Therefore, It is the opinion of CLS that the proposed development and required planning amendments are consistent with the policies of the PPS.

### **5.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

The Provincial Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) is Ontario’s initiative to plan for growth and development that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. It provides the framework to implement the Provincial vision for the establishment of strong, equitable, prosperous, and complete communities poised to accommodate forecasted growth to the year 2051.

The Growth Plan provides policies to how lands are developed, resources are managed and protected, and public dollars are invested. The guiding principles include matters such as achieving complete communities, prioritizing intensification, economic development, mix of housing options, land use planning, recognizing diversity, enhancing natural heritage and ecological functions, agricultural lands, cultural heritage, and climate change.

The subject lands are located within the “*Built-Up Area*” designation as shown on *Schedule 2 – Places to Grow Concept* of the Growth Plan (see Figure 5) and are subject to Section 2 policies that provide directions to where and how municipalities should grow:

#### **2.2.1 Managing Growth**

- a) *the vast majority of growth will be directed to settlement areas that:*
  - i) *have a delineated built boundary;*
  - ii) *have existing or planned municipal water and wastewater systems;*
  - and*
  - iii) *can support the achievement of complete communities;*
- c) *within settlement areas, growth will be focused in:*
  - i) *delineated built-up areas;*
  - ii) *strategic growth areas;*
  - iii) *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
  - iv) *areas with existing or planned public service facilities.*

**2.2.1.3.** *Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:*

- a) *establish a hierarchy of settlement areas, and of areas within settlement areas, in accordance with policy 2.2.1.2;*
- b) *be supported by planning for infrastructure and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;*
- c) *provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form;*

2.2.1.4. *Applying the policies of this Plan will support the achievement of complete communities that:*

- a. *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b. *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c. *provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d. *expand convenient access to:*
  - i. *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
  - ii. *public service facilities, co-located and integrated in community hubs;*
  - iii. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
  - iv. *healthy, local, and affordable food options, including through urban agriculture;*
- e. *provide for a more compact built form and a vibrant public realm, including public open spaces;*
- f. *mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and*
- g. *integrate green infrastructure and appropriate low impact development.*

## 2.2.2 *Delineated Built-Up Areas*

1. *By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:*
  - a) *A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area;*
3. *All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:*

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

According to Schedule 3 of the Growth Plan, Halton Region is anticipated to grow to a population of 1,100,000 and a workforce rise of 500,000 jobs by the year 2051. The Town of Oakville is located within the “*Delineated Built-Up Areas*” and is subject to achieve a minimum of 50% of residential development annually, as stipulated in the Growth Plan. The proposed development will assist Oakville to achieve its minimum intensification target for growth areas. Moreover, the location of the property will allow the proposed building’s residents and employees to utilize nearby existing amenities, shops, restaurants and more. These attractions will be further enhanced with the buildup of the MOGC and will contribute to the aspirations of Urban Core. Proximity to the Town’s downtown core and lakefront parks are within walking and bicycle distances. Finally, the location of the subject lands in proximity to the Oakville Go Station services and the Lakeshore West Line allows for an efficient and environmentally friendly options for transportation that extends to Niagara Falls as well as to Union Station located Downtown Toronto.

In accordance to the Town of Oakville Development Charges Background Study (May 2022), the average number of persons per unit (P.P,U) is assumed to be 1.703 for high-density development. In calculating the assumed PPU against the proposed mixed-use development, the proposed development will assist the Town of Oakville in achieving its population growth target by contributing a total population of approximately 660 future residents.

The following housing policies below will apply to support the intensification area and community improvement area.

#### 2.2.6 *Housing*

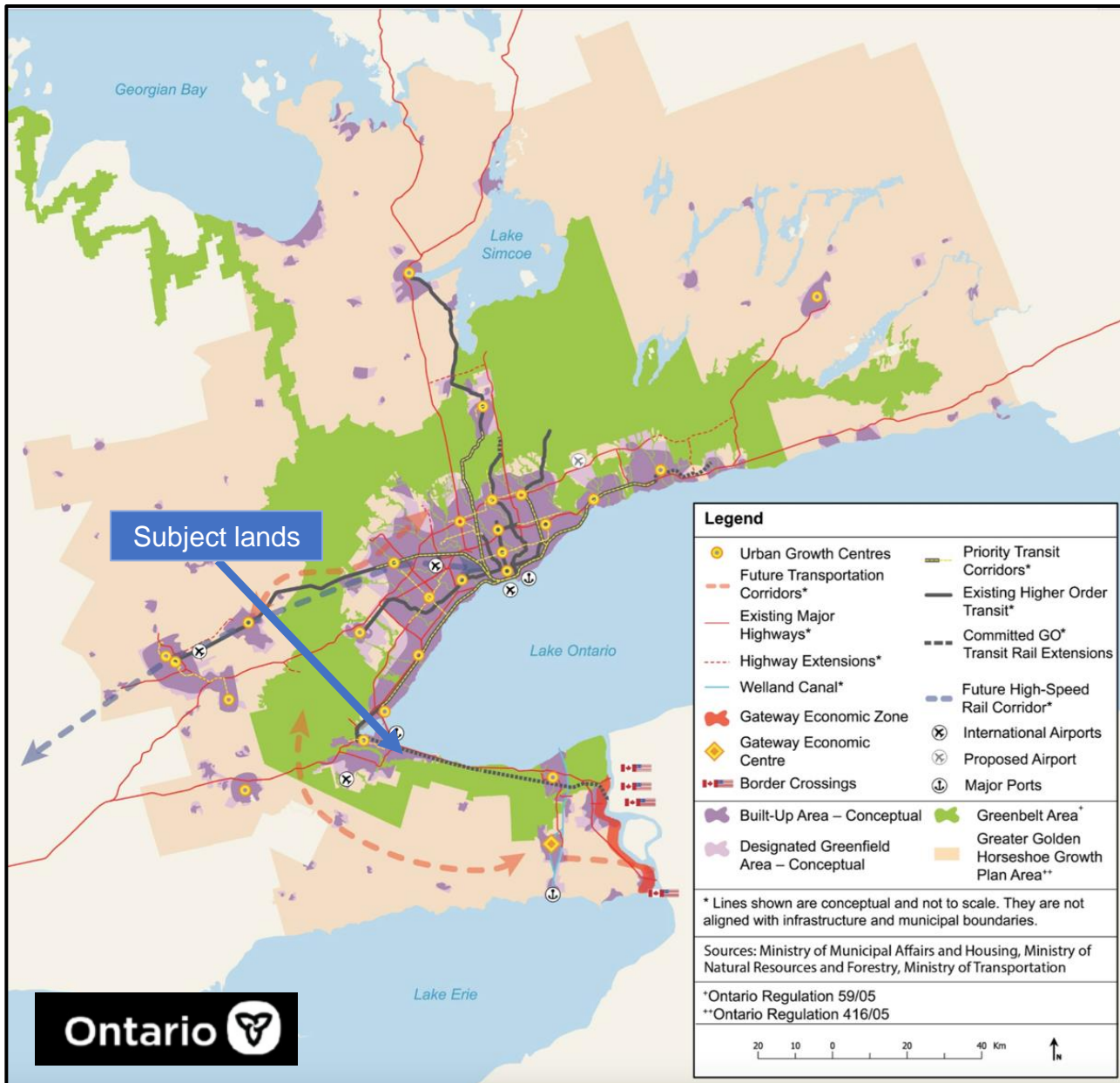
2. *Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:*
  - a. *planning to accommodate forecasted growth to the horizon of this Plan;*
  - b. *planning to achieve the minimum intensification and density targets in this Plan;*
  - c. *considering the range and mix of housing options and densities of the existing housing stock; and*
  - d. *planning to diversify their overall housing stock across the municipality.*

3. *To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.*
4. *Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.*

The relevant Growth Plan policies identified above encourage the building of compact, vibrant, and complete communities that optimize the use of existing and planned infrastructure through intensification. As mentioned, the proposed mixed-use development contributes to achieving a complete community as both residential and employment uses will support one another and will be located within a walkable, transit opportunistic area.

Furthermore, the proposed mixed-use development can help accommodate the market demand for various unit sizes and incomes for the residents and to provide the opportunity for live-work relationships to develop, thus allowing for a mixed-use and transit-supportive centre. Overall, the proposed mixed-use development will contribute and bolster the visions and goals of the MOGC and it is our opinion that the development conforms to the relevant policies of the Growth Plan.

**Figure 5 – Schedule 2: A Place to Grow Concept**





## 5.4 Halton Regional Official Plan (2021)

Halton's Regional Official Plan determines how and when Halton grows. The updated Regional Official Plan accommodates population and employment growth within Halton's existing urban boundaries to 2041 and also contains a framework for how growth may be planned for in the 2041-2051 planning period.

On June 15, 2022, a decision was made by Halton Regional Council to adopt Regional Official Plan Amendment (ROPA) No. 49, which is to implement the results of the Integrated Growth Management Strategy, which considered how to accommodate growth in Halton to 2051 as a part of a municipal comprehensive review process. The amendment also includes other updates that support Halton's growth strategy, including updates to intensification and density targets, development phasing, the Regional Urban Structure, Strategic Growth Areas, Employment Areas, and corridor protection, among other things. The amendment applies to all lands in the Regional Municipality of Halton.

### 5.4.1 Regional Urban Structures

According to Map 1 – Regional Structure of the ROP, the subject lands are located with the designated *Urban Areas*, specifically, as shown on Map 1H, the subject lands are located within the designated *Urban Growth Centre* within a *Major Transit System Area (MTSA)* along a *Priority Transit Corridor*.

Section 72 of the ROP describes that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity.

The following subsections highlight the applicable designations as outlined in in the ROP (see Figure 6).

#### *72.1 The objectives of the Urban Area are:*

- (1) 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.*
- (2) 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.*
- (3) 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.*
- (4) To ensure that growth takes place commensurately both within and outside the Built Boundary.*
- (5) 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.*

- (6) *To identify a Regional Urban Structure that directs growth to Strategic Growth Areas and protects Regional Employment Areas*
- (7) *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.*
- (9) *To facilitate and promote intensification and increased densities.*
- (10) *To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.*
- (10.1) *To direct where employment uses should be located and to protect areas designated for such uses.*

79. *The objectives of the Strategic Growth Areas are:*

- (1) *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.*
- (2) *To provide opportunities for more cost-efficient and innovative urban design.*
- (3) *To provide a range of employment opportunities, facilities and services in centralized locations that are readily accessible by public transit.*
- (4) *To provide a diverse and compatible mix of land uses, including residential and employment uses, to support neighbourhoods.*
- (5) *To create a vibrant, diverse and pedestrian-oriented urban environment.*
- (6) *To cumulatively attract a significant portion of population and employment growth.*
- (7) *To provide high quality public parks and open spaces with site design and urban design standards that create attractive and vibrant places to promote the development of complete communities.*
- (8) *To support transit and active transportation for everyday activities.*
- (9) *To generally achieve higher densities than the surrounding areas.*
- (10) *To achieve an appropriate transition of built form to adjacent areas.*
- (11) *For Regional Corridors:*
  - a) *To achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service.*
  - b) *To achieve a mix of residential, office, institutional and commercial development, where appropriate.*
  - c) *To accommodate local services, including recreational, cultural and entertainment uses.*

The proposed mixed-use building maintains the intent and purpose the ROP as it will direct growth to strategic growth areas, specifically within the Midtown Oakville Growth Area. As distributed by Halton Region, Town of Oakville's forecasted population growth is 331, 500 by 2041. As previously mentioned, the proposed development will assist the Town of Oakville in achieving its population growth target by contributing a total population of approximately 660 future residents. The proposed development will accommodate for growth that is compact, transit-supportive, and will contribute to a complete community where people have opportunities to live, work, and play. Lastly, through the proposed retail and office spaces, the proposed development supports the objectives of the ROP by directing employment uses where it should it and foster a strong and competitive economy.

Lastly, the proposed development aligns with the objectives of the ROP as is describes in Section 78.1 to focus a significant proportion of population and certain types of employment growth within Strategic Growth Areas through mixed use intensification.

#### **5.4.2 Urban Growth Centres**

*80. The objectives of the Urban Growth Centres, as delineated on Map 1H, are:*

- (1) To serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses;*
- (2) To accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;*
- (3) To serve as high density major employment centres that will attract provincially, nationally or internationally significant employment uses; and*
- (4) 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.*

*80.1. The Urban Growth Centres are Strategic Growth Areas, which in turn are parts of the Urban Area and therefore are subject to the objectives and policies for both Strategic Growth Areas and the Urban Area.*

*80.2 It is the policy of the Region to:*

- (1) Require 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, as identified in Table 2b.*
- (2) Require 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), including the submission to the Region of any supporting background documentation.*

The proposed mixed-use development supports the objectives of the urban growth centres. Specifically, it will accommodate and support the transit network at a regional scale given the location within the MTSA and surrounded by public transit. The proposed mixed use maintains the intent of the objectives my assisting the Midtown Oakville Growth Area to function as a focal area for commercial, recreational, and cultural and entertainment uses.

It is the intent of the proposed development to use existing infrastructure to service the proposed mixed-use building. The vision of the development is to also meet the urban designs and aspirations and to compliment with surrounding developments to facilitate a strong sense of community. Greater detail of urban design relating to the proposed building's renderings including the pedestrian experience can be seen in the enclosed Urban Design Brief. The proposed building will also achieve employment and population density targets while providing walkable and transit supportive infrastructure.

#### **5.4.3 Major Transit Station Areas (MTSA)**

*81. The objectives of the Major Transit Station Areas, as delineated on Map 1H and Map 6, are:*

- (1) *To leverage infrastructure investments and the development of public service facilities to support a significant share of growth, and achieve transit support densities through existing or planned frequent transit service.*

As described in this report, the proposed mixed-use development will assist the Region in achieving its anticipated growth goals and will contribute to the density targets as stated by the Region.

- (2) *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.*

The proposed development supports the Region's vision of creating a pedestrian-oriented urban environment by way of integrating retail/commercial uses above-ground and through landscaping design with elements that will encourage pedestrian activities. Lastly, walkway networks will be connected to the existing walkways for continuous activities.

- (3) *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.*

Increased densities and transit-supportive growth are among the forefront considerations with the proposed development. The property will yield a combined total of approximately 660 residents and employees at a location poised to be a central figure of the Urban Core's walkability and pedestrian experience. Furthermore, the property's proximity to the Oakville Go Station permits efficient travel throughout much of Greater Golden Horseshoe.

- (4) *To achieve multimodal access to stations and support complete communities.*

The proposed development will act as central figure in the Urban Core of the MOGC. It will facilitate a large amount of growth that is surrounded by various transportation methods. Residents and building employees will be able to utilize the street, bicycle, and bus networks to partake in the adjacent community's offerings.

- (5) *To plan for a diverse mix of uses, including additional residential units and Affordable Housing, where appropriate.*

The proposed development will provide a mix of uses that will be compatible with MOGC. A restaurant at the main floor will highlight the building's attractiveness at ground level to where further retail opportunities will be present. Office space opportunities will bring a level of professionalism and further add to the mixed-use characteristic of the building. Finally, the residential opportunities are mixed in its own nature as the floor plans will be offered as small plate and medium plate and consists of 1-bedroom to 3-bedroom sizes.

- (6) *To protect existing employment uses within Major Transit Station Areas by ensuring land use compatibility with adjacent new development is achieved.*

The existing employment uses within the MTSA will be protected and enhanced via new employment opportunities. The location of the proposed development also allows for a more effective and efficient flow of people to their respective jobs and residences.

As outlined in the next sub-section of this report, the proposed development is compatible with new proposed developments throughout the MOGC.

- (7) *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.*

The proposed mixed-use development is located within the MTSA and will assist the Town of Oakville to achieve its population target by contributing a population yield of 660 future residents. Effectively, this supports the region's vision to increase the potential transit users within walking distance of a station.

The subject lands are strategically positioned within the centre of the Midtown Oakville Go UGC/MTSA. As such, the proposed mixed-use high-rise development will support the existing and planned transportation infrastructure by contributing to increase the ridership and the use of multi-modal transportation. The proposed mixed-use high-rise development supports the strategies of Major Transit Station Areas.

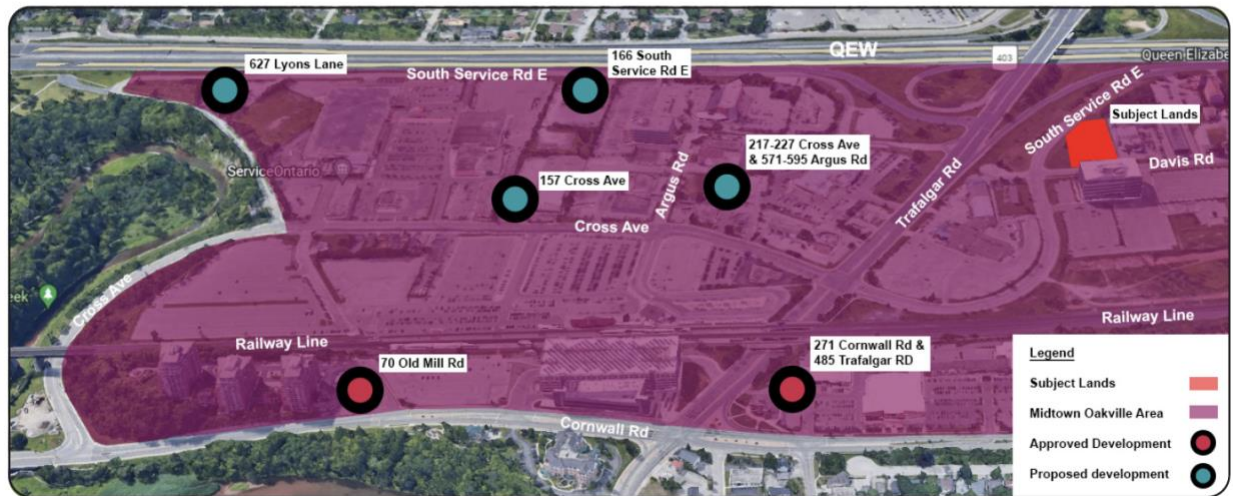
Pursuant to the policies in the ROP, the proposed development conforms with the guidelines and policies pertaining to Urban Structures, Urban Areas and the Regional Urban Structure, Strategic Growth Areas & Urban Growth Centres, and Major Transit Station Areas. With anticipated and encouraged growth throughout the Region, the direction set forth in the ROP is integral for a sustainable and cost-efficient development and to prioritize public safety. The proposed development proves to be compatible and complementary to the policies provided for the applicable designations pertaining to the subject lands. Despite the Oakville Environmental Assessment effecting the subject lands, the development that is being proposed will be of much greater value and efficiency to the goals of the municipality and is supported through the policies of the Region.

#### **5.4.4 Approved and Proposed High-Rise Developments within Midtown Oakville Growth Area**

As shown on the diagram below, there are proposed applications within the Midtown Oakville that are similar in number of storeys. Specifically, 166 South Service Road East and 217-227 Cross Ave & 571-595 Argus Road are in proximity to the subject lands and are proposing to have a maximum building height of 58 and 59 storeys respectively.

Table: Approved and Proposed Developments by the numbers:

Location	# Towers	# Storeys	# Units	# Parking Spaces	# Residents Jobs
271 Cornwall Rd & 485 Trafalgar Rd (Approved)	2	14, 19	281	300	659
70 Old Mill Rd (Approved)	1	12	154	166	262
157 Cross Ave (Proposed)	1	28	252	248	441
627 Lyons Lane (Proposed)	1	28	252	281	478
217-227 Cross Ave & 571-595 Argus Rd (Proposed)	3	Max 58	1,748	1,286	3,186
166 South Service Rd E (Proposed)	3	Max 59	1,606	1,191	2,998



Approved & Upcoming Developments Map

Given the above proposed developments within Midtown Oakville, it is apparent that the type of developments being proposed within the MTSA are high-rise mixed-used developments that will contribute to the anticipated growth by the region. Thus, the proposed 58-storey mixed use development aligns with the vision of the Halton Region Official Plan.

**Figure 6 – Map 1H: Regional Urban Structure**

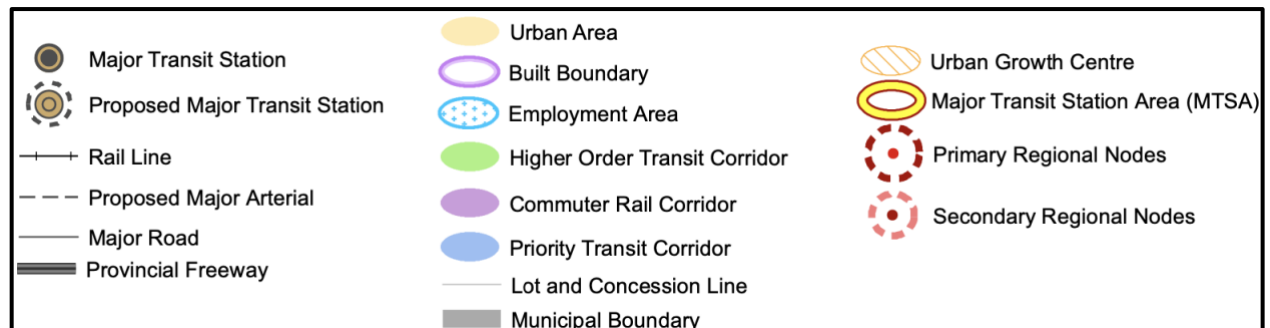
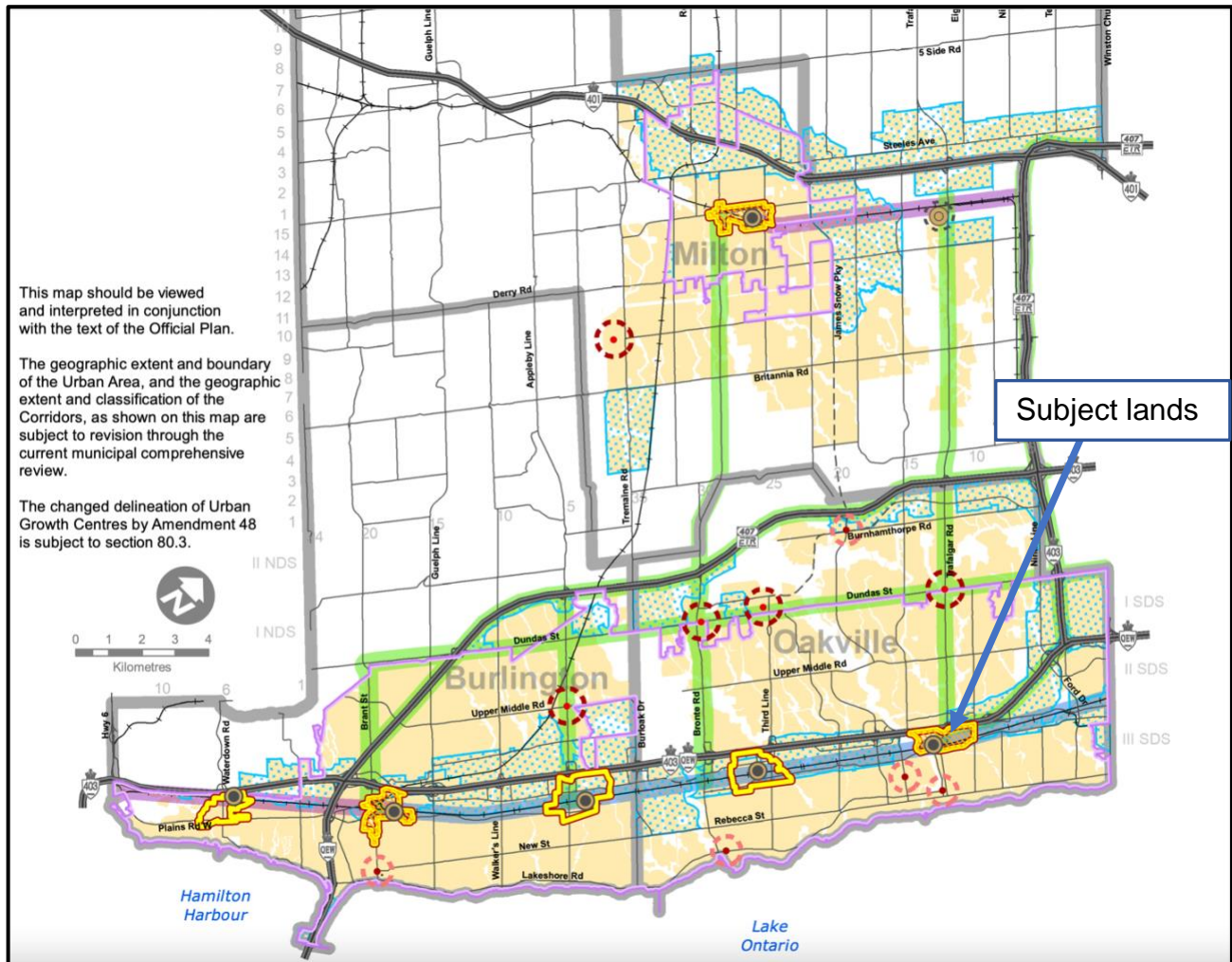
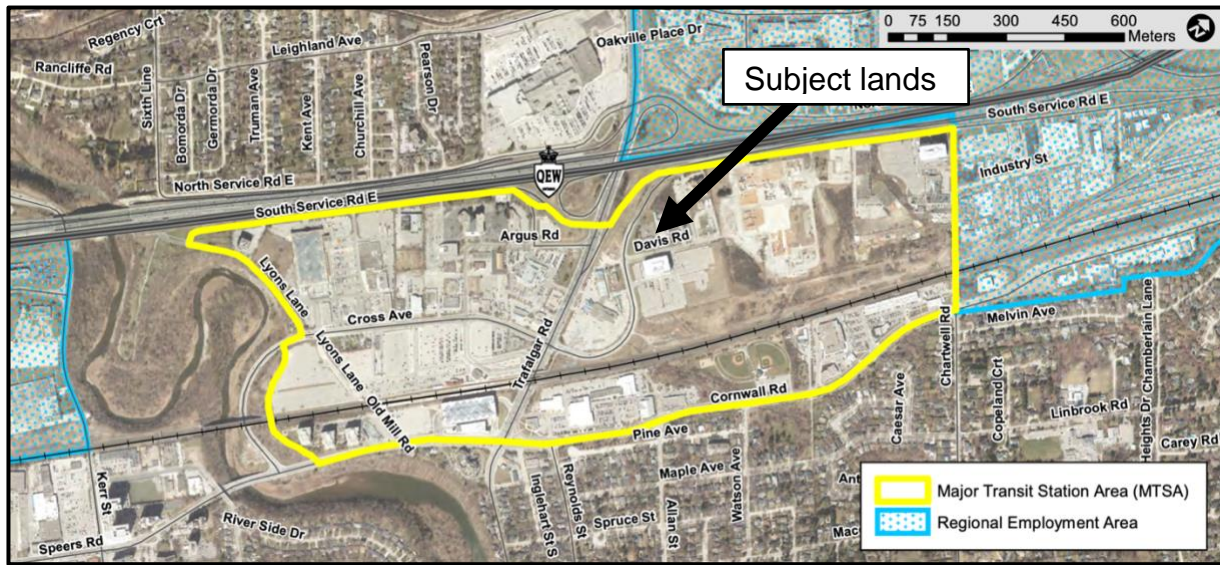




Figure 7 – Map 6a: Midtown Oakville GO UGC/MTSA





## 5.5 Town of Oakville (2009)

The 2009 Town of Oakville Official Plan – *The Livable Oakville Plan* (the “OP”) instills goals and objectives to “enhance the Town’s natural, cultural, social, and economic environments by ensuring that environmental sustainability, cultural vibrancy, economic prosperity, and social well-being are incorporated into growth and development decisions” (Section 2.1). The policies and designations set forth in this Plan will direct development for the municipality to the year 2031. It is Oakville’s vision to preserve and create a livable community, to provide choice and opportunity throughout the Town, and to minimize the Town’s ecological footprint by maximizing sustainable development. Modern strategies of safe, pedestrian oriented, interconnected, and low impact developments are the focus points of this Plan.

Moreover, the Town shall direct a significant amount of intensification in the form of residential and employment growth to appropriate lands in identified Growth Areas and along corridors as well as encourage an orderly and compact, mixed-use pattern of urban growth. Specific to the proposed development, the Town shall encourage development that will support and enhance growth goals in an efficient, sustainable, and cost-effective manner.

On September 26, 2017, Town Council adopted Official Plan Amendments for a revised Urban Structure section introduced into the Town of Oakville’s Official Plan – *Livable Oakville*. The proposed amendments provide a framework for how the town will accommodate required growth to 2041, while protecting natural heritage, open space, and cultural heritage, maintaining the character of residential areas, and directing growth to an identified system of nodes and corridors.

The Town of Oakville is currently undertaking growth area reviews which assess the town’s six growth areas and revisit the Livable Oakville Plan policies that guide their growth and change. The reviews will consider new or revised policies, as necessary, to ensure the goals and objectives of the growth areas, the Official Plan and the overall growth management framework for the town continue to be realized.

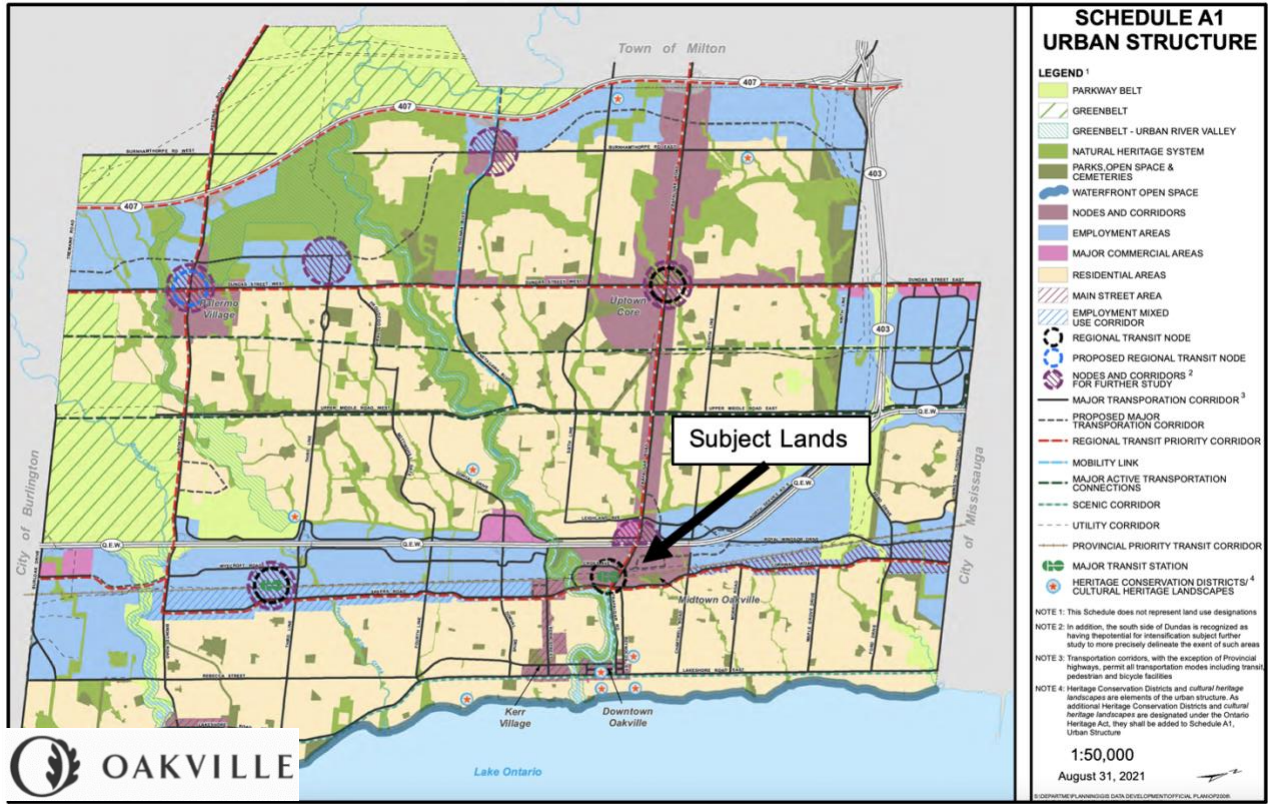
### 5.5.1 Urban Structure and Built Boundary

The urban structure sets out the framework for where and how the Town will grow and how to determine Oakville’s character and form. According to *Schedule 1A – Urban Structure*, the subject lands are located within a *Nodes and Corridors* designation, which is defined as growth areas and corridors intended for intensification.

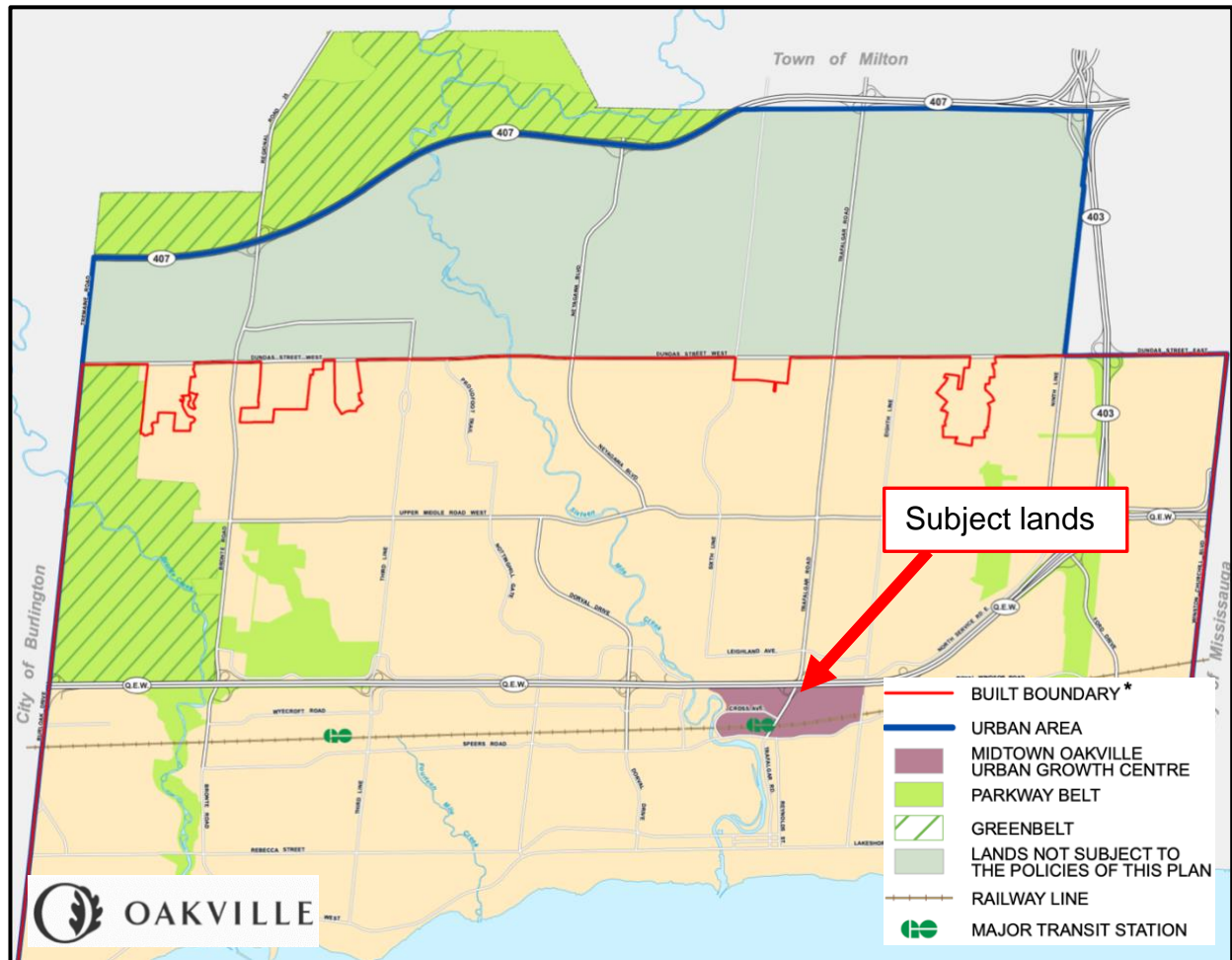
As shown on Figure 9, the subject lands are located within the *Midtown Oakville Growth Area*, and it is identified as an Urban Growth Centre in the Growth Plan and is planned to accommodate a significant portion of Oakville and Halton’s required intensification.

With the Town of Oakville becoming an increasingly desirable place to live and work, the Urban Structure sets out to build on its attributes while directing cost-efficient planning decisions with respect to growth in the identified *Nodes and Corridors*. The OP refers to this designation as *Growth Areas* and is meant to focus on mixed-use development and intensification. *Schedule A2 – Built Boundary & Urban Growth Centre* identifies the subject lands within the *Midtown Oakville Urban Growth Centre* (see Figure 9).

**Figure 8 – Schedule A1 Urban Structure**



**Figure 9: Schedule A2 – Built Boundary & Urban Growth Centre**



### 5.5.2 Managing Growth and Change

Section 4 of the OP provides a framework regarding the Town’s growth and intensification goals with a scope to the year 2031. The table seen below illustrates a 25-year forecast of population and employment growth.

Year	Population	Employment
2006	165,000	82,000
2031	255,000	127,000

Table 2

Based on the forecasts illustrated above, the Town of Oakville is anticipating 90,000 new residents and 45,000 employment opportunities within the designated growth areas.

The OP describes that Midtown Oakville will accommodate the highest level of intensification and is intended to be developed as mixed-use centres with transit-supportive infrastructure and a focus around major transit station areas and along corridors.

As mentioned, the subject lands are located within one of three primary growth areas – Midtown Oakville and will be subject to higher levels of intensification. Midtown Oakville is also designated as an urban growth centre set forth by the Growth Plan and will be utilized as a primary intensification area. The Town endeavors to create a minimum density of 200 jobs and residents combined per hectare by 2031.

The proposed development aligns with the intent and purpose of the plan as the proposed development will assist the Town to achieve the growth targets. Being positioned within a Major Transit Station Area and along a designated corridor, the subject lands will facilitate efficient pedestrian movement required in a highly dense area. The proposed mixed-use building will boast employment opportunities via retail, office space, and the building’s hospitality needs. In addition, 53 stories of residential units will yield approximately 660 future residents to the community.

### 5.5.3 Midtown Oakville Regulations

As shown on Figure 10, the subject lands are located within the *Trafalgar District* of the Midtown Oakville Urban Growth Centre and is currently designated as *Office Employment*. According to section 20.2 of the Plan, Trafalgar District is envisioned to be a mix of office, civic, cultural, recreational, and public uses, as well as a place that creates an environment that supports and encourages walking in Midtown Oakville. Section 14.3.1 of the Plan further describes that permitted uses in *Office Employment* areas include, major offices, hotels, public halls, light industrial uses, training facilities, and commercial schools. While convenience retail, accessory retail, and service uses (i.e., restaurant) are permitted, they must be in conjunction with permitted use.

Furthermore, the subject lands are provisioned to permit a building height of 6-12 storeys, as per Schedule L2 of the Oakville Official Plan (see Figure 11). Lastly, as shown on Figure 12, a future QEW off-ramp underpass is envisioned by the Town of Oakville which will result to road realignment of Cross Avenue and Davis Road, and fragmentation of the subject lands into non-developable parcels.

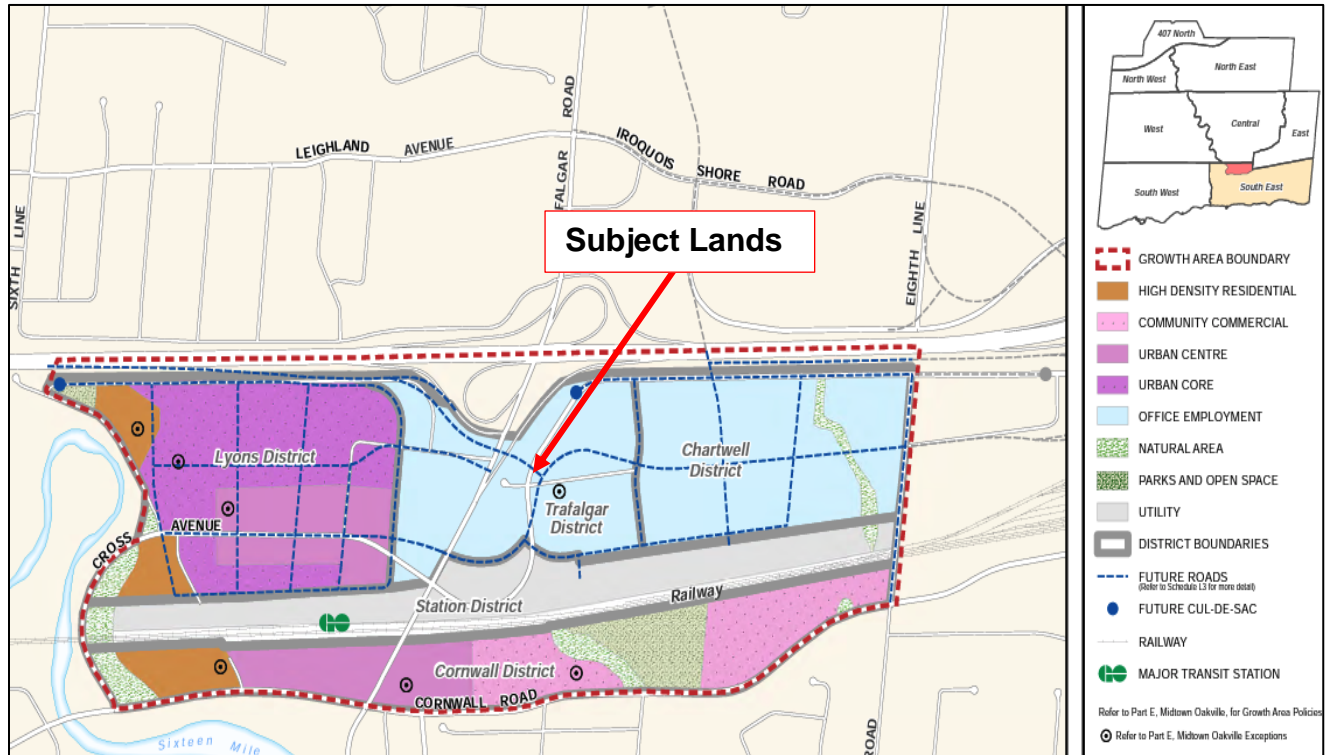
Given the current land use designation and permission to the subject lands, an amendment to the in-effect Official Plan is required to facilitate the proposed mixed-use high-rise development. The following amendments to the in-effect Official Plan are as follows:

- To delete and replace Schedule L1 – Midtown Oakville Land Use (2021), by redesignating the Subject Lands from ‘Office Employment’ to ‘Urban Core’;
- To delete and replace Schedule L2 – Midtown Oakville Building Heights (2021) and permit a development with 4 to 10 FSI;
- To delete and replace Schedule L3 – Midtown Oakville Transportation Network (2021) to permit to retain the existing road alignment of Cross Avenue and Davis Road, and to reallocate the planned QEW off-ramp underpass for the facilitation of the proposed mixed-use high-rise development on the Subject Lands.

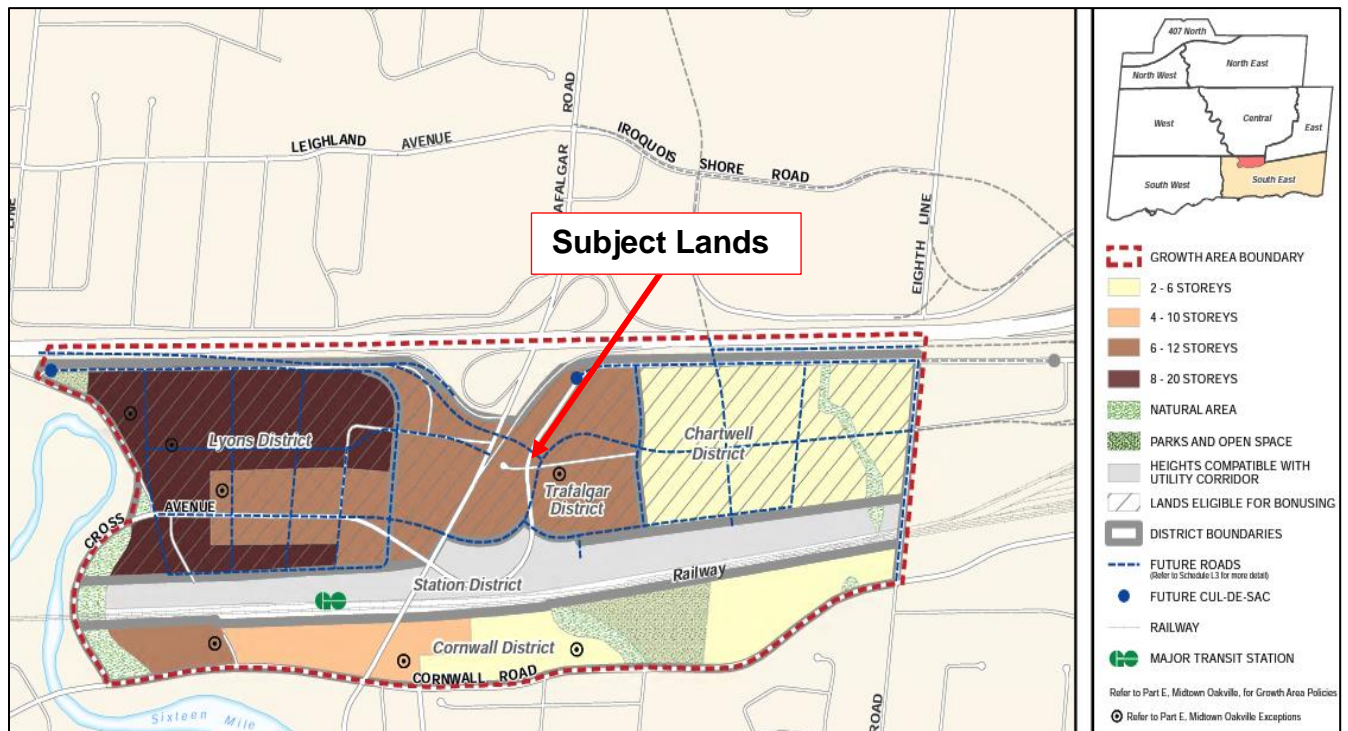
As part of this submission, a draft Official Plan Amendment and Schedules are enclosed to support our proposed mixed-use development.



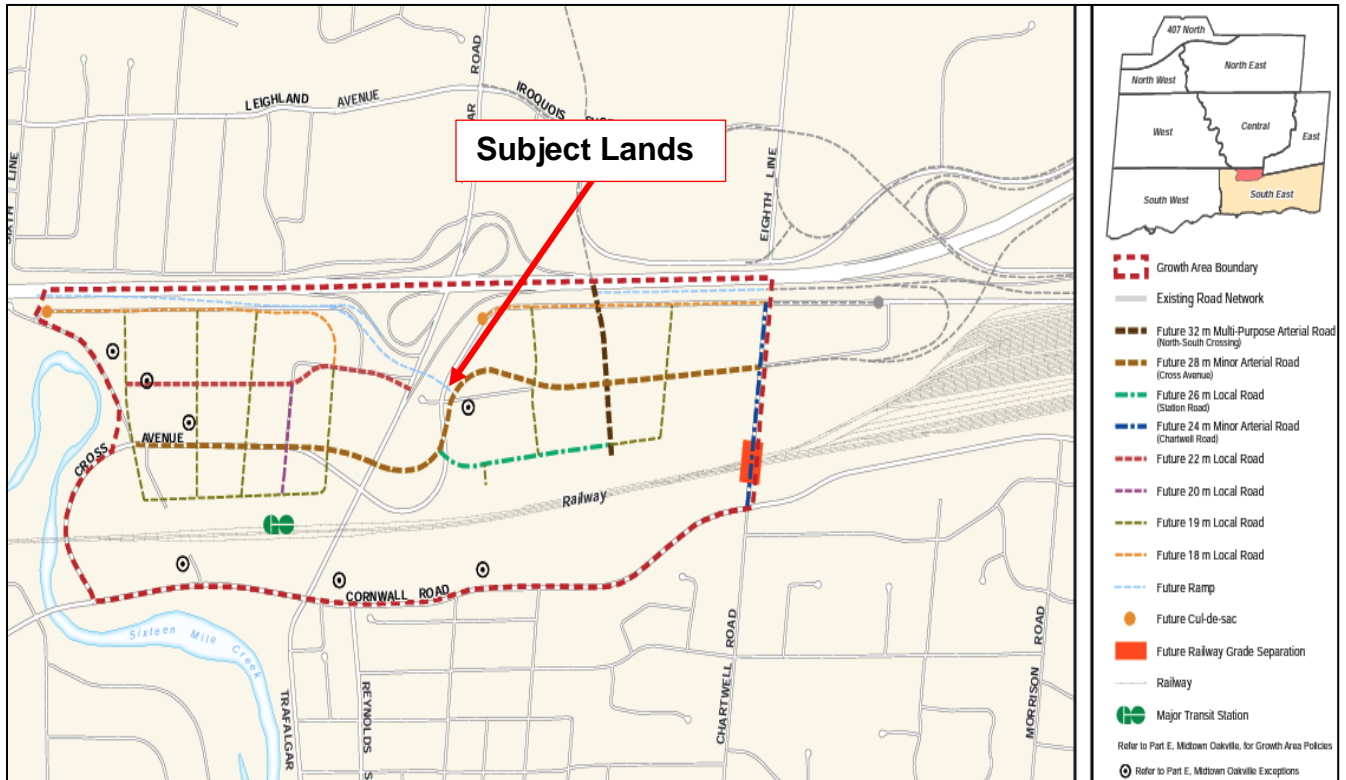
**Figure 10: Schedule L1 – Midtown Oakville Land Use**



**Figure 11: Schedule L2 – Midtown Oakville Building Heights**



**Figure 12: Schedule L3 – Midtown Oakville Transportation Network**



## 5.6 Draft Midtown Oakville Growth Centre (MOGC) (May 12, 2022)

The Town of Oakville is undertaking a new proposed official plan amendment (OPA) to the Livable Oakville Plan to implement the findings of the Midtown Oakville Growth Area Review by updating the land use policies and mapping related to Midtown Oakville, the town's urban growth centre.

In February 2021 a draft of the Midtown Oakville OPA was first released. The current 2022 Draft Midtown Oakville OPA replaces the 2021 Draft Midtown Oakville OPA presented at the Special Planning and Development Council meeting of March 22, 2021.

The subject lands are located within the Midtown Oakville Growth Centre which is planned to boast a significant amount of intensification as required by the Town as well as the Region. The Midtown Oakville Growth Centre (the "MOGC") consists of approximately 103 hectares of land and hosts the Oakville Go/VIA Station, a protected Major Transit System as identified by the Province.

It is our intention of this report to describe how the proposed mixed-use development aligns with the draft Midtown Oakville policies and to encourage the Town to strongly consider the realignment of the new proposed road that will allow the Subject lands to contribute to the intensification vision of the Town and Region.

The following are the draft policies in the Midtown Oakville that applies to our proposed mixed-used development:

### *Section 20.2 Objectives*

#### *20.2.1 To create a vibrant, people-oriented, transit-supportive and urban complete community by:*

- a) providing a mix of residential, commercial and employment uses, and public services facilities, complemented by public open spaces and public art, to attract different users throughout the day and year-round;*
- b) ensuring a high standard of urban design and architectural quality for development and the public realm that complements and contributes to the vitality of both Midtown Oakville and the Town;*
- c) providing an appropriate transition in density within the Midtown Oakville from the highest concentration, mix and massing of uses and building north of the railway toward the neighbouring areas to the south and east;*
- d) facilitating public investment in transit, infrastructure and public service facilities to support future growth; and*
- e) promoting the use of district energy and sustainable building practices.*
- f) directing major office and appropriate large scale institutional development to Midtown Oakville*

#### *20.2.2 To create transit-supportive communities by:*

- a) ensuring the entire area is developed as pedestrian-oriented and active transportation environment;*
- b) improving connections through Midtown Oakville year-round for public transit, pedestrians, cyclists and vehicles; and,*



- c) promoting a compact urban form with higher density and higher intensity land uses while providing a high-quality, pedestrian-oriented public realm.*

*20.2.3 To enable the evolution of Midtown Oakville as an urban growth centre and the Town's primary growth area by:*

- a) planning for a minimum gross density of 200 residents and jobs combined per hectare – a minimum of 20,600 residents and jobs – in accordance with the Growth Plan;*
- b) ensuring that development occurs in a comprehensive and progressive manner by monitoring key development indicators and regular intervals.*

The objectives set forth in Section 20.2 of the Official Plan presents a concise framework of policy relating to people oriented urban design, transit-supportive infrastructure, and population and employment growth targets.

The proposed development is strategically located and has been designed to complement and even enhance these objectives to its fullest potential. The proposed mixed-use building will boast a total of 388 residential units of various sizes while also offering employment opportunities via retail, restaurant, and office spaces. The proposed mixed-use development will yield a density of 9.75 FSI which fits just below the maximum desired FSI of 10.0 as set forth by the Town. The proposed mixed-use development will be highly transit supportive and will accommodate anticipated population and employment growth and, in turn, assist the Midtown Oakville to achieve its minimum density target of 200 residents and jobs combined by the year 2031.

As displayed in the architectural package prepared by Studio VMA, the proposed building satisfies the goals of the MOGC Urban Design, and in fact, provides a standard for future development. Lastly, the enhanced pedestrian level design will facilitate a public realm that can be utilized at all times of the day and throughout the year.

#### *20.3.2 Population and Employment*

- a) In accordance with the Growth Plan, Midtown Oakville has been planned to achieve a minimum gross density of 200 residents and jobs combined per hectare by 2031. Based on its gross area of 103 hectares, this translates to a minimum of 20,600 residents and jobs.*
- b) An overall mix of approximately 7,875 residential and a gross floor area ranging from 165,000 to 510,000 square metres of retail, service commercial and employment space should be accommodated to provide for a minimum of approximately 13,390 residents and 7,210 jobs.*

As stated earlier, the proposed development is to be constructed with great consideration toward the Town's population and employment aspirations. The proposed mixed-use building will view as a main feature within the Urban Core of the MOGC and will boast opportunities and accommodations for population and employment growth while maintaining a sleek, pedestrian-oriented design.

### 20.3.3 Public Realm

- a) *The Public realm shall incorporate networks of accessible, interconnected and predictable pedestrian-oriented spaces and routes that enhance walkability year-round, reinforce the surroundings and provide quality spaces for public life.*
- e) *The public realm shall include trees and landscaping, lighting, furnishings, urban amenities, wayfinding and public art that enhance the local context and create a sense of identity.*
- g) *Streetscapes shall reinforce the active pedestrian-oriented environment and provide a seamless interface between the public and private realms.*
- h) *As the Town's urban growth centre, Midtown Oakville will draw residents, employees and visitors from local and regional origins on a daily basis. Gateways provide a sense of arrival and identify a significant place. Gateway elements should be strategically positioned at the following locations:*
  - iii) *at the eastern and western edges of Midtown Oakville along the QEW/Highway 403.*

The public realm policies listed above provide a concise and transparent direction that the MOGC will embody. The proposed development has been planned and designed to accommodate these policies to the fullest extent in order to fit and transition cohesively to provide what the Town is envisioning. The mixed-use nature of the proposed building has been designed to provide potential of becoming a key fixture of the Urban Core within the MOGC as seen in the enclosed architectural package by SVMA.

### 20.3.4 Midtown's Main Streets

- a) *Overtime, Cross Avenue west of Trafalgar and Davis Road shall become active urbanized main streets that form the cultural spines of the Midtown neighborhoods north of the railway and emphasize the movement of pedestrians, cyclists, transit vehicles, and goods transport while continuing to accommodate cars.*

The draft OPA describes that Davis Road shall become an active urbanized main street that is to become a spine of the Midtown neighborhood. Realigning Davis Road would reverse this intention and designating the lands to Parks and Open Space does not guarantee active pedestrian activities and vibrant public realm. The proposed designation undermines the potential of the subject lands to not only contribute to the density and intensification target but also to not achieving a transit-oriented and complete community that the Official Plan is envisioning.

The proposed mixed-use development facilitates the urbanization of main street by contributing to the beautification of Davis Road through proposed landscaping and streetscape features supplemented by retail uses aboveground. The proposed retail commercial fronting Davis Road will create an active frontage which will encourage pedestrian activities. The proposed commercial uses will be designed to complement its streetscapes to enhance the public realm.

### 20.3.5 Transportation

*The role of streets in the success of Midtown Oakville – as an important component of the public realm – cannot be underestimated. They not only facilitate multi-modal movement year-round, but provide valuable frontage for development and the setting for the range of*

*uses and activities that define Midtown Oakville. A fine-grain grid of streets will be fundamental to encouraging active transportation, which in turn promotes transit use.*

- a) Significant road, transit and active transportation infrastructure. As shown on Schedules C, D, and L3, is needed to accommodate the growth the Town is required to achieve in Midtown Oakville. Certain existing roads or road segments shall be abandoned, realigned, widened, extended or replaced in accordance with this Plan.*
- b) The Town may secure rights-of-way on alignments as shown on Schedules C, D, and L3 through the planning approval process. Final rights-of-way shall be consistent with Schedules C, D, and L3, and environmental assessments where required, and the planning approval process.*
- c) The provision of future roads and other transportation infrastructure shall be coordinated as development progresses to ensure that transportation infrastructure is provided for new residents and employees in a timely manner.*
- f) The design of existing and new roads in Midtown Oakville shall prioritize year-round walking, cycling and transit use.*

The proposed development fronts Davis Road. As illustrated on Schedules L1, L2, L3, and L4, the new road realignment dissects the subject lands into two undevelopable parcels. We understand that there is a perceived need to realign Cross Avenue for better urban mobility in Midtown Oakville. However, the proposed extension of Cross Avenue would result in a potential expropriation of lands which will unnecessarily fragment the land and would undermine the development potential of the area and will be counter-productive to the achievement of the land use and density objectives prescribed for this MTSA.

Utilizing the existing Davis Road network will be more efficient and effective road alignment as this will utilize existing municipal infrastructures and will allow for opportunities for potential development on lands which would otherwise be compromised or expropriated, such as the subject lands and/or those located at the north side of Davis Road. The proposed development will capitalize on this opportunity and provide a mixed-use development that meets and enhances the goals and objectives that the Town envisions. A road network that would allow the proposed development to proceed would facilitate the adjacent properties and developments to cohesively exist through a pedestrian-friendly and transit-oriented MOGC.

Furthermore, this alternative option would maintain a grid network of streets which would be more attractive and encouraging to pedestrians and non-automobile forms of transportation navigating the urban area as envisioned in the Midtown Oakville Secondary Plan. Further, by maintaining the existing road network, it would allow the future developments of lands along Davis Road to achieve density targets more expeditiously through the creation of regular size and shape parcels.

#### *20.3.7. Built Form*

*The Tallest Buildings in Oakville will be located in Midtown Oakville and will be designed to ensure that the objectives for creating the community envisioned by this Plan are achieved.*

*In addition to the policies in Section 6, Urban Design, of this Plan, the following policies apply specifically to Midtown Oakville. They provide direction to ensure that buildings in Midtown Oakville incorporate distinctive architecture that contributes to a unified sense of identity for the area.*

- a) *It is intended that some of the Town's tallest buildings will be in Midtown Oakville. These buildings shall be designed to the highest architectural quality and detail to create landmark buildings that foster an active pedestrian environment and contribute to a distinct skyline.*
- b) *Buildings shall incorporate distinctive architecture, contribute to a sense of community identity and to be positioned on an oriented towards the street frontage(s) to provide interest and comfort at ground level for pedestrians.*
- c) *Buildings shall be designed and sited to maximize solar energy, ensure adequate sunlight and skyviews, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows.*
- d) *Multiple towers within a block, development site, or within close proximity to each other on abutting sites should vary in height from one another by a minimum of 25 metres in order to create variation in building height and a distinct skyline.*
- e) *A building height peak should be created within Midtown to facilitate a desirable skyline, with buildings closest to the Oakville Go Station, north of the railway, being the tallest buildings within Midtown Oakville.*
- g) *For buildings greater than 12 storeys in height (tall buildings), the floorplate for each residential tower (the portion of the building above the base or podium) shall ensure a slender tower profile to minimize shadow impacts, maximize sun exposure and enhance the Midtown Oakville skyline.*

As mentioned, the design and structure of the proposed mixed-use building takes into account the goals and guidelines emphasized by the Town. The design team at SVMA Architecture have furnished and re-furnished multiple renderings of the proposed building that reflect the needs and desires of the MOGC policies. With increases to height and density minimums, the proposed development is advantageously located close to the Oakville Go Station and is north of the railway which permits for the tallest buildings of the entire growth area. The subject property is also located close to the eastern edge of the MOGC and thus will be one of the first buildings seen on the QEW travelling west and one of the last seen on the QEW travelling east. It is therefore essential that the proposed building reflects the built-form guidelines of the Town and creates a sought-after skyline.

Given the above, it is equally significant to maintain an optimal pedestrian experience at ground level by ensuring a welcoming, safe, and accessible street network. As mentioned, greater detail on the technical aspects of the above policies can be seen in SVMA's submitted architecture package, including a shadow impact analysis. In addition, a microclimate/ windy study has been prepared by RWDI for the Town's review.

#### *20.3.8 Development Density*

- a) *minimum and maximum density, expressed as floor space indices (FSI), shall be permitted in accordance with Schedule L2 and the policies of this Plan, which may permit additional density.*
- e) *Notwithstanding subsection (a) above, on lands designated Urban Core north of the railway, the following floor areas shall be exempt from the calculation of floor space index when determining compliance with the density maximums shown on Schedule L2:*
  - i) *the net floor area of affordable units;*

- ii) 50 percent of the net floor area of a 3-bedroom units designed specifically to accommodate households with children and located in a building specifically designed to accommodate households with children;*
- iv) the floor area of bicycle parking and bicycle maintenance; and,*
- v) the net leasable floor area of office space provided above the ground floor within a residential mixed use building, to a maximum of the equivalent floor area of 2.0 FSI;*
- f) No building in Midtown shall exceed a maximum height of 255 metres, where the density permitted in accordance with this Plan allows for buildings of this height.*

The proposed development is set to provide an FSI of 9.75 which will help accommodate the density targets of the Plan. Since the proposed mixed-use building is located north of the railway in the Urban Core Zone, the building will utilize the allowances given to increase densities based on the sub-policies noted above. The proposed development will have a peak height of 175.5m which will require relief from Zoning By-law 2014-14.

#### *20.3.9 Housing*

- a) Within Midtown Oakville, residential development should include:*
  - i) a range of building types, and unit types and sizes, to accommodate a variety of households, including those with children;*
  - ii) amenities designed specifically for households with children;*
  - iii) affordable housing;*
  - iv) purpose-built rental housing;*
- b) Residential developments should be designed to include:*
  - i) balconies or terraces;*
  - ii) common outdoor amenity areas;*
  - iii) common indoor amenity areas;*
  - iv) operable windows; and,*
  - v) storage for use by unit occupants.*
- c) Affordable housing and Inclusionary Zoning*
  - i) An inclusionary zoning framework should be established for the Midtown Oakville protected major transit station area.*
  - ii) An inclusionary zoning framework shall be informed by an assessment report prepared in coordination with Halton Region.*
  - iii) the assessment report may inform the development of a Town-initiated official plan amendment for Midtown Oakville including:*
    - An affordable housing target, as applicable; and,*
    - The minimum number of affordable housing units and/or the minimum gross floor area of affordable housing required within residential and mixed use buildings, as applicable.*

The proposed development has been designed to offer a variety of residential options from apartment units at a minimum size of 531 squared feet to a maximum of 1,101 squared feet. The proposed units will range from one bedroom to three-bedroom units that will accommodate the socio-economic needs in Oakville. The design of the units will include all necessary amenities such as balconies, windows, storage units etc. and will be done so to enhance the building's optics as part of the MOGC Urban Design guidelines. Details of the dwelling sizes and floor plans can be seen in the submitted architecture package prepared by SVMA.

### 20.3.12 Stormwater Management

- a) *Development within Midtown Oakville shall be required to implement stormwater management techniques in accordance with the policies of the Plan and the recommendations of the following studies and any other subsequent studies or updates:*
  - iii) *Midtown Oakville Class Environmental Assessment, 2014*

A Functional Servicing and Stormwater Management Report prepared by Crozier Consultants Inc. is enclosed in this submission. The report will demonstrate that the proposed development can be developed in accordance with the Town of Oakville (the Town), Region of Halton (the Region) and Ministry of Transportation (MTO) guidelines and standards from a fire and domestic water, wastewater, and stormwater management perspective.

### 20.3.13 Parking

- a) *Reduced and maximum parking standards shall be considered in the implementing zoning.*
- b) *North of the railway, structured parking above grade that abuts a road other than a local road shall incorporate permitted commercial, office or residential uses between the exterior wall and the area designated for parking.*
- c) *Surface parking should generally not be provided as part of redevelopment in Midtown. Where surface parking is provided:*
  - i) *Surface parking shall primarily be visitor parking and/or short-term, temporary parking.*
  - ii) *Surface parking shall be located in the side or rear yard and the visual impact shall be mitigated by a combination of setbacks and landscaping in accordance with the Livable by Design Manual, which includes the Designing Midtown document.*
- d) *Shared parking facilities shall be encouraged.*
- e) *Implementation of the Midtown Parking Strategy shall be undertaken.*

As shown on the concept site plan and building floor plans, parking spaces including are provided via underground parking and above ground parking. A parking review was included in the analysis within the Transportation Impact Analysis prepared by Crozier. The review of the parking spaces shows that proposed spaces satisfy the proposed development.

Given the policy analysis and justification to the relevant Official Plan draft policies, it is our professional opinion that the proposed amendment to the Official Plan to facilitate the mixed-use development on 349 Davis Road is appropriate and aligns with the overall vision of the OP. It is evident that the proposed mixed-use development maintains the intent and purpose of the draft Midtown Oakville Growth Centre (May 12, 2022). The proposed mixed used development will contribute to a vibrant, people oriented and transit supportive development. The proposed development will assist in achieving a complete community where people are able to live, work and play in a walkable, mixed-used neighborhoods connected to the rest of Oakville.

### Road Realignment: QEW Off Ramp and South Service Road Reconfiguration

Although, it is determined through the above policy analysis that the proposed development aligns with the intent and purpose of the new draft Official Plan for the Midtown Oakville Growth Centre

(2022), further analysis of the proposed Schedules for the MOGC (2022), does not allow the facilitation of the proposed development.

As shown on Schedule L1 Midtown Oakville Land Use the subject lands are partially designated as Urban Core, and Parks and Open Space. The proposed schedules also show that the Town's new road configuration is proposed to dissect the subject lands creating two undevelopable parcels and to be designated as "Urban Core", and "Parks and Open Space". The fragmentation of the lands makes it unsuitable for the proposed mixed-use development.

To this effect, we are respectfully requesting the Town of Oakville to amend the draft Midtown Oakville Growth Area OPA to realign the new proposed road extension to utilize the Davis Road alignment and maximize development opportunities on the subject lands and to designate the lands into Urban Core to facilitate the proposed mixed-use high-rise development.

The proposed extension of Cross Avenue will result in the land fragmentation and eventual expropriation of the subject lands which would undermine the development potential of the subject lands. Crozier Engineering has prepared a Transportation Impact Study in support of the proposed mixed-use development located at 349 Davis Road. Crozier evaluated the transportation related impacts of the proposed development on the boundary road network and determined that the development can be accommodated within the existing road network with no negative impact.

The Transportation Impact Study was completed in accordance with the Region of Halton Transportation Impact Study Guidelines (January 2015) and the General Guidelines for the Preparation of Traffic Impact Studies (MTO, February 2021). As confirmed with the MTO, Region, and Town, the study assessed the following study intersections:

- Trafalgar Road and QEW westbound ramps / North Service Road East
- Trafalgar Road and QEW eastbound ramps
- Trafalgar Road and South Service Road East / Cross Avenue
- Trafalgar Road and Cornwall Road
- South Service Road East and Davis Road

The development proposal does not conform to the plans identified in the Midtown Oakville Class Environmental Assessment (MOCEA). Therefore, most improvements outlined in the MOCEA were not considered in the analysis herein. However, in the 2035 horizon analysis, the QEW eastbound off-ramp identified in the MOCEA was added to the South Service Road East and Davis Road intersection, as requested by Town staff.

Traffic Generation Chart

Intersection	Control	Level of Service		
		2025	2030	2035
Trafalgar Road and QEW WB ramps / North Service Road E.	Signal	C	C	C (AM) D (PM)
Trafalgar Road and QEW EB ramps	Signal	C	C	C (AM) E (PM)
Trafalgar Road and South Service Road East / Cross Avenue	Signal	D	D	D
Trafalgar Road and Cornwall Road	Signal	C (AM) D (PM)	C (AM) D (PM)	D
South Service Road East and Davis Road	Signal and Stop (Minor)	B	B	B (AM) A (PM) and C (AM) B (PM)
South Service Road East and 320 Davis Road Access	Stop (Minor)	-	-	B
<b>Davis Road and Site Access</b>	<b>Stop (Minor)</b>	<b>A</b>	<b>A</b>	<b>A</b>

The above study intersections are forecast to have some exceeding critical volume-to capacity thresholds and turn queues occasionally exceed the turn storage lanes and adjacent travel lane during the peak hours. These findings are consistent with previous traffic studies such as the MOCEA and the Olde Oakville Transportation Study.

The boundary road network is expected to operate adequately into the 2035 ultimate horizon year. The addition of site generated traffic to the boundary road network is not expected to materially impact traffic operations. Therefore, the proposed development is supportable from a traffic operations perspective. The traffic generation in the area is minimal and does not warrant the extension of Cross Avenue. The traffic generated from the proposed residential development will not materially impact the operations of the boundary road network. The Official Plan Amendment and Zoning By-Law Amendment (ZBA) applications for the 349 Davis Road residential development can be supported from a traffic operations perspective as the boundary road system can accommodate the minor increase in traffic volumes attributable to the proposed development. On March 2, 2023, a Public Information Meeting was held and facilitated by Corbett Land Strategies Inc. to formally introduce the proposed mixed-use high-rise development to the public. The concerns raised at the meeting were regarding the existing traffic situation along Trafalgar Road and towards Downtown Oakville. In response to these concerns, a separate traffic analysis was conducted to accurately characterize the impacts on traffic with and without the underpass off-ramp.



**Table 29: Traffic Operations – QEW EB off-ramp at Trafalgar Road**

Scenario	Peak Hour	Level of Service <sup>1</sup>	Control Delay	V/C ratios <sup>2</sup>
Scenario 1 MOCEA Volumes with underpass off-ramp	A.M.	D	53.3s	<b>1.01 (EBR)</b> <b>0.94 (SBT)</b> 0.87 (NBT) 0.30 (EBL)
	P.M.	C	24.9s	<b>0.82 (EBR)</b> 0.74 (NBT) 0.55 (EBL) 0.51 (SBT)
Scenario 2 MOCEA Volumes without underpass off-ramp	A.M.	E	77.4s	<b>1.06 (EBR)</b> <b>0.99 (SBT)</b> <b>0.92 (NBT)</b> 0.31 (EBL)
	P.M.	C	25.3s	<b>0.82 (EBR)</b> 0.74 (NBT) 0.55 (EBL) 0.52 (SBT)
Net Change	A.M.	-1 LOS	+24.1s	<b>+0.05 (EBR)</b> <b>+0.04 (SBT)</b> <b>+0.05 (NBT)</b> +0.01 (EBL)
	P.M.	No change	+0.4s	+0.01 (EBL)
Scenario 2 with an additional auxiliary right-turn lane improvement	A.M.	C	26.1s	<b>0.81 (EBR)</b> 0.67 (SBT) 0.62 (NBT) 0.41 (EBL)
	P.M.	C	20.6s	0.73 (EBL) 0.62 (NBT) 0.58 (EBR) 0.43 (SBT)

Note 1: The 2030 Future Total Traffic Analysis used a number of different analysis assumptions than the MOCEA, and should not be considered as representative or comparable to the MOCEA without underpass scenario.

As shown on Table 29 found in the TIS report, the intersection of Trafalgar Road and QEW EB off-ramp is projected to operate without material change in level of service in the p.m. peak hours, with or without the underpass off-ramp. Although it is showing that there is an expected delay at 24.1 s for the scenario without the underpass off-ramp, the projected p.m. peak hour operations in the 2031 horizon under both scenarios is typical for the peak commute hours of a high volume major arterial and highway off-ramp intersection, operations are expected to be better during the rest of the day. Furthermore, as depicted above, the implementation of a second auxiliary right-turn lane, operations can be greatly improved in the future with the subject improvement without need for the MOCEA underpass off-ramp.

Given the above, it is our opinion that the impact of the proposed road realignment is significant and includes the following:

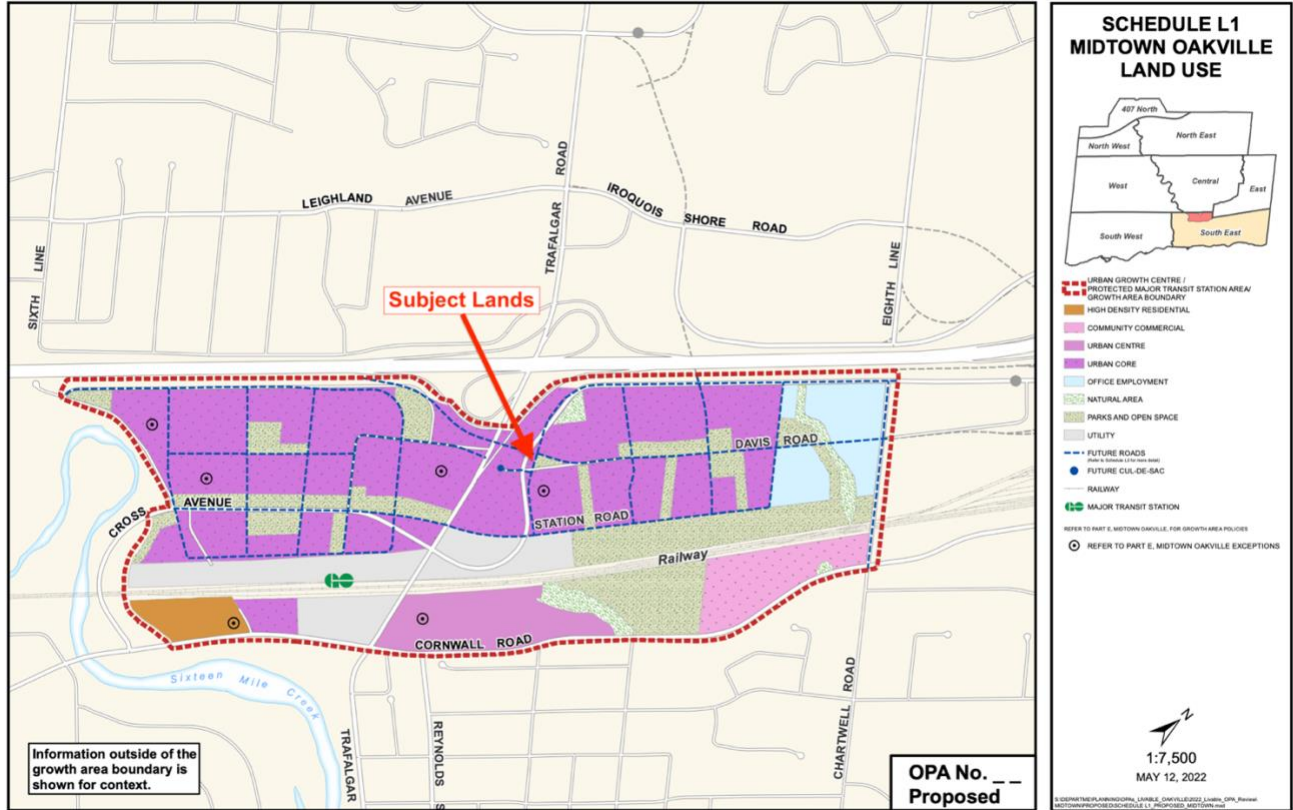
- The proposed extension will impede the development that is now highly desired by the Secondary Plan. It is imperative that a Cost Benefit Analysis is provided that will show the feasibility of the extension to the site (i.e., does the cost of the new infrastructure yield traffic efficiencies that outweigh the benefits of new development that is impacted);

- The proposed extension will create land fragmentation which will greatly undermine the development potential of the area.
- The proposed realignment is not necessary based on our conducted traffic study. The traffic generation in the area as a result of development is minimal and does not warrant the extension of Cross Avenue.

We request planning staff to consider utilizing the existing Davis Road alignment for the proposed extension to be more efficient and sustainable as this alternative option will utilize existing municipal infrastructures. Lastly, as shown on the above findings on Table 29, we request that the MTO explore adding a second right-turn storage lane to the QEW eastbound off-ramp connection to Trafalgar Road in the future (i.e., beyond 2030) if traffic volumes follow the pattern forecast by the MOCEA. Such an improvement would be significantly less complex and cost effective than the potential MOCEA underpass off-ramp improvement.

Please refer to **Appendix A** to see the alternatively proposed road alignment structure for the Midtown Oakville Growth Area.

**Figure 10 – Schedule L1 Midtown Oakville Land Use**



## 5.7 Town of Oakville Zoning By-law 2014-01

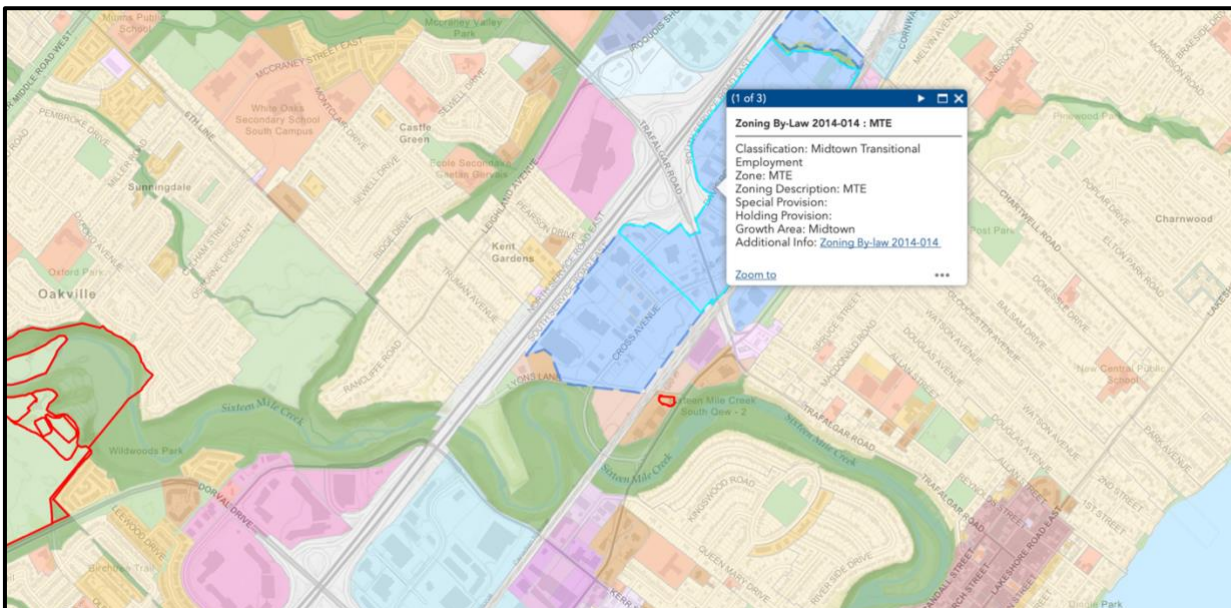
The Town's Zoning By-law is a comprehensive guide that regulates how and where buildings are used for much of the Town. The Zoning By-law complements the visions and goals set forth by the Official Plan by providing terms, permissions, and quantifiable measures for Livable Oakville's implementation.

The subject lands are zoned *MTE* and classified as *Midtown Transitional Employment* as shown in Figure 11. Section 7.2 of the Town's Zoning By-law provides the permitted uses in this zone as well as additional regulations denoted by the number 3 whereas "*Permitted only within the same building or part thereof used by any other use not subject to this footnote. A maximum of 20% of the net floor area of the building shall be cumulatively occupied by all uses subject to this footnote*". The relevant permitted land uses include:

- Outside display and sales area;
- Retail store (3);
- Business office; and
- Medical office

As the proposed development is mixed-use in nature, the above permitted uses support the proposed retail and office use portions of the building. As part of this submission, a Zoning By-law Amendment Application will be included to permit the use of residential purposes. This would facilitate the need for increased population density to fit the population goals of the MOGC.

**Figure 11 – Oakville Zoning By-law Interactive Map**



## 6.0 DRAFT OFFICIAL PLAN AMENDMENT

The purpose of this Amendment to the Livable Oakville Plan is to amend the provision of the Official Plan respecting the lands located within the Midtown Oakville Urban Growth Centre. This amendment seeks for approval for the road alignment of Davis Road and Cross Avenue and to redesignate a portion of the lands from 'Parks and Open Space' to 'Urban Core' to allow for the redevelopment of the site.

The Livable Oakville Plan is hereby amended as follows:

<b>Item No.</b>	<b>Section Midtown Oakville</b>	<b>Description of Change</b>
1.	Schedule L1	Deleting and replacing Schedule L1 – Midtown Oakville Land Use (2021), by redesignating the portion of the Subject Lands from 'Office Employment' to 'Urban Core' as shown in the attached hereto as Schedule A.
2.	Schedule L2	Deleting and replacing Schedule L2 –Midtown Oakville Building Heights (2021), by reallocating 4.0 to 10 FSI on the Subject Lands as shown in the attached hereto as Schedule B.
3.	Schedule L3	Deleting and replacing Schedule L3 – Midtown Oakville Transportation Network (2021), by retaining the existing Davis Road and Cross Road alignment and realigning the QEW off-ramp underpass.

## 7.0 DRAFT ZONING BY-LAW AMENDMENT

The following are the amendments to the Zoning By-law 2014-014”, as amended:

1. That Schedule 19(8b) to By-law 2014-014, as amended, is further amended by rezoning the lands as identified on Schedule A attached hereto from ‘Midtown Transitional Employment (MTE) Zone’ To ‘Urban Core MU4-XXX Zone’ category with site-specific provisions and Schedule B forms part of this By-law.
2. Part 15, Special Provisions, of By-law 2014-014 as amended, is further amended to include a new special provision as follows:

3.

X	349 Davis Road	Parent Zone: MU4
Map 8(b)	Part of Lot 12 Concession 3 South of Dundas Street	2022 - XXX
15.XXX.1	Additional Permitted Uses	
a)	Office Use	
b)	Rooftop terraces	
c)	Outdoor patios	
d)	A parking structure located either below or above grade	
15.XXX.2	Zone Provisions for the MU4	
The following regulations apply:		
a)	Minimum front yard	5.0 m
b)	Minimum interior side yard abutting a park and/or greenspace	5.0 m
c)	Maximum number of storeys	58 storeys
d)	Maximum lot coverage	40 %
e)	Minimum first storey height	4.5 m
f)	Maximum height (Top of Roof)	176.0 m
g)	Maximum height of a Mechanical Room	6.0 m
h)	Minimum landscape coverage	Shall not apply
f)	Where commercial/retail uses are located at grade, a minimum of one main building entrance to each unit shall be directly accessible from the public road.	

## 8.0 TECHNICAL STUDIES

### 8.1 Functional Service Report Prepared by C.F. Crozier Dated August 30, 2022.

CLS retained C.F. Crozier to conduct a Functional Service Report and Stormwater Management Report at 349 Davis Road in support of the proposed development from a fire and domestic water, wastewater, and stormwater management perspective.

The report uses the Town and Region’s literature guidelines to investigate the site’s Water Servicing, Sanitary Servicing, Drainage Conditions, and Stormwater Management. The following conclusions and recommendations from these investigations have been determined as justification for the support of the proposed development:

- Fire and domestic water supply demand for the Site is proposed to be provided using a 200 mm diameter fire line and 100 mm diameter domestic line extending from the 300 mm diameter watermain beneath Davis Road.
- Sanitary servicing for the Site is proposed to be provided with a 150 mm diameter sanitary sewer lateral installed at a slope of 2% extending from a proposed property line maintenance hole to the 300 mm diameter sanitary sewer beneath Davis Road.
- Flood mitigation strategies will be implemented for the Site through the grading design. A north property line berm and a major overland flow path will direct stormwater away from the building and underground parking area to the Davis Road right-of-way.
- Stormwater runoff from the Site will be overcontrolled and less than the of 50% of pre-development stormwater release rates and is proposed to be captured using area drains throughout the Site. The captured stormwater is proposed to be conveyed from a property line maintenance hole through a 375 mm diameter storm sewer and connect to a “Doghouse” maintenance hole installed over the 600 mm diameter storm sewer beneath Davis Road’s southeast boulevard.
- Total stormwater storage of 119 m<sup>3</sup> is proposed to be provided through a storage tank within the underground parking area to meet the minimum storage requirement of 118 m<sup>3</sup> for the Site.
- Stormwater quality control criteria for the proposed development is proposed to be met by a Jellyfish Filter to provide an enhanced level of protection as outlined by the MOE (80% removal of suspended solids from 90% of the runoff volume). The size and model of the Jellyfish will be determined during the detailed design phase of this project.
- Water balance criterion for the Site is proposed to be achieved using Low Impact Development techniques such as rainwater harvesting, green roofs, enhanced grassed swales, and enhanced topsoil. The overall water balance strategy will be determined during detailed design.

## 8.2 Transportation Impact Analysis

C.F. Crozier was retained by CLS to conduct a Transportation Impact Analysis (TIA) as well as Parking Review as summarized below.

Crozier acknowledged that the development proposal does not conform to the plans identified in the Midtown Oakville Class Environmental Assessment (MOCEA). Therefore, most improvements outlined in the MOCEA were not considered in the analysis herein. However, in the 2035 horizon analysis, the QEW eastbound off-ramp identified in the MOCEA was added to the South Service Road East and Davis Road intersection, as requested by Town staff.

### Existing Conditions

Through existing conditions, traffic volumes for the existing conditions scenario were established by retaining the higher volumes between the two data sets for every turning movement at the study intersections. It was confirmed that the overall boundary road network currently operating adequately.

### Future Conditions

For future background conditions, a horizon year of the expected full development buildout (2025), along with the five-year (2030) and ten-year (2035) horizons were used for the purposes of analysis. The following background developments in the study area were identified and accounted for under future background conditions:

- 157 Cross Avenue



- 271 Cornwall Road and 485 Trafalgar Road
- 320 Davis Road
- 166 South Service Road East (2030 and 2035 horizons only)

Analysis indicates that the study intersections along Trafalgar Road are expected to operate near capacity in the ultimate 2035 horizon with a few movements at the QEW ramp intersections operating above capacity. However, under all future background analysis scenarios, the boundary road network is forecast to operate at a LOS “D” or better during the peak hours, except at the Trafalgar Road and South Service Road East intersection, where operations are project to be a LOS “E” during the critical p.m. peak hour.

#### Site Generated Traffic

In the 2025 horizon year, the proposed development is forecast to generate 110 and 104 vehicle trips in the a.m. and p.m. peak hours, respectively. In the 2030 and 2035 horizon years, the proposed development is forecast to generate 102 and 95 vehicle trips in the a.m. and p.m. peak hours, respectively – consistent with the modal split projections provided by the regional staff. In addition, the ultimate horizon 2035 trip generation forecast projects 39 and 38 non-vehicular trips generated by the proposed development in the a.m. and p.m. peak hours, respectively.

#### Future Total Traffic Operations

Traffic operations are forecast to remain similar to their respective future background horizons. The maximum control delay increment and volume-to-capacity ratio increase compared to future background conditions at any of the study intersections is forecast to be minimal. This indicates that site traffic does not materially impact traffic operations at the study intersections. Therefore, no external road improvements attributable to the proposed development are required.

#### Site Access Safety Review

The available sight distance at the proposed site connection to Davis Road exceeds the minimum sight distance requirements and the site satisfies the minimum corner clearance and access spacing requirements. Lastly, no maneuverability constraints within the site for waste collection or fire trucks are identified.

#### Transportation Demand Management

The development proposal includes transportation demand management measures that are expected to reduce dependence on vehicle transportation, such as sidewalk connection along the north side of Davis Road to South Service Road East. This direct connection improves safety and convenience of pedestrian movement and access to the boundary roadway, transit and nearby land uses. The site additionally proposes a bicycle parking supply of 400 spaces.

#### Parking Review

The proposed parking supply of 622 spaces satisfies the Town of Oakville’s Zoning By-Law No. 2014-014 minimum vehicle parking requirements. Additionally, the site provides the required barrier free accessible parking spaces.

#### Public Information Session

Traffic related concerns were raised by some attendees of the 349 Davis Road development proposal Public Information Session conducted on March 2, 2023. Based on the traffic review in Section 10.0 focused on these concerns, the Midtown Oakville area can be served adequately without the need for the QEW EB underpass off-ramp.

### Recommendations

- The MTO and Region explore opportunities including timing plan setup adjustments and or turning movement prohibitions (as applicable) in future to increase capacity for southbound right-turn traffic on Trafalgar Road entering the QEW WB on-ramp and north Service Road.
- At the intersection of Trafalgar Road and Cornwall Road, the Region and Town explore mitigation measures such as timing plan coordination along Cornwall Road (if not already), timing plan adjustments and additional regulatory signage (e.g., do not block intersection) to limit operational and potential safety issues at the adjacent upstream intersections on Cornwall Road.
- The MTO explore adding a right-turn storage lane to the QEW eastbound off-ramp connection to Trafalgar Road in future (i.e., beyond 2030) if traffic volumes follow the pattern forecasted by the MOCEA.
- The remaining study intersections aside the proposed site access should be monitored by the Region and Town with timing plans adjusted in future for optimal operations as needed.

To conclude, it is the opinion of C.F. Crozier that the applications to amend the Official Plan and Zoning By-law to facilitate the proposed mixed-use building is supported from a professional traffic analysis perspective as the boundary road system can accommodate the increase in traffic volumes attributable to the proposed development.

### **8.3 Environmental Site Assessment Phase 1**

A Phase 1 Environmental Site Assessment (ESA) was conducted by Soil-Mat Engineers & Consultants Ltd. In April of 2022. This Phase 1 report consists of historical records review, interviews, and a full reconnaissance of the subject lands. Soil-Mat concluded through their investigations that there is one (1) potentially contaminating activity (PCA) on the subject lands whereas six (6) additional PCAs were identified in the general vicinity of the subject lands that are likely to cause an area of potential environment concern (APEC) to the property.

Based on these findings, Soil-Mat deemed the potential of site contamination to be “high” and that further investigations in the context of a Phase 2 ESA “are” required.

### **8.4 Environmental Site Assessment Phase 2**

A Phase 2 ESA was conducted by Geo-Canada Limited at the subject lands in March 2014. This Assessment was deemed necessary after the findings in the initial ESA conducted in the same month. A total of 6 boreholes were deployed to depths ranging from 1.6m to 4.6m below ground level to measure the conditions of subsurface materials as well as groundwater. The following items are rationale for conducting the Phase 2 ESA:

- Prior removal of a storage tank (gasoline) at the property to the immediate east (359 Davis Road).
- Use of spray paint at former body shop was used (359 Davis Road).
- The property to the immediate south (354 Davis Road) is considered a “brownfield” after the MOE concluded findings of excessive levels of Cadmium, Copper, Boron, and Lead in groundwater samples.
- Previous use of “Battery and Tire Storage” at the subject lands (349 Davis Road) are a “cause for concern”.

Based on the studies conducted by Geo-Canada Limited, it is their professional recommendation that a Phase 3 ESA be conducted in order to fully understand the full impacts that the property may be susceptible to.

### **8.5 Micro-climate Study including Wind Study and Shadow Impact Analysis**

Rowan Williams Davies & Irwin Inc. (RWDI) was retained to conduct a qualitative assessment of the pedestrian wind conditions expected around the proposed project at 349 Davis Road in Oakville, Ontario.

At 58 storeys, the proposed building is considerably taller than the existing buildings in surrounding areas and it will deflect winds down to the lower levels, causing increased wind speeds around building corners on the podiums and at grade levels. The proposed podiums and tower setbacks are positive design features to reduce the wind down washing. The large canopies at the base of the proposed building are also positive in creating local wind protection.

The following are the findings:

- Suitable wind conditions are predicted for both residential entrances throughout the year.
- Suitable wind conditions are also predicted in the summer on all sidewalks, walkways and parking spaces, except the areas around the northeast and southwest building corners where uncomfortable wind speeds may occur.
- During the winter, wind speeds around exposed building corners are predicted to be uncomfortable and potentially exceed the wind safety criterion.
- Wind speeds are predicted to be higher than desired for passive use on the ground-level patio and on above-ground terraces.
- Additional wind control measures have been discussed, where necessary. Wind-tunnel tests should be conducted at a later design stage to quantify these wind conditions, confirm the need for wind control features and optimize mitigation efforts.

### **8.6 Noise and Vibration Assessment**

RWDI was retained to prepare a Noise and Vibration Impact Study (NVIS) to support the Official Plan Amendment and Zoning Bylaw Application submission for the proposed 349 Davis Road development located in Oakville, Ontario.

The following noise control measures are recommended for the proposed development:

1. Installation of central air conditioning so that all suites' windows can remain closed.
2. The inclusion of noise warning clauses related to:
  - a. Transportation sound levels at the building façade and in the outdoor amenity areas
  - b. Proximity to commercial/industrial land-use
3. Minimum sound isolation performance:
  - a. Suite bedroom window glazing with sound isolation performance up to STC-38.
4. Construction of perimeter noise barriers along the outdoor amenity areas if feasible, with the applicable warning clause.

The site is exposed to noise from the rail corridor to the south-west; and CN movements (Oakville Subdivision). As the distance between the track and the development is greater than 75 metres, vibration impacts are not anticipated at the development, and do not require assessment.

The potential noise impact from stationary sources of sound were evaluated. Based on the noise modeling results, including the evaluation of elevated limits from roadway, levels are predicted to be acceptable.

At this stage in design the impact of the development on itself and its surroundings could not be quantitatively assessed. However, the impact on both the building itself and its surroundings is expected to be feasible to meet the applicable criteria. We recommend that the building design is evaluated prior to detailed design to ensure that the acoustical design is adequately implemented to meet the applicable criteria.

Based on the results of the analysis including implementation of the recommendations included with this assessment, the proposed development is predicted to meet the applicable sound and vibration criteria.

## **8.7 Land Use Compatibility Study**

RWDI was retained to complete a Land Use Compatibility Study in support of the Official Plan Amendment and Zoning By-law Amendment that is being proposed for the subject lands. Using the Halton Region Land Use Compatibility Guidelines, RWDI analyzed whether the subject lands were to be negatively impacted by nearby industrial, transportation, and utility uses with respect to noise and air quality.

The Land Use Compatibility Study finds that the industrial uses that are nearby to the subject lands (300 metres) will not have any impact on the subject lands because of the distance and presence of the QEW. RWDI also determines that the current and future presence of industrial uses in the area is also becoming more limited by the growth of residential developments in the area. It was also determined that there are no major transportation projects planned for the area, and all future transportation projects will have to consider the subject lands.

In terms of noise and air quality, the Land Use Compatibility Study determined that noise and air quality levels are expected to be elevated due to the subject lands proximity to the QEW. However, a significant separation distance between the QEW and the developments residential units and the implementation of mitigation techniques can nullify such issues. Such mitigation techniques recommended for implementation are carbon filtered fresh air, fresh air intake away from the Oaktown Collision facility (359 Davis Road), and noise barriers.

## **9.0 PUBLIC INFORMATION MEETING**

On Thursday March 2<sup>nd</sup>, 2023, between 6:00pm and 7:30pm Corbett Land Strategies (CLS) conducted a Public Information Meeting (PIM) in regard to the submitted applications for an Official Plan Amendment and Zoning By-law Amendment for lands referred to hereinafter as 349 Davis Road, Oakville ('Subject Lands'). This meeting was provided in a hybrid format where residents could either attend in-person at the Oakville Public Library – Central Branch or through Zoom. The meeting was attended by a total of ten (10) members of the public and the respected councillors of Ward Three (3).

The PIM was presented by Jonabelle Ceremuga, who is a Senior Associate Development Planner at CLS. Ms. Ceremuga provided an extensive and detailed overview of the proposed mixed-use high-rise development on the Subject Lands. She highlighted the purpose of the submitted

proposed applications, which is to seek approval to facilitate the development of a 58-storey mixed-use building that entails a mix of office, retail, and residential space.

The overall presentation provided relevant information on the proposed development on the subject lands, which includes:

1. Location and Property Description
2. Brief description of the existing surrounding land uses in the area
3. The growth directions of the Province and Town of Oakville planned for Midtown Oakville.
4. Proposed Mixed-Use Development
5. Proposed Road Network Adaptation
6. Midtown Oakville Existing Development Applications
7. Next Steps

Upon concluding the presentation, attendees were offered the opportunity to bring forth their comments/concerns on the proposed mixed-use high-rise development.

*Proposed Road Network:*

One of the main points of concern brought forth was regarding the proposed road network adaptation presented by CLS. The proposed mixed-use high-rise development does not conform to the road realignment in the approved EA. In order to facilitate the 58-storey high-rise development, the proposed QEW off-ramp underpass must be realigned in order to not impede the proposed development. This brings attention to Councillor Haslett-Theall specifically with the potential traffic congestion along Trafalgar Road if the underpass is not built.

CLS noted that the traffic analysis conducted by Crozier, the projected traffic volumes do not justify the cost and implementation of this improvement. According to the traffic analysis, the MOCEA traffic projected on the underpass off-ramp would instead use either the "Buttonhook" QEW EB off-ramp onto Cross Avenue planned as part of the MOCEA, located just west of Royal Windsor Drive or to the existing QEW EB off-ramp to Trafalgar Road. On the absence of the off-ramp, it is projected that approximately 80% of the traffic would divert to the QEW buttonhook EB off-ramp to Cross Avenue, while 20% of the traffic would divert to the QEW EB off-ramp at Trafalgar Road.

Most of the traffic projected on the underpass off-ramp would have been destined for the Midtown Oakville located south-east of Trafalgar Road/ QEW, and the buttonhook off-ramp is expected to be the more convenient route compared to the Trafalgar Road QEW EB off-ramp under future traffic volumes.

In addition to the transportation concerns noted above, several attendees also were concerned about the proposed road realignment and were of the belief that it would perpetuate traffic congestion in the area. CLS noted that the proposed road realignment would ensure traffic congestion between Trafalgar Road and Eighth Line is addressed, while also promoting a pedestrian-oriented, walkable street along Davis Road.

Attendees also brought forth several general comments and questions regarding the proposed development. Some of those include the following:

1. What type of amenity space is expected to be included in the proposed development? Will the amenity space be open to the public for them to access?
  - There has been no determination on the types of amenities that will be provided in the development, and the amenity space will likely only be accessible for tenants, as is the case with many condo and apartment buildings.
2. Is there enough parking on site?
  - The proposed development **exceeds** the parking requirements set out by the City of Oakville.
3. Will the proposed development provide affordable residential apartment units?
  - The proposed development is meant to be a condo development; however, CLS will seek to satisfy any demands of the Region and/or Town related to affordable housing.
4. What are the unit types and mixes of the proposed development?
  - This is provided in a separate document for residents to review.

## 10.0 PUBLIC ENGAGEMENT STRATEGY

In accordance with the requirements in the Planning Act, a Public Engagement is required for the applications undertaken as part of a public process. Once the application has been deemed complete and the date is identified, the following actions will commence:

- A notice of application will be posted on the property;
- Notices for the public meeting will be mailed out to property owners within 240 metre radius of the subject lands;
- A public open house will be held prior to the statutory public meeting; and,
- A Statutory public meeting will be held in accordance with the Planning Act requirements.

For the purpose of this application, the first public engagement consultation will be held after the first submission is completed.

## 11.0 CONCLUSION

The proposed application for Official Plan Amendment and Zoning By-law Amendment are consistent with the Provincial Policy Statement (2020), conform to and do not conflict with the Growth Plan (2020), conform to the Halton Region Official Plan, and maintains the purpose and intent of The Livable Oakville Plan 2009 specifically the new drafted policies in Draft Midtown Oakville Growth Centre (MOGC) (May 12, 2022).

The proposed mixed-use development is located within the settlement boundary area specifically within the delineated built boundary area which prevents the expansion of settlement areas, promotes cost-effective development patterns, land consumption, and servicing costs. It will contribute to achieving a complete community and will assist to accommodate the market demand for various unit sizes and incomes for the residents and to provide the opportunity for live-work relationships to develop, thus allowing for a mixed-use and transit-supportive centre.

Furthermore, this report describes how the proposed mixed-use development aligns with the draft Midtown Oakville policies which effectively encourages the Town to strongly consider the realignment of the new proposed road to allow the proposed mixed-use development to contribute to the intensification vision of the Town and Region.

Midtown Oakville is envisioned to be an urban community where people can live, work, and play in walkable, mixed-use neighbourhoods, connected to the rest of Oakville by pedestrian, cycling, transit and street networks. It is to be a self-sufficient urban community with tall buildings, open spaces, recreational and retail amenities. The Subject lands is located within the Midtown Oakville Growth Centre which is planned to boast a significant amount of intensification as required by the Town as well as the Region.

The proposed development is strategically located and has been designed to complement and even enhance these objectives to its fullest potential. The proposed mixed-use building will boast a total of 388 residential units of various sizes while also offering employment opportunities via retail, restaurant, and office spaces. The proposed mixed-use development will yield a density of 9.75 FSI which fits just below the maximum desired FSI of 10.0 as set forth by the Town. The proposed mixed-use development will be highly transit supportive and will accommodate anticipated population and employment growth and, in turn, assist the Midtown Oakville to achieve its minimum density target of 200 residents and jobs combined by the year 2031.

The applications for Official Plan Amendment and Zoning By-law Amendment will have the effect of introducing the required policy and zoning provisions to facilitate the mixed-use development to achieve a complete community as envisioned in The Livable Oakville Plan 2009, specifically Midtown Oakville Growth Centre (MOGC). The applications will thereby implement the policies of the applicable Provincial plans and Regional Official Plan for this development. On this basis, it is our opinion that the proposed mixed-use development is an appropriate and compatible form of development in the context of the governing policy framework and therefore the proposal represents good land use planning.

**Prepared by:**

*Jonabelle Ceremuga*

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## **APPENDIX A: Midtown Oakville Proposed Road Realignment Strategy**

Recommended modifications to Midtown Oakville OPA Transportation Network Layout submitted for consideration in the Town Initiated Official Plan Amendment

