



 BOUSFIELDS INC.

# Planning Rationale

**50 Speers Road**  
Town of Oakville

**Prepared For**  
Helberg Properties Limited

October 2022



**BOUSFIELDS INC.**

**Job Number**

**22146**

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This Planning Rationale report has been prepared in support of applications by Helberg Properties Limited to amend the Town of Oakville Official Plan (2009) – Liveable Oakville and Zoning By-law No. 2014-014, as amended, to permit the development of a property that is known municipally as 50 Speers Road.

The Proposal will contribute to an improved public realm in the evolving Kerr Village Growth Area by framing the street. Whereas the existing building is located close to the houses to the south and does not address Speers Road, the proposed development will create a continuous frontage and pedestrian-oriented context along Speers Road as well as an increased separation from the lower scale neighbourhood to the south.





# 1

# Introduction

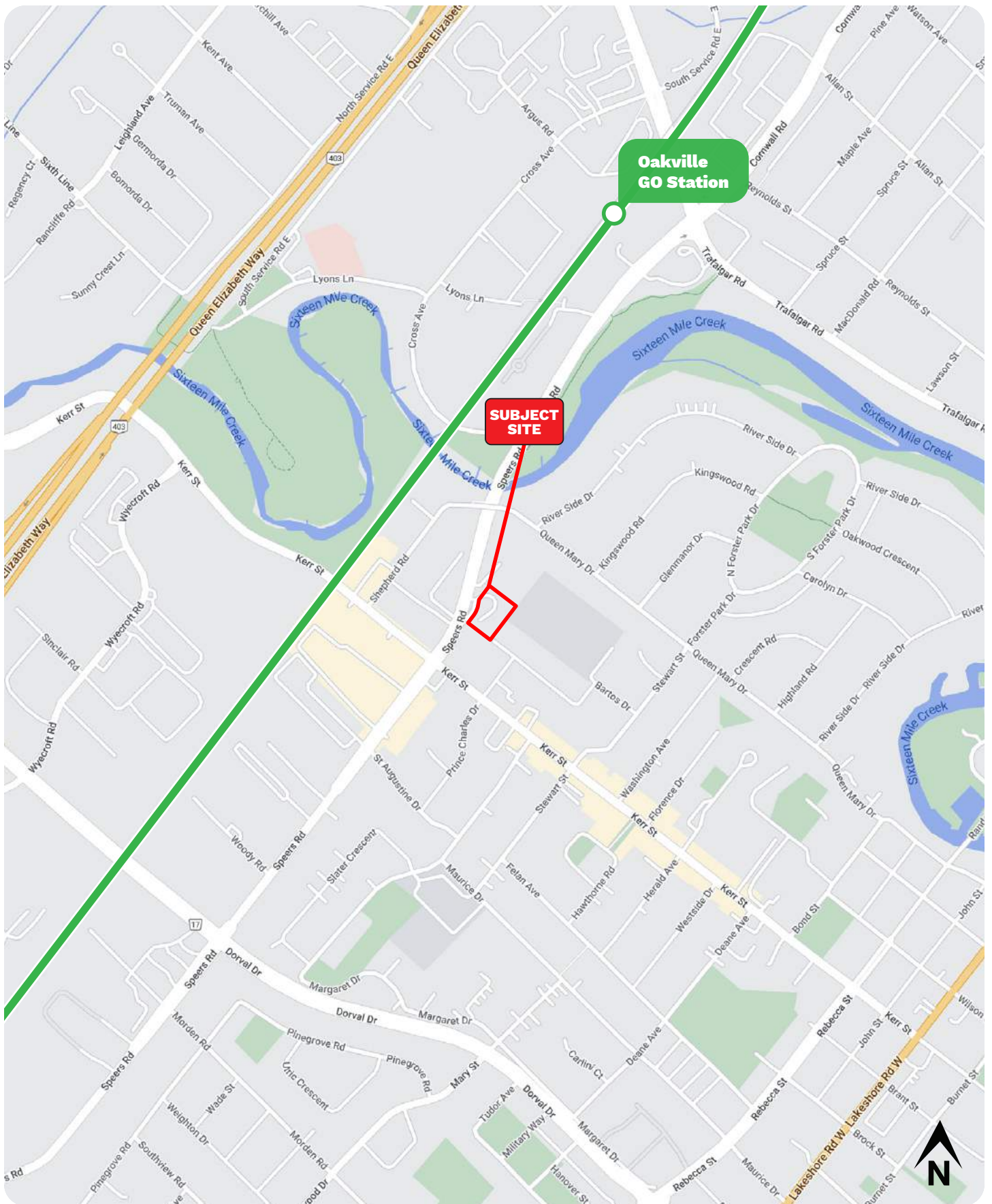


Figure 1 - Location Map

This Planning Rationale has been prepared in support of applications by Helberg Properties Limited ("Owner") to amend the Town of Oakville Official Plan (2009) – Liveable Oakville ("Oakville OP") and Zoning By-law No. 2014-014, as amended, to permit the development of a 4,180 square metre property that is located on the south side of Speers Road, east of Kerr Street and known municipally as 50 Speers Road (the "Site" or the "Subject Site") (see **Figure 1**, Location Map). Access to the Site is provided by a two-way service road ("the service road") that is part of the Speers Road allowance. This service road also provides access to the two apartment buildings (30 and 80 Speers Road) to the east and west of the Subject Site. The closest vehicular and pedestrian access to the Oakville GO Station is approximately 750 metres to the east of the Site and the Kerr Street interchange with the Queen Elizabeth Way ("QEW") lies a short distance to the northwest.

The existing building on the Subject Site is a 7-storey rental apartment building with extensive surface parking. The building is set well back from Speers Road and a landscaped open space area is located within this setback. A circular driveway connects to both the surface parking lot and the pick-up and drop-off area in front of the building, with the underground parking garage accessed from a separate driveway off of the Speers Road service road. The existing building has a rear yard setback of between 7.76 metres and 12.23 metres adjacent to the existing single detached house to the south.

Located in an area planned for development and intensification by the Town of Oakville and the Region of Halton, the Subject Site represents a key opportunity to provide appropriate growth in proximity to transit. The proposed development will realize this opportunity, delivering compact and transit-supportive development close to the Oakville GO Station. Significant intensification is proposed in the area around the GO Station, which is planned to become an urban mixed-use community accommodating more than 13,000 residents and 7,000 jobs.

The proposed Official Plan Amendment and Zoning By-law Amendment applications ("the Applications") will permit the redevelopment of the Subject Site with a 27-storey residential apartment building with a 6-storey podium. The proposed podium and tower heights have been designed to respond to the surrounding context which includes existing and approved high density uses and adjacent low density residential uses. To ensure compatibility within this context, and to minimize

shadowing and overlook, the proposed design provides appropriate building placement, separation distances, floor plate sizes, setbacks and step backs. The proposed building has a total net residential floor area ("NFA") of 22,365 square metres resulting in an overall density of 5.43 FSI (the "proposed development" or "the Proposal"). NFA includes the total area of all floors of a building from the interior faces of the exterior or demising walls, without the area of stair wells, elevators, escalators, ventilating shafts, attics, concourses, washrooms, attached enclosed and covered loading docks and related enclosed corridors used for loading purposes, above and below grade parking structures, storage rooms, rooms for garbage containment, and mechanical rooms.

Importantly, the Proposal will contribute to an improved public realm in the evolving Kerr Village Growth Area by framing the street. Whereas the existing building is located close to the houses to the south and does not address Speers Road, the proposed development will create a continuous frontage and pedestrian-oriented context along Speers Road as well as an increased separation from the lower scale neighbourhood to the south.

The proposed intensification of the Subject Site will also provide an increase in much needed rental residential units in an area which has excellent access to existing infrastructure, including community amenities, parks and open space, retail, and public transit. 314 rental units are proposed, an increase of 255 rental units over the existing building on Subject Site, in a range of unit types and sizes.

This report will demonstrate that the Proposal provides compact built form in a built-up area that is well-served by higher-order transit, efficiently utilizes existing infrastructure and is compatible with the surrounding mix of land uses. An amendment to Zoning By-law 2014-014 is requested to provide for increased density and height, as well as revised setback and parking standards. An amendment to the Town of Oakville Official Plan is requested to permit an increase in density. Based on our analysis, it is our opinion that the Proposal is consistent with the PPS and conforms with the Growth Plan and the Region of Halton Official Plan, meets the intent of the Oakville Official Plan and represents good planning. Accordingly, we recommend approval of the application.



# Site & Surroundings



## 2.1 Site

The Subject Site is located on the south side of Speers Road, east of Kerr Street in the Town of Oakville. The Site, which has an area of approximately 4,180 m<sup>2</sup>, is generally rectangular in shape, with a frontage of approximately 36.6 metres along Speers Road and a site depth of approximately 52.1 metres (See **Figure 2**, Aerial Photograph).



Figure 2 - Aerial Photo - Site Context

The Subject Site is currently occupied by a 7-storey rental apartment building. Underground parking access, passenger drop off, and landscaped areas are provided in front of the building, in a setback that is approximately 38 metres from the travelled portion of Speers Road and 25 metres from the service road and north lot line. Surface parking is located to the west of the existing building.



The existing 7-storey apartment building on the Subject Site, looking southeast



The existing setback condition to adjacent residential and school uses, looking east



The existing parking garage ramp and driveway access from Speers Road, looking east. Beyond lies 20 and 30 Speers Road, large mid-century residential apartment buildings.

## 2.2 Area Context

In the Oakville OP, Livable Oakville, the Subject Site is located within the Upper Kerr Village District ("UKV District") in the Kerr Village Growth Area. The UKV District extends on either side of Kerr Street from the railway tracks to the south limit of the Site. East of Kerr Street it includes 20, 30 50, and 80 Speers Road. The Kerr Village Growth Area is located along the entire length of Kerr Street, from the railway tracks in the north to just south of Lakeshore Road West in the south.

Kerr Street is a 2-lane road north-south minor collector road with curbside parallel parking on both sides of the street south of Speers Road. South of the Speers Road/ Kerr Street intersection within the Kerr Village Main Street District, uses include 1 - 2 storey commercial buildings, 4 storey mixed use buildings and low-rise apartment buildings closer to Stewart Street. Lower density residential neighbourhoods are found to the east and west of the Kerr Village Growth Area.

The northwest corner of Kerr Street and Speers Road, within the UKV District, is currently occupied by a large, single storey commercial plaza with a variety of retail tenants including a Food Basics and a Shoppers Drug Mart. Surface parking areas serving the plaza are provided at the corner of Kerr Street and Speers Road with access from both streets. An Official Plan and Zoning By-law Amendment has been submitted for the plaza and the property immediately to its west, seeking permission for 8 residential towers of up to 26 storeys in height, three new 8-storey mid-rise buildings, a new public park, new public and private roads and an urban square. The tallest buildings are to be located adjacent to Kerr Street and the rail corridor, descending in height to the south and west.

At the northeast corner of Speers Road and Kerr Street, also within the UKV District, is the "Rain & Senses" condominium complex (55, 65, and 71 Speers Road). The complex features a 5-storey podium with commercial space at grade and two residential towers above (19 and 21 storeys). The 19-storey tower is oriented to Speers Road adjacent to the 17 storey Premier Court apartment (41 Speers Road), and the 21-storey tower is located to the north, fronting on Kerr Street. A large public plaza is part of the development and is located at the northeast corner of Speers Road and Kerr Street.

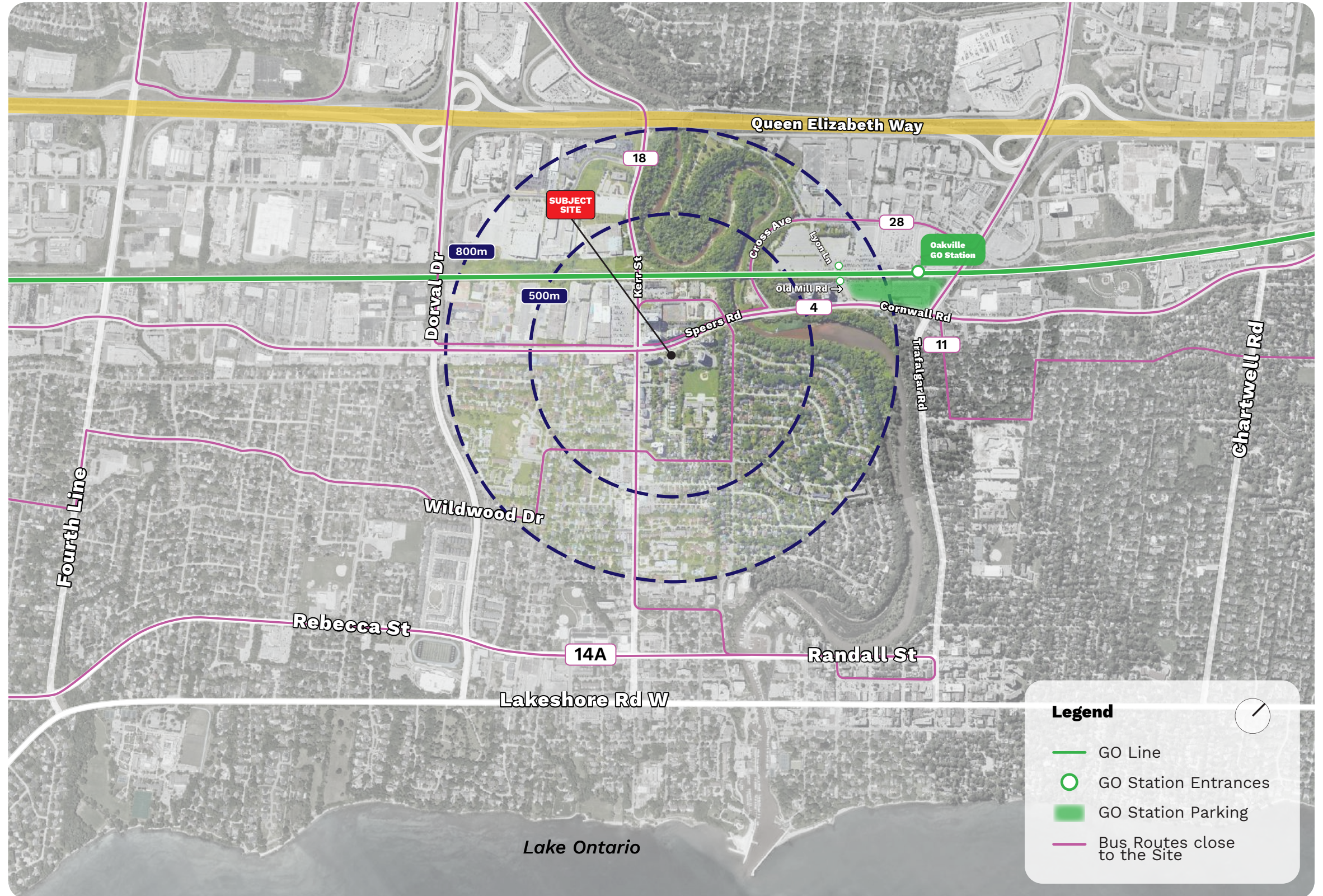


Figure 3 - Aerial Photo - Area Context

## 2.3 Immediate Surroundings

Immediately south of the Subject Site is the Oakwood Public School playing field. To the west of the school site, fronting on the west and east sides of Bartos Drive are single detached houses. These low-density areas are not included in the Kerr Village Growth Area. A similar pattern of single detached houses is found on the east and west sides of Queen Mary Drive, to the east of the school site, which is also not included in the Growth Area.

Speers Road is the first major arterial road south of the QEW and extends east from Bronte Road to Winston Churchill Boulevard in the City of Mississauga. Speers Road connects to interchanges with the QEW in several locations via cross streets such as Dorval Drive and Trafalgar Road. Speers Road provides an important transportation link to the Oakville GO station and the City's main bus station located on the north side of Speers/Cornwall Road<sup>1</sup> immediately east of the Creek. The facilities at Oakville GO include a large parking structure at the corner of Cornwall Road and Trafalgar Road, and several large surface parking areas along both Cornwall Road and Cross Avenue. A significant amount of retail space is also located in the wider area surrounding the GO Station, including retailers like Whole Foods, Shoppers Drug Mart, the LCBO, and restaurants such as Beertown, Swiss Chalet and Tim Hortons.

The Speers Road crossing of the Sixteen Mile Creek lies approximately 200 metres east of the Site. The Sixteen Mile Creek provides a remarkable open space amenity in this area of the Town. Extending south to Lake Ontario and north to Dundas Street (crossing under the QEW and the rail line) it includes several trails, parks and park connections.

The Subject Site fronts onto Speers Road, a 4-lane east-west arterial road with an approximate 38-45 metre right-of-way adjacent to the Subject Site. The right-of-way includes both the arterial road and the looped service road, which provides driveway access to three apartment buildings, including the existing building on the Subject Site. Public sidewalks are located on both sides of the service road. A bus shelter and stop (for eastbound passengers) are located to the west of the service road and a bus shelter and stop are available for westbound passengers on the north side of Speers Road.

Directly to the north of the Subject Site, on the north side of Speers Road, is a 17-storey apartment building, Premier Court (41 Speers Road). Surface parking areas are located west and north of the building and an underground parking garage is accessed from a separate driveway off Speers Road. Premier Court has primary windows and balconies facing south towards the Subject Site, though it is separated from the Subject Site by Speers Road, which has a particularly wide right-of-way width given the service road providing access to the Subject Site and adjacent properties.

West of Premier Court, at the northeast corner of Speers Road and Kerr Street, is the "Rain & Senses" condominium complex (55, 65, and 71 Speers Road).

A Site Plan Approval application was filed in 2021 to permit the construction of two 10-storey apartment buildings at 58 Shepherd Road (currently vacant) which lies immediately to the east of the 21 storey Rain & Senses building and north of Premier Court. Employment uses are located on the north side of Shepherd Road backing onto the rail corridor.

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<sup>1</sup> Speers Road becomes Cornwall Road east of the Sixteen Mile Creek.



A service road branches off Speers Road to provide local access to the Subject Site and adjacent apartment buildings, looking northeast



Speers Road is an existing 4-lane arterial road with transit services, including a bus stop, directly adjacent to the Subject Site. Looking west



Rain & Senses is a newer condominium building with commercial at grade located to the northeast of the Subject Site



Premier Court is a large, mid-century apartment building on the north side of Speers Road, looking north

To the east of the Subject Site is 30 Speers Road, a mid 20<sup>th</sup> century 18-storey apartment building which has frontage on Speers Road and is accessed from the Speers Road service road. The apartment building is set back approximately 29 metres from its westerly property line (which abuts the Subject Site). The building is generally rectangular, with units facing east and west. The north and south building elevations generally do not contain windows into principal rooms. Large surface parking lots surround the building and there is an underground parking ramp accessed directly from the Speers service road. A covered pick-up and drop-off area is located on the building's west side, facing the Subject Site. Several trees line the edges of the property.

20 Speers Road lies to the immediate east of 30 Speers Road. This mid 20<sup>th</sup> century 12-storey concrete building has a driveway which connects to Speers Road and serves as a drop off area and a separate access to an underground parking garage. A small surface parking area is located along the south side of the building. A large, landscaped area is located between the building and the residential units to the south, which front on Queen Mary Drive.

Speers Road crosses the Sixteen Mile Creek and associated valley lands east of 20 Speers Road. The Oakville GO station lies further to the east, with its closest entrance approximately 750 metres, or a 10-minute walk, from the Subject Site.

Directly south of the Subject Site is Oakwood Public School, a single-storey public school and a residential property, 413 Bartos Drive, which lies to the west of the school property. The school fronts on Bartos Drive and the school yard abuts the Site's south lot line; there is a treed hedgerow along the mutual lot line that provides a buffer between the two properties. 413 Bartos Drive is a single-storey, red brick dwelling with a driveway and detached garage along its north lot line which abuts the Subject Site. Single storey detached dwellings front on the east and west sides of Bartos Drive.

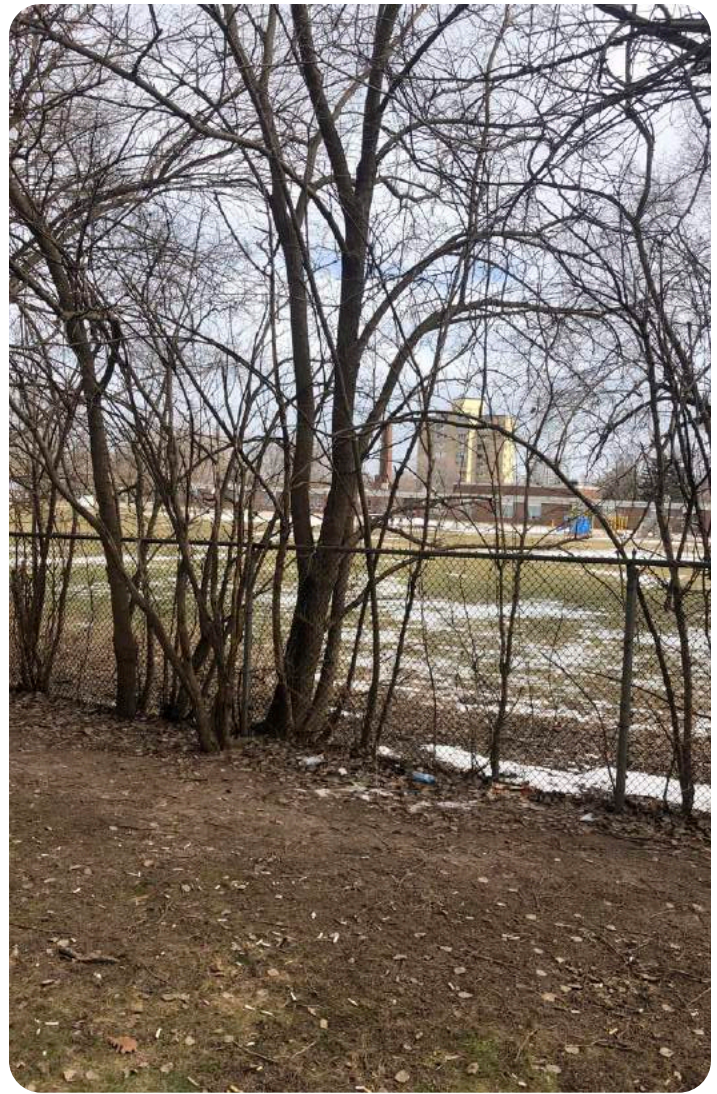
A mid 20<sup>th</sup> century 11-storey apartment building (80 Speers Road) is located directly to the west of the Subject Site at the southeast corner of Speers Road and Kerr Street, with a small driveway extending from the corner to a covered drop-off area along Speers Road and an underground parking garage ramp accessed from Kerr Street. A large surface parking area for the building is located directly west of the Subject Site along its westerly lot line and a sidewalk connects Speers Road to Bartos Drive to the south. A second surface parking area is located south of the building along Kerr Street, with a landscaped space separating the two lots. A 6-metre easement in favour of the Town of Oakville for underground services and utilities runs along 80 Speers' east lot line, directly adjacent to the Subject Site.



An existing single detached dwelling fronts onto the Subject Site's south lot line, looking southeast



Bartos Drive extends to the south of the Subject Site, with a pedestrian connection extending along the Subject Site's west lot line



The south lot line of the Subject Site abutting the Oakwood Public School schoolyard, looking south from the Subject Site

## 2.4 Active Development Applications

A summary of development applications within a one-kilometre radius of the Subject Site is provided in **Table 1** below. Notably, several buildings of similar scale are proposed, including a 26-storey building at 530 Kerr Street. To the northwest, several buildings of up to 58 storeys are proposed in the Midtown Oakville Growth Area within 800 metres of the Oakville GO Station.

**Table 1 -** Nearby Development Applications

Address	Height	Density/Units	Use	Status
<b>58 Shepherd Road</b>	Two 10-storey buildings (34 metres including MPH)	201 residential units	Apartment building	Council approved 2015. Original project abandoned. New owners have submitted an SPA. Currently under review.
<b>530, 550, 588 Kerr Street and 131, 71 Speers Road</b>	Multiple buildings from 8 to 26 storeys. 8 towers.	1,850 units with 192,000 sm of NFA. 7,900 sm of commercial uses, total gross FSI of 3.4.	<i>Mixed use buildings with commercial at grade, residential apartments above, a new public park and public streets, and an urban square.</i>	OPA submitted November 2021 and is currently under review.
<b>70 Old Mill Road</b>	12-storeys (45 metres including MPH)	154 units, total NFA of 13,279 sm. 2.83 FSI	Apartment building	OPA and ZBA approved May 2022. SPA currently under review.
<b>74 Stewart Street</b>	3-storeys (15 metres)	7 units	Townhouses with common underground parking	SPA currently under review.
<b>217 to 227 Cross Avenue and 571 to 595 Argus Road</b>	44, 49, and 58 storeys	1754 units 9.6 FSI	Mixed use buildings with commercial at grade, residential apartments above.	OPA and ZBA submitted June 2022, currently under review.
<b>166 South Service Road East</b>	44, 50, and 58 storeys	1606 units 8.95 FSI	Mixed use buildings with commercial at grade, residential apartments above.	OPA and ZBA submitted June 2022, currently under review.

OPA – Official Plan Amendment

ZBA – Zoning By-law Amendment

SPA – Site Plan Approval



## 2.5 Transportation Context

### Road Network

Oakville road classifications are set out on Schedule C, Transportation Plan of the Oakville OP (see **Figure 4**).

Speers Road is identified in the Oakville OP as a *Multi-Purpose Arterial Road*. This classification includes both major arterials and minor arterials, which are intended to act as major transit corridors and accommodate high volumes of traffic. Transit-supportive land uses along the right-of-way are encouraged. The designated width of Speers Road is 35 metres, which it exceeds for the segment that includes the service road. In the vicinity of the Subject Site, Speers Road has 4 vehicular lanes, right and left turn lanes at Kerr Street, and sidewalks on both sides of the street. The service road has 2 lanes with sidewalks.

Kerr Street south of Speers Road is identified as a *Minor Collector Road*; north of Speers Road it is a *Multi-Purpose Arterial Road*. *Minor Collector Roads* are intended to accommodate moderate volumes of intra-community traffic. Kerr Street has a designated right-of-way width of 20 metres.

The Queen Elizabeth Way (Q.E.W.), a provincial highway, is located approximately 800 metres to the north of the Subject Site and can be accessed either from interchanges with Dorval Drive or Trafalgar Road to the northwest and northeast of the Subject Site. The highway provides strong vehicular connections across Halton Region and the wider GTA.

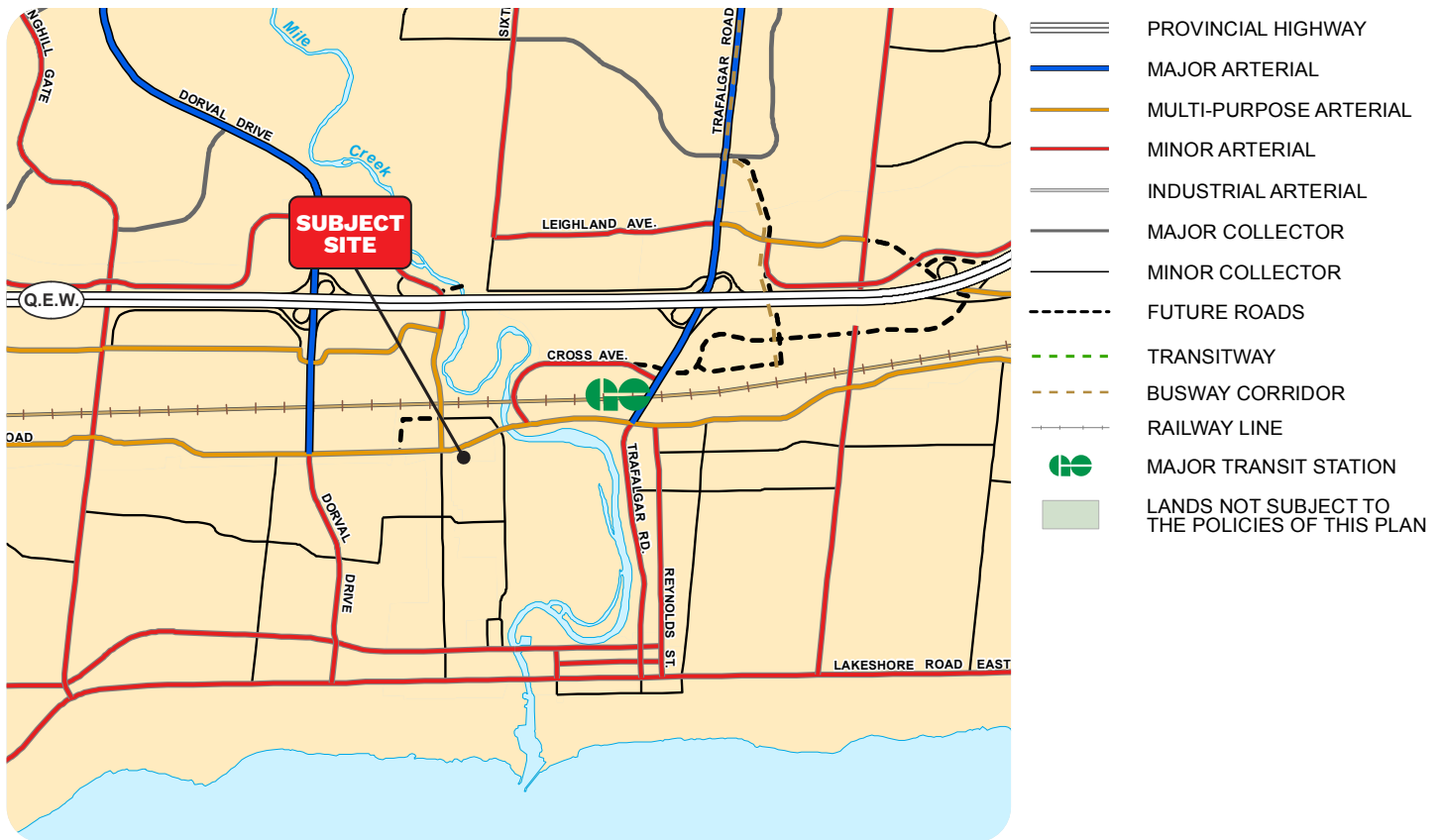


Figure 4 - Oakville Official Plan, Transportation Plan (Schedule C)

## Transit Network

The Subject Site has excellent access to existing surface transit service. Five separate bus routes operate along Speers Road and bus stops are located directly adjacent to the Subject Site. The bus routes are summarized in **Table 2** below. During peak hours, up to 13 buses an hour pass the Subject Site travelling to and from Oakville GO, providing an effective peak frequency of approximately 4-5 minutes.

**Table 2 - Bus Routes Servicing the Subject Site**

Bus Route	Description	Frequency
<b>4 Speers – Cornwall</b>	Operates from Clarkson GO, along Cornwall Road to Oakville GO, then along Speers Road to Bronte GO	<p><u>Weekday</u> 18-minute peak 30-minute off peak 6am – 12am</p> <p><u>Weekend</u> Hourly Saturday 7am – 11pm Sunday 8am – 7pm</p>
<b>14 Lakeshore West</b>	Operates from Oakville GO, down Kerr Street, through Downtown Oakville, then across Rebecca Street, Third Line, and Lakeshore Road West to Burloak Drive before proceeding north and across Harvester Road into Burlington to Appleby GO Station.	<p><u>Weekday</u> 15-minute peak 30-minute off peak 6am – 12am</p> <p><u>Weekend</u> 30-minute Saturday 7am – 12am Sunday 8am – 7pm</p>
<b>15 Bridge</b>	Operates from Oakville GO, along Kerr Street, Sheperd Road and Queen Mary Drive, and various residential streets eastward to Bronte Road, looping south along Rebecca Street to South Oakville Transit Centre.	<p><u>Weekday</u> 30-minute 6am – 8pm</p> <p><u>Weekend</u> Hourly Saturday 8am – 8pm Sunday 9am – 8pm</p>
<b>18 Glen Abbey South</b>	Operates from Oakville GO to Bronte GO via Speers Road, Kerr Street, North Service Road, Nottingham Gate, Pilgrims Way, Abbeywood Drive, Third Line, and Wyecroft Road.	<p><u>Weekday</u> 30-minute 6am – 9pm</p> <p><u>Weekend</u> Hourly Saturday 7am – 7pm Sunday 8am – 7pm</p>
<b>28 Glen Abbey North</b>	Operates from Oakville GO to Bronte GO via Speers Road, Dorval Drive, Monastery Drive, Nottingham Gate, Pilgrims Way, Glen Abbey Gate, Merchants Gate, Heritage Way, Third Line, and Wyecroft Road.	<p><u>Weekday</u> 30-minute 6am – 9pm</p> <p><u>Weekend</u> Hourly Saturday 7am – 8pm Sunday 8am – 8pm</p>

As noted, an Oakville GO station entrance is located an approximate 10 minute (750 metre) walk from the Subject Site. Oakville GO is serviced by the Lakeshore West line and serves as the largest bus terminal for Oakville Transit. GO Service provides frequent trains towards Toronto in the east and Hamilton and Niagara Falls in the west. Oakville Transit bus services operate from the GO station and provide transit service across the entire Town.

## **Active Transportation**

There is a dedicated multi-use path along Dorval Drive to the west, which provides connections for cyclists and pedestrians. Cycle lanes are also present along Rebecca Street to the south. Additionally, according to the Town of Oakville, Speers Road is planned to be reconstructed between Fourth Line and Dorval Drive in 2022, extending existing cycling lanes on Speers Road eastwards towards the Subject Site. A multi-use trail also exists along Sixteen Mile Creek between Cross Avenue and Trafalgar Road.



3

Proposal

### 3.1 Description of Proposed Development

Proposing an attractive and walkable public realm, animated streetscapes and a range of residential unit types and sizes, the application will contribute to the transformation of the Kerr Village area into a walkable and vibrant urban community. The redevelopment of the Subject Site includes a 27-storey residential apartment building with a 6-storey residential podium featuring 2-storey townhouses along two frontages. The podium design features an east and west wing. The west wing is 2 storeys in height to achieve compatibility with the adjacent low-rise residential buildings on Bartos Drive. The 6-storey east wing faces the 18-storey apartment at 30 Speers Road and provides an appropriate built form both in terms of height and distance separation.

The low-rise form of the west wing is designed to provide an appropriate transition to the single detached dwellings to the south and to facilitate pedestrian connections to Speers Road. Along the west frontage, seven 2-storey townhouses are proposed to face west onto a public pedestrian walkway and there is a 4.6 metre setback to 413 Bartos Drive. Along the south façade of the building, seven additional south-facing townhouses in the base of the building are set back between 12.2 and 20.6 metres to the south lot line, a significantly greater setback than is provided by the existing building.

In the east wing, a bicycle parking area is provided at grade along the eastern side frontage. Additionally, an enclosed loading area and entrance to the underground parking garage are located at the front of the building at the northeast corner of the Site, away from the Site's frontage onto Speers Road. Residential units are proposed in the upper storeys. There is a pick-up and drop-off area proposed at the front of the building, accessed from the service road.

Overall, the Proposal includes 314 units and 22,365 square metres of residential NFA, resulting in a gross density of 5.43 FSI. It will replace an aging apartment building and will provide additional high-quality rental units with new amenity areas and parking. The Proposal will increase the number of rental units on the Subject Site by 255 and contribute to housing diversity in the area by delivering a range of unit types, including studios, 1, 2- and 3-bedroom units, as well as townhouses at grade. The additional units will help accommodate the planned population growth in the Kerr Village Growth Area.

All units will have access to 628 square metres of indoor amenity area and 1,061 square metres of outdoor amenity space. A total of 314 parking spaces are proposed, located entirely within a 3-level underground parking garage. A total of 314 bicycle parking spaces are also proposed, as well as a dedicated loading space.

#### Pedestrian Realm

The Proposal is located and designed to create an improved public realm, integrate with adjacent uses, provide a stronger street presence, improve pedestrian connectivity and contribute to an animated pedestrian environment. The proposed base building is located close to the Speers service road to define the street edge and the building's alignment and orientation to the street will create a more urban condition.

The building's main entrance, which will be accessed directly from the public sidewalk, is proposed with upgraded pavers to create an attractive entrance to the building and will be framed by new trees. Similarly, the proposed driveway access to the Proposal will be finished with upgraded pavers to minimize its visual impact and create a more attractive public realm.

The lobby entrance, a residential pick-up and drop-off area and the access to the parking and loading areas are located on the north façade, facing Speers Road. Vehicle parking and loading are well screened from the street and located away from the public street frontage to the east of the lobby. High-quality landscaped spaces link the proposed development to the service road and as described above, will result in significant improvements to the public realm. Trees and other plantings will create a pleasant environment for those who live at or visit the Site.

A 5.5-metre setback is proposed along the west lot line to allow for the creation of an improved pedestrian connection between Speers Road and Bartos Drive, featuring a widened and enhanced sidewalk and landscaping treatment. The Owner has worked with the owners of 80 Speers Road to develop a coordinated approach to this public space improvement. Along the west lot line, trees and upgraded landscaping treatments are proposed, with an upgraded sidewalk to the west of this planting, largely on the 80 Speers Road site. The trees and landscaping will buffer the seven townhouse units with at grade entrances from the public walkway. The proposed townhouses will provide animation along this walkway, and reinforce the existing residential character established by the residential neighbourhood to the south.

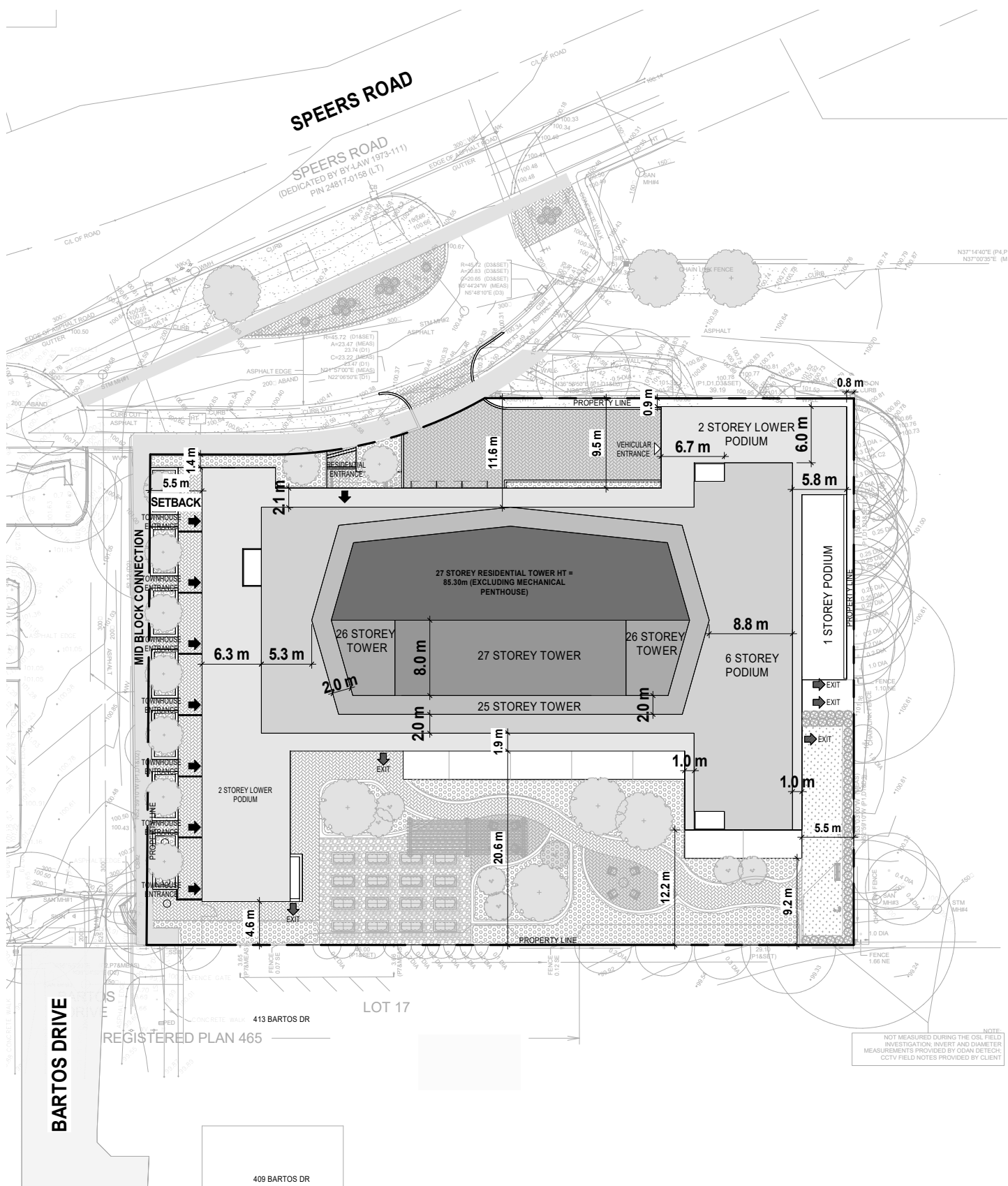


Figure 5 - Site Plan (Prepared by BDP Quadrangle)

Along the south side of the building, an indoor amenity area opens onto a generous outdoor amenity space at the rear of the building. This amenity area will be programmed with a variety of uses including a dog run, firepit, seating, urban agriculture gardening plots, and BBQ areas to provide a higher level of amenities than currently exists on the Site. The urban agriculture area will contribute to the health, resilience and wellbeing of residents, and support community building.

## Built Form

The proposed development will have an overall height of 85.3 metres to the top of the roof and 91.3 metres to the top of the mechanical penthouse. Various step backs are proposed as follows:

- Above the second storey, the west wing steps back a minimum of 6 metres from the west lot line, to create a lower, residential scale along the proposed north-south pedestrian connection;
- Above the second storey, the proposed south side of the building steps back 1.9 metres to reduce the podium's scale and create transition to the lower-scale residential and school uses to the south of the Subject Site. This setback wraps around the west side of the southern portion of the east wing, and is reduced to 1 metre;
- The northern portion of the east wing is stepped back above the top of the loading and parking access area, which is double height and equivalent in height to the second storey of the building. This step back is extended along the east lot line. The proposed massing steps back above the 2nd floor to maintain a minimum 5.5 metre separation between the residential units on the 3<sup>rd</sup> through 6<sup>th</sup> floors from the east lot line; Above the podium, the proposed residential tower consists of an irregularly shaped heptagon floorplate, with step backs from the podium varying from the north, east, and west sides. Generally, a minimum step back from the podium from each side is proposed as follows:
  - From the north, 0 to 1.8 metres;
  - From the west, 5.3 metres;
  - From the south, 2 metres; and
  - From the east, 8.8 metres.

Overall, the proposed tower will be set back a minimum of 15.3 metres from the east lot line adjacent to 30 Speers Road, 24.5 metres from the south lot line adjacent to the Oakwood Public School and detached residential uses, and 17.2 metres from the west lot line and 80 Speers Road. These setbacks ensure adequate separation distances between both existing and potential future towers.

The proposed design features a slim tower with a floor plate of 691 square metres between floors 7 and 19, and 656 square metres for floors 20 to 25. The tower is set back 11.5 metres from the north, 15.3 metres from the east, and 17.2 metres from the west lot lines. The tower is also set back approximately 24.5 metres from the south lot line, creating a generous separation distance between the upper levels of the proposed building and the lower-scale residential and school uses to the south.

Additional step backs are proposed for the 26<sup>th</sup> and 27<sup>th</sup> storeys. These uppermost levels will be stepped back an additional 2 metres from all sides of the tower, with additional step backs on the southeast and southwest corners of the 27<sup>th</sup> level, which results in a reduced NFA floorplate of 525 square metres for the 26<sup>th</sup> level and 429 square metres for the 27<sup>th</sup> level. These step backs reduce the perception of height and mass from the surrounding area, help to provide an appropriate built form transition, and provide for architectural articulation at the top of the proposed tower.

## Unit Mix and Amenity Space

The Proposal includes a total of 314 units comprised as follows: 28 studio units (9%), 147 one-bedroom units (47%), 107 two-bedroom units (34%) and 32 three-bedroom units (10%).

The Proposal includes 628 square metres of indoor amenity space, located on the ground level, and the 7<sup>th</sup> and 27<sup>th</sup> levels of the building. A total of 1,061 square metres of outdoor amenity area is also proposed at grade. Specific programming of these spaces will be determined at a later stage in the approvals process. To provide additional amenity for residents, terraces and balconies are provided for most units.

## Parking and Vehicular Access

The Proposal will include 314 parking spaces. This results in an effective parking ratio of 1.0 space per unit. The parking spaces are all located within a three-level underground garage.

A total of 314 bicycle parking spaces are proposed, including 236 long-term bicycle parking spaces and 78 short-term bicycle parking spaces.

1 loading space is proposed within the interior of the building with a minimum dimension of 12 x 3.5m.

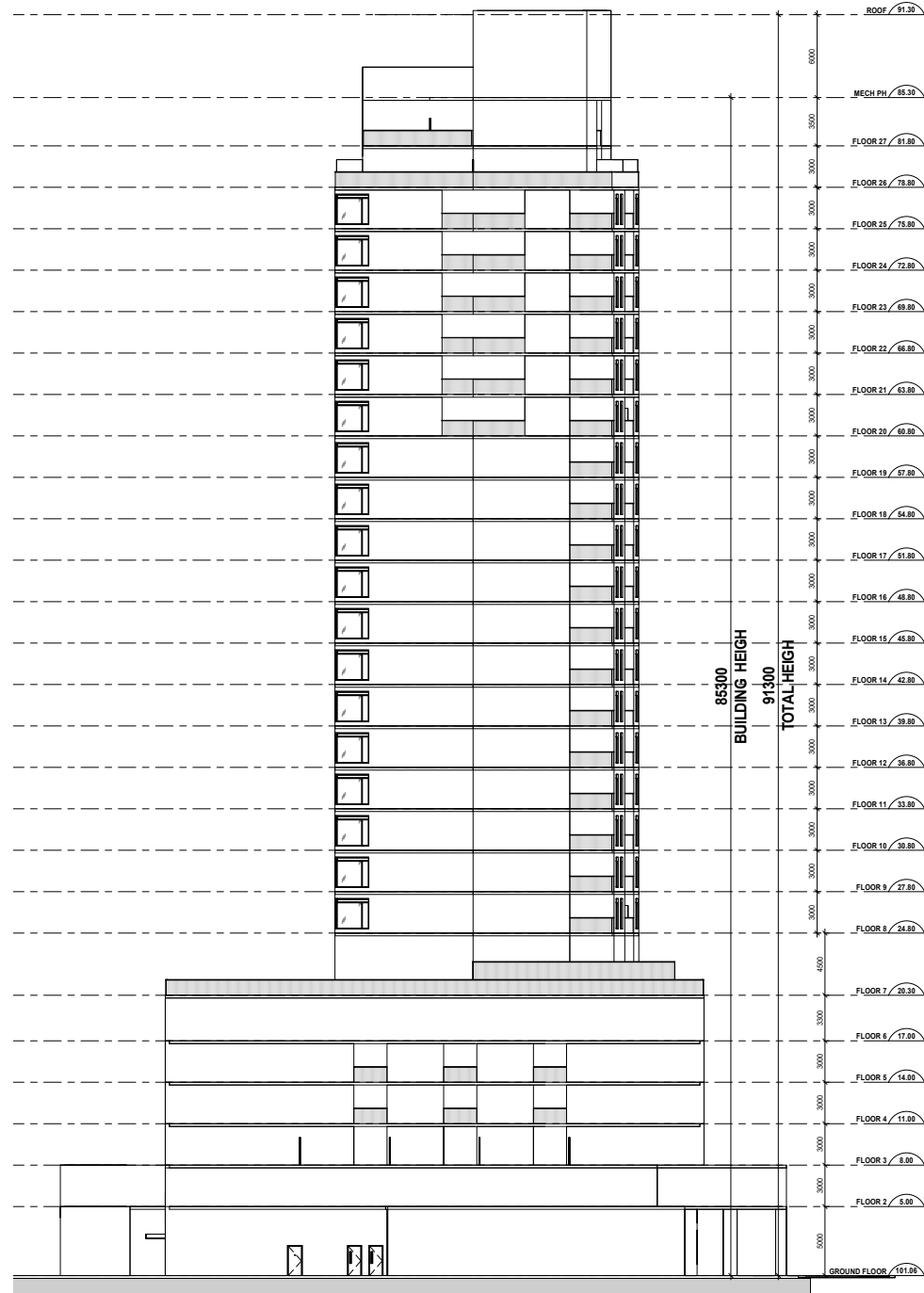
The ramp to the parking garage is proposed to be located along the east lot line, next to the loading area, and accessed via an enclosed driveway. The enclosure will screen the ramp and adjacent loading space from the public realm.

Three passenger drop-off spaces are proposed along the driveway, directly accessible from the primary building entrance.

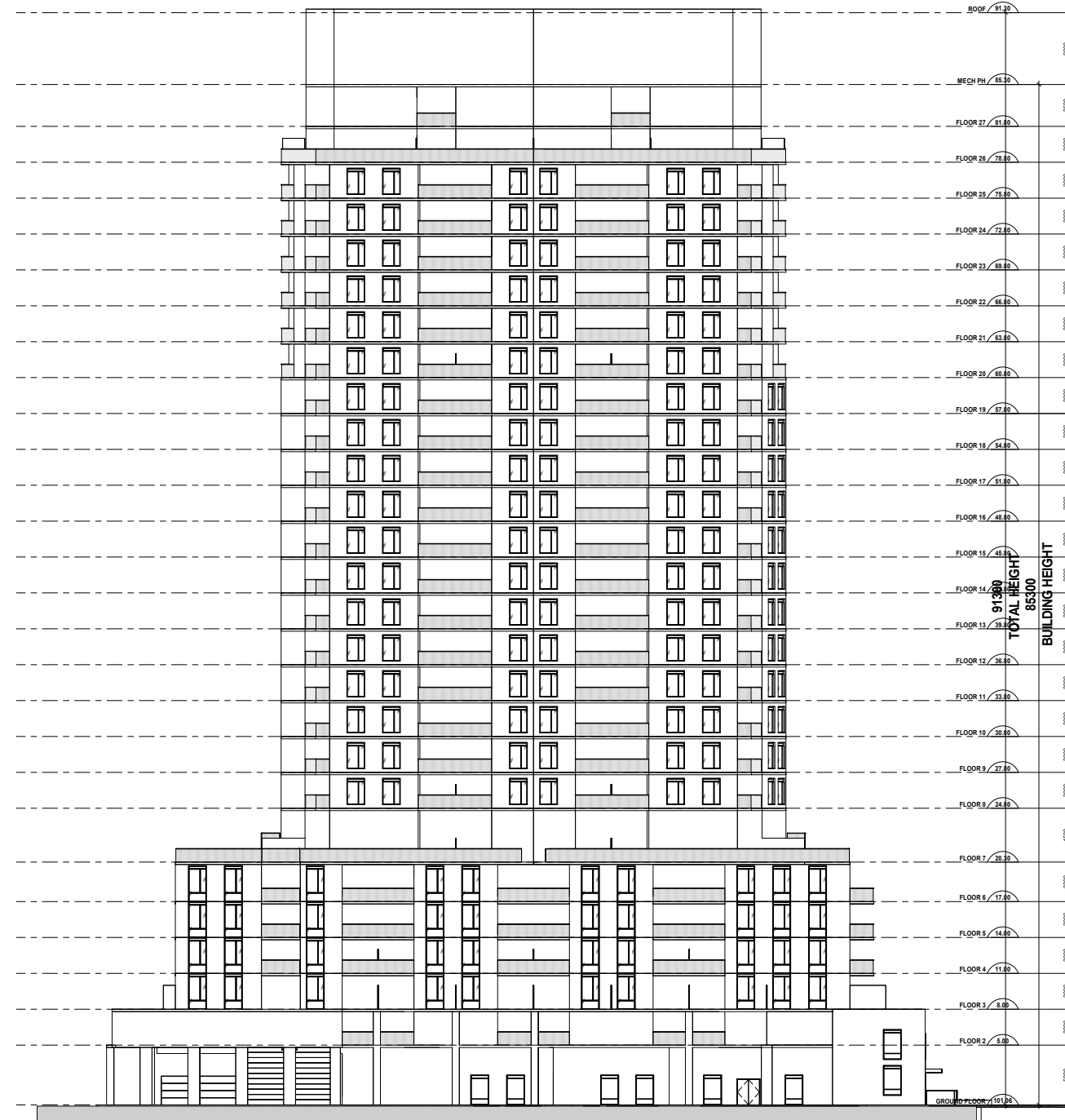


Figure 6 - Rendering of the Proposals Podium (Prepared by BDP Quadrangle)



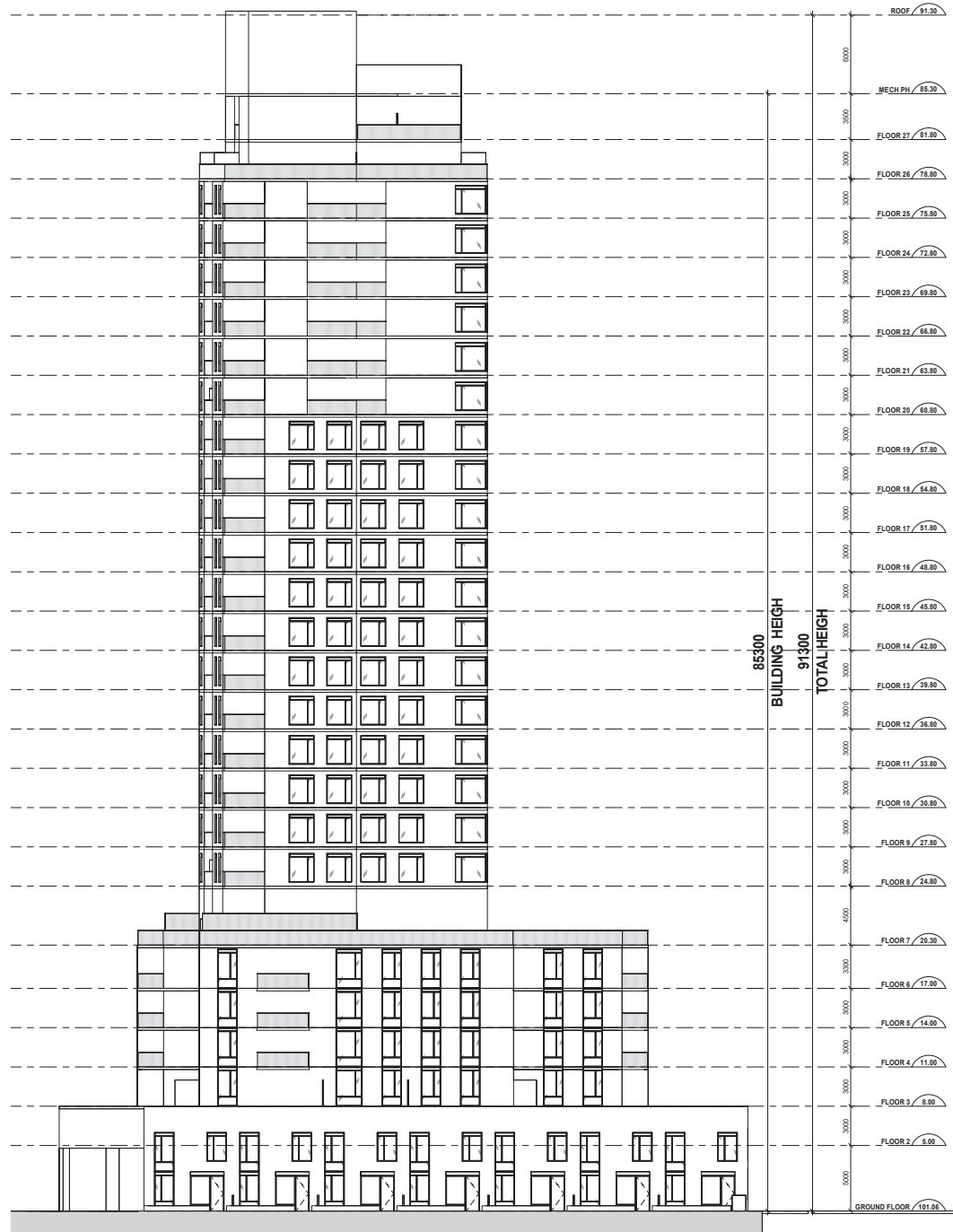


1 EAST ELEVATION  
SCALE: 1:200

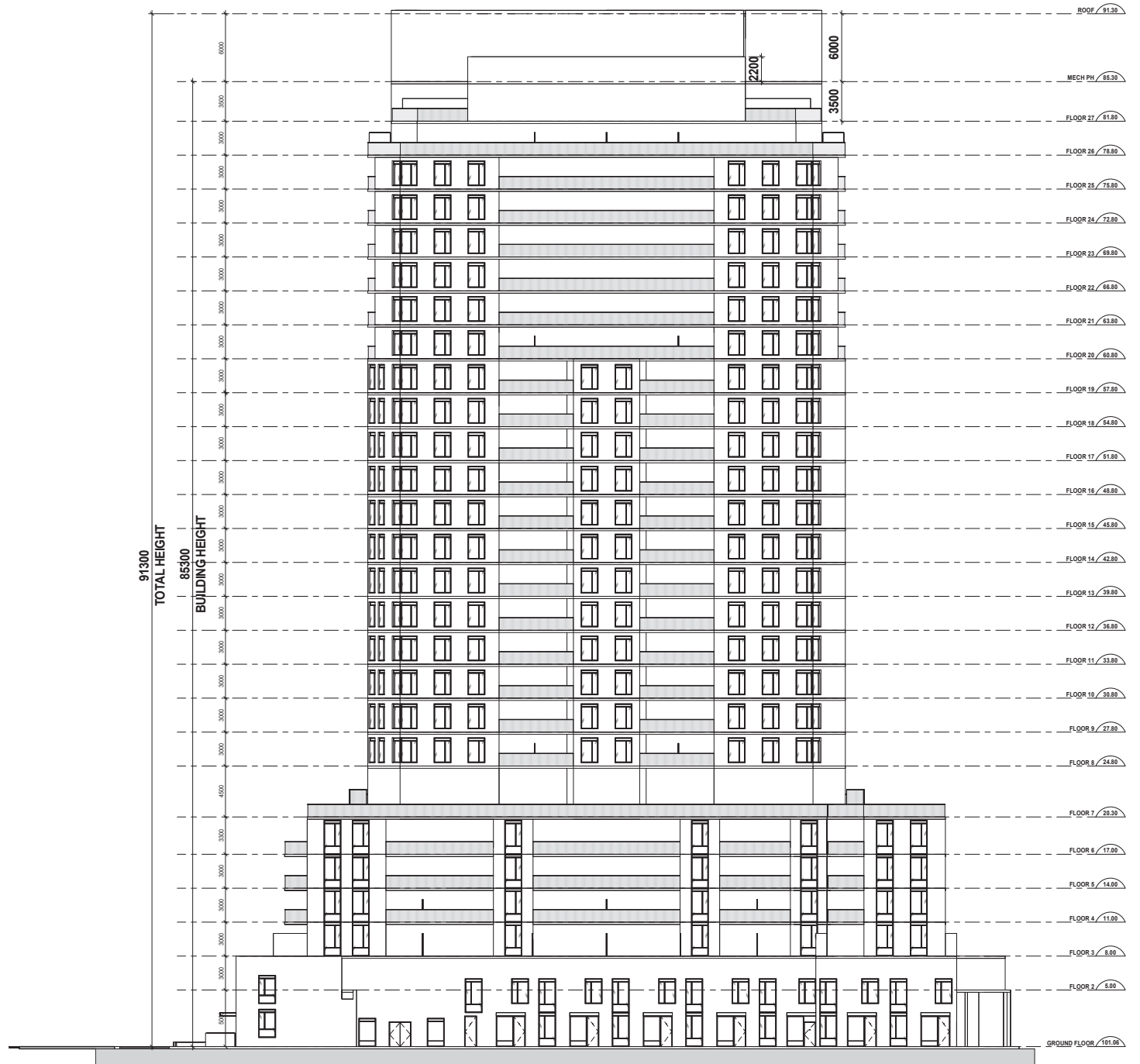


2 NORTH ELEVATION  
SCALE: 1:200

Figure 7 - Building Elevations (Prepared by BDP Quadrangle)



1 WEST ELEVATION  
SCALE: 1:200



2 SOUTH ELEVATION  
SCALE: 1:200

Figure 8 - Building Elevations (Prepared by BDP Quadrangle)



## 3.2 Key Statistics

<b>Site Area</b>	4,180 sq. m
<b>Net Floor Area</b>	<b>22,365 sq. m.</b>
<b>Density</b>	<b>5.43 FSI</b>
<b>Units</b>	
Studio	28 units (9%)
1 Bedroom	147 units (47%)
2 Bedroom	107 units (34%)
3 Bedroom	32 units (10%)
<b>Total</b>	<b>314 units</b>
<b>Amenity Space</b>	
Indoor Amenity	628 sq. m (2.0 sq. m/unit)
Outdoor Amenity	1,061 sq. m (3.38 sq. m/unit)
<b>Total</b>	<b>1,689 sq. m (5.38 sq. m/unit)</b>
<b>Vehicular Parking Spaces</b>	<b>314 spaces</b>
<b>Bicycle Parking Spaces</b>	
Short-term	78 spaces
Long-term	236 spaces
<b>Total</b>	<b>314 spaces</b>
<b>Loading Spaces</b>	<b>1 Loading Space</b>

## 3.3 Required Approvals

In our opinion, the proposed development conforms with the Halton Region Official Plan and its housing policies. These are reviewed in Sections 4.4 and 5.3 of this report.

The Proposal conforms with the overall intent of the Oakville Official Plan as it provides for the optimization of rental residential uses in a transit supportive location and in a contextually sensitive manner. An Official Plan amendment is required to increase the permitted maximum residential density, as the proposed development, at a density of 751 units per hectare, exceeds the 185 unit per hectare maximum.

An amendment to the Town of Oakville Zoning By-law 2014-014, as amended, is required to introduce several site-specific provisions relating to height, density, parking, and setbacks, among other items.

The proposed development will also require a Site Plan Control application prior to construction, which will be filed at a later date.



# Policy & Regulatory Context

The Applications have been evaluated against the applicable planning framework.

#### **4.1 The Planning Act R.S.O. 1990 c. P.13**

Section 2 of the *Planning Act*, R.S.O.1990, c.P13 (the "Planning Act") sets out matters of provincial interest which municipal councils shall have regard to, among other matters, in carrying out their responsibilities pursuant to the legislation. Of particular applicability to the proposed development are: the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems (f); the orderly development of safe and healthy communities (h); the adequate provision of a full range of housing (j); the appropriate location for growth and development (p); and the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians (q).

Section 3(1) gives the Minister the authority to issue policy statements, and Section 3(5) (Policy Statements and Provincial Plans) requires that a decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter:

*(a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and*

*(b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.*

#### **4.2 Provincial Policy Statement (PPS 2020)**

On February 28, 2020, the Ministry of Municipal Affairs and Housing released the Provincial Policy Statement, 2020, which came into effect on May 1, 2020 (the "2020 PPS"). The 2020 PPS provides policy direction on matters of Provincial interest related to land use planning and development. In accordance with Section 3(5) of the Planning Act, all decisions that affect a planning matter are required to be consistent with the PPS. In this regard, Policy 4.2 provides that the PPS "shall be read in its entirety and all relevant policies are to be applied to each situation."

Part IV of the PPS sets out the Province's vision for Ontario and promotes the wise management of land use change and efficient development patterns. The 2020 PPS directs that focusing growth within settlement areas allows for the optimized use of resources, land, infrastructure and service facilities and the promotion of a mix of housing, employment, recreation and transportation choices that support transit and active transportation. Further, it directs that the efficient use and development of land will support the financial well-being of the province and municipalities and minimize undesirable environment impacts.

Part V of the 2020 PPS contains several policies that promote intensification, redevelopment and compact built form, particularly in areas well served by public transit. In particular, Policy 1.1.1 states that healthy, liveable and safe communities are to be sustained by promoting efficient development and land use patterns; accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; and promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

Policy 1.1.2 directs that 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, and within settlement areas, sufficient land shall be made available through intensification and redevelopment. Policy 1.1.3.1 directs that settlement areas shall be the focus of growth and development.

Policy 1.1.3.2 supports densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities and which are transit-supportive, where transit is planned, exists or may be developed. Policy 1.1.3.3 directs planning authorities to identify appropriate locations and promote opportunities for transit supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities. In addition, Policy 1.1.3.4 promotes appropriate development standards, which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.6 provides that 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.

With respect to housing, Policy 1.4.1 directs planning authorities 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, by:

- a. maintaining 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.

Policy 1.4.3 includes specific directions for planning authorities with respect to providing an appropriate range and mix of housing options and densities.

Relevant policies with respect to the Proposal are:

- b. permitting and facilitating all types of residential intensification, including second 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 are available;
- 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.

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

Policy 1.7.1 of the 2020 PPS states that long-term prosperity should be supported through a number of initiatives including: encouraging residential uses to respond to dynamic market based needs and provide necessary housing supply and a range of housing options for a diverse workforce; optimizing the use of land, resources, infrastructure and public service facilities; maintaining and enhancing the vitality and viability of downtowns and main streets; and encouraging a sense of place by promoting well designed built form and cultural planning.

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

Section 4.0 establishes how the PPS is to be implemented. Policy 4.1 directs that 2020 PPS applies to all decisions that affects a planning matter made on or after May 1, 2020. The 2020 PPS is to be read in its entirety and all relevant policies are to be applied to each situation. Policy 4.7 identifies that the official plan is the most important vehicle in the implementation of the 2020 PPS, at the local level, and that the policies of the PPS continue to apply after the adoption of an official plan.

For the reasons outlined in Section 5.1 of this report, it is our opinion that the proposed development and, more particularly, the requested amendments are consistent with the 2020 PPS and, specifically, the policies relating to residential intensification and the efficient use of land and infrastructure.

### **4.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), as amended, Office Consolidation 2020**

On May 16, 2019, A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("2019 Growth Plan") came into full force and effect, replacing the 2017 Growth Plan for the Greater Golden Horseshoe (GGH). Under Section 7 of the Places to Grow Act, all decisions affecting a planning matter must conform with 2019 Growth Plan. The 2019 Growth Plan Amendment No.1 came into effect on August 28, 2020, to ensure continued alignment with the new PPS, which came into effect on May 1, 2020.

Like the 2020 PPS, the 2019 Growth Plan supports intensification within built-up urban areas, particularly in proximity to transit. The plan provides high-level direction on accommodating forecasted growth in complete communities that are designed to provide access to an appropriate mix of jobs, services, public service facilities, and a variety of housing to accommodate a range of incomes and household sizes. It provides that "Complete communities support quality of life and human health by encouraging the use of active transportation and providing high quality public open space, adequate parkland, opportunities for recreation, and access to local and healthy food".

Under the Planning Act, all decisions with respect to land use planning matters shall conform to the 2019 Growth Plan. In accordance with Section 1.2.3, the 2019 Growth Plan is to be read in its entirety and the relevant policies are to be applied to each situation.

The Guiding Principles are set out in Section 1.2.1. Key principles relevant to the proposed development include:

- Supporting the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
- Prioritizing intensification and higher densities in strategic growth areas (see definition below) to make efficient use of land and infrastructure and support transit viability;
- Supporting a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households; and
- Improving the integration of land use planning with planning and investment in infrastructure and public service facilities.

The 2019 Growth Plan is to be read in its entirety and the relevant policies are to be applied to each situation (Section 1.2.3.). These policies emphasize the importance of integrating land use and infrastructure planning and the need to optimize the use of the land supply and infrastructure. Objectives to support the development of a complete community and promotes *transit-supportive* development are included. Section 2.1 outlines the need to coordinate Regional growth planning in order to improve quality of life and build healthy communities. Growth is to be accommodated in complete communities through a mix of jobs, services, and a full range of housing. In order to achieve complete communities, the 2019 Growth Plan establishes density targets and directs intensification to *Strategic Growth Areas*.

Section 2.1 emphasizes the importance of optimizing land use in urban areas:

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



Policy 2.2.1(2)(c) provides that, within settlement areas, growth will be focused in delineated built up areas (i), strategic growth areas (ii), locations with existing or planned transit (with a priority on higher order transit where it exists or is planned) (iii), and areas with existing or planned public service facilities (iv). In this respect, Schedule 3 forecasts a population of 1,100,00 and 500,000 jobs for the Region of Halton by 2051.

Policy 2.2.1(3)(c) requires that municipalities undertake integrated planning to manage this forecasted growth in a manner which provides direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors and to support the achievement of complete communities through a more compact built form.

Policy 2.2.1(4) states that applying the policies of the 2019 Growth Plan will support the achievement of complete communities in a number of ways, including: (a) featuring a diverse mix of land uses including residential and employment uses, and convenient access to local stores, services, and public service facilities; (c) providing 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) expanding convenient access to a range of transportation option; (e) provide for a more compact built form and a vibrant public realm, and (f) mitigating and adapting to climate change impacts and improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability.

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

- 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; ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- d. prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
- e. be implemented through official plan policies and designations, updated zoning and other supporting documents.

The Subject Site would be considered to be part of a *Strategic Growth Area* (i.e., a focus for accommodating intensification and higher-density mixed uses in a more compact built form<sup>1</sup>). "*Strategic Growth Areas*" include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* or *higher order transit* corridors may also be identified as *Strategic Growth Areas*.

The 2019 Growth Plan defines "*frequent transit*" as a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week. A "*major transit station*" area is defined by the Growth Plan as "the area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. *Major transit station areas* (MTSA) are generally defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk". In turn, "*higher order transit*" is defined as "transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. Higher order transit can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way".

The Subject Site lies outside the designated Oakville GO MTSA, which has been defined by Halton Region. However, because the Subject Site is located within the *Kerr Village Growth Area* and is within 750 metres of the Oakville GO station, the Subject Site has all the characteristics of a *Strategic Growth Area*. This is further enhanced by 5 bus routes operating directly adjacent to the Subject Site along Speers Road, providing frequent bus service throughout the day.

Policy 2.2.4 addresses Transit Corridors and Station Areas policies. Policy 2.2.4(2) requires upper-tier municipalities to delineate the boundaries of *Major Transit Station Areas* in a "transit-supportive" manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station. Policy 2.2.4 (3)(b) and (c) provides that MTSAs on *priority transit corridors* will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit, and 150 residents and jobs per hectare for those served by GO Transit. Policy 2.2.4(6) states that, within MTSAs on *priority transit corridors*, land uses and built form that would adversely affect the achievement of the minimum density targets will be prohibited.

Section 2.2.6 of the Growth Plan sets out housing policies. Policy 2.2.6(1) requires municipalities to develop housing choices that, among other matters, support the achievement of the minimum intensification and density targets and identifies a diverse range and mix of housing options and densities to meet projected needs of current and future residents (a); The strategy is to be implemented through official plan policies and designations and zoning by-law amendments I. Notwithstanding Policy 1.4.1 of the 2020 PPS, Policy 2.2.6(2) states that, in providing housing choices, municipalities will support the achievement of complete communities by: planning to accommodate forecasted growth (a); planning to achieve the minimum intensification and density targets (b); considering the range and mix of housing options and densities of the existing housing stock (c); and planning to diversify the overall housing stock across the municipality (d).

In accordance with Policy 2.2.6(3), 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.

Generally, the infrastructure policies set out in Chapter 3 of the Growth Plan place an enhanced emphasis on the need to integrate land use planning and investment in both infrastructure and transportation.

Policy 3.2.1.1 and 3.2.2.1 state that infrastructure and transportation system planning, land use planning, and infrastructure investment will be co-ordinated to implement the Growth Plan. Policy 3.2.2(2) states that the transportation system, which includes public transit, will be planned and managed to, among other matters:

- provide connectivity among transportation modes for moving people and goods;
- offer a balance of transportation choices that reduces reliance upon the automobile and promotes transit and active transportation;
- be sustainable and reduce greenhouse gas emissions;
- offer multimodal access to jobs, housing, schools, cultural and recreational opportunities, and goods and services; and
- provide for the safety of users.

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

The policies regarding climate change are central to Section 4. Policy 4.2.10(1) requires that municipalities identify in their official plans actions that will reduce greenhouse gas emissions and address climate change adaptation goals. These are to include supporting the achievement of complete communities as well as the minimum intensification and density targets in Growth Plan (a), reducing dependence on the automobile and supporting existing and planned transit and active transportation systems (b), providing direction that supports a culture of conservation (h), and any additional policies to reduce greenhouse gas emissions and build resilience, as appropriate (i).

The timely implementation of the Growth Plan policies is seen as a key consideration in the Implementation Section (Section 5). Policy 5.1, Context, provides that both tiers of municipalities should provide more specific planning direction through municipal comprehensive reviews. While it is understood that municipalities need time to complete these reviews, all planning decisions must conform to the Growth Plan as of its effective date, regardless of the status of the comprehensive review. Further, where a municipality must decide on a planning matter prior to the completion of its comprehensive review to bring its official plan into conformity with the Growth Plan, it must still consider the impact of the decision as it relates to the policies of the Growth Plan.

Policy 5.2.1 assists in determining how the 2019 Growth Plan should be interpreted by providing that the Growth Plan sets out an integrated policy framework (5.2.1(1)) and that a municipal comprehensive review undertaken in accordance with the Growth Plan will be deemed to fulfill the municipal comprehensive review requirements of the PPS (5.2.1(2)).

Policy 5.2.5(1) states that the targets set out in the 2019 Growth Plan are minimum intensification and density targets and encourages municipalities to go beyond these minimum targets, where appropriate, except when doing so would conflict with any policy of the 2019 Growth Plan, the 2020 PPS or any other provincial plan. Policy 5.2.5(3) identifies the area which should be delineated in official plans in order to implement the minimum targets, including *Strategic Growth Areas*. Within each delineated area the minimum density targets are to be implemented by such measures as outlined in Policy 5.2.5(5) including zoning all lands in a manner that would implement the official plan policy(c). Policy 5.2.5(6) addresses targets and states that, in planning to achieve the minimum intensification and density targets in the Growth Plan, municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high-quality public realm and compact built form.

For the reasons outlined in Section 5 of this report, it is our opinion that the proposed development and, more particularly, the requested amendments conform with the 2019 Growth Plan and, in particular, the policies encouraging growth and intensification in *Strategic Growth Areas* and MTSAs along property higher order transit corridors.

## 4.4 Halton Region Official Plan

The Halton Region Official Plan ("ROP") was adopted by Regional Council on March 30, 1994, and approved, with modifications, by the Minister of Municipal Affairs and Housing ("MMAH") on November 27, 1995. Between 2006 and 2009, the Region undertook a planning exercise called Sustainable Halton which resulted in the adoption of Regional Official Plan Amendment 38 on December 16, 2009. Further, Regional Council adopted Regional Official Plan Amendment 48 on July 7, 2021, and was approved by the MMAH on November 10, 2021, further updating the plan to identify a hierarchy of strategic growth areas in the Regional Official Plan to help accommodate population and job growth to 2051, as required by the Provincial Growth Plan. The most recent Office Consolidation of the ROP is from November 10, 2021.

The Region is currently reviewing its Official Plan and Phase 3 is expected to be complete in 2023. A summary of the Regional Official Plan review is set out in the section below.

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

Map 1 (Regional Structure) of the ROP identifies the Subject Site as within the Urban Area and Built Boundary (see **Figure 10**). Policy 72 of Part III of the ROP sets out a series of objectives for designated Urban Areas, including:

- to accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently (1);
- 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 (2);
- 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 (3);
- 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 (5);
- 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 (7); and
- to facilitate and promote intensification and increased densities (9).

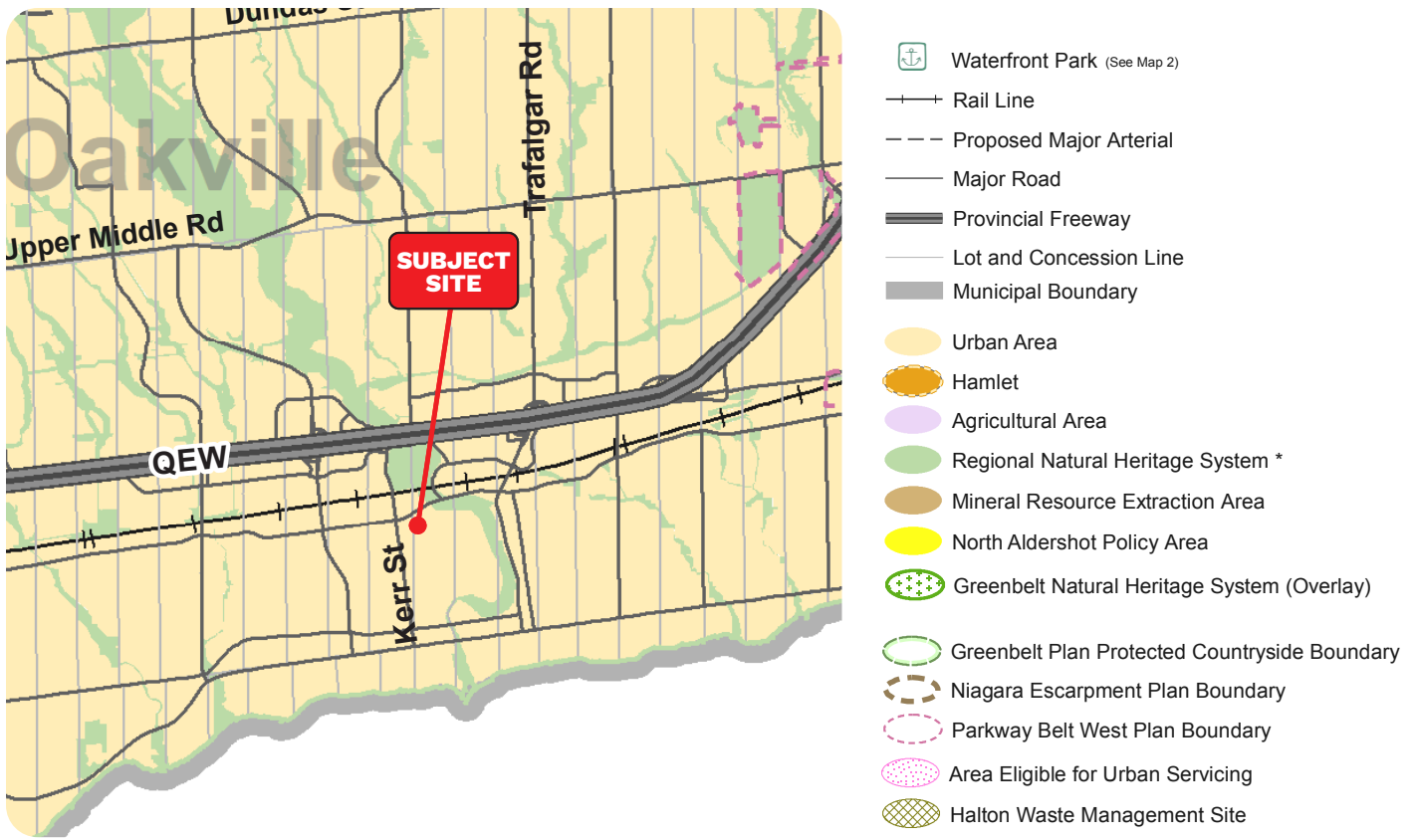


Figure 10 - Halton Region Official Plan - Map 1, Regional Structure

Policy 75 of Part III of the ROP provides that the Urban Area is to be planned to accommodate the distribution of population and employment as set out in Table 1 of the ROP, which identifies the Town of Oakville as planned to have a population of 255,000 persons by 2031. Table 2, Intensification and Density Targets, provides that the Town of Oakville is to add a minimum of 13,500 new housing units to the built-up area between 2015 and 2031. The two tables will be amended as a part of ROPA 49. ROPA 49, as approved by Halton Region Council, provides that the Town of Oakville is to grow to 331,500 people by 2041 with a minimum of 19,400 new housing units in the built-up area.

As the Subject Site is within the Kerr Village Growth Area in the Oakville OP (discussed below), it is considered an *Intensification Area* in the ROP. Within the urban structure, these areas are intended to accommodate intensification and transit-supportive development to support population and employment growth. *Intensification Areas* are further described as having a pedestrian-oriented urban environment with high-quality public realm elements at higher densities than surrounding areas.

Further, Map 1h, Regional Urban Structure of the ROP shows the Subject Site as being close to a Secondary Regional Node (see **Figure 11**). As the Subject Site is within the Kerr Village Growth Area in the Oakville Official Plan, we can determine that the Secondary Regional Node policies apply to the Subject Site.

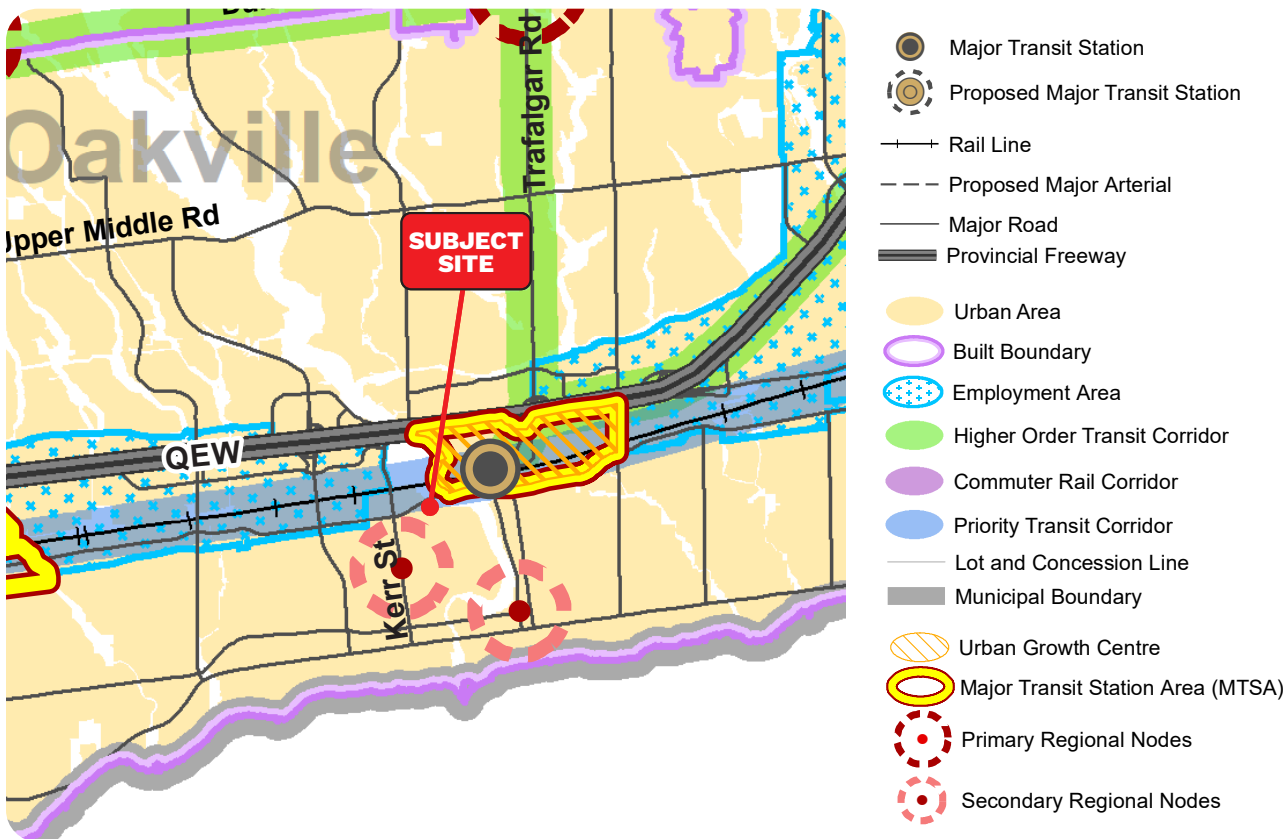
Policy 79.1 of Part III of the ROP provides that Strategic Growth Areas are integral to the Regional Urban Structure within the Urban Area, and that Secondary Regional Nodes have a concentration of residential and employment uses with development densities and patterns supportive of active transportation and public transit.

Policy 82 of Part III of the ROP directs that Regional Nodes such as the Kerr Village Growth Area have the objective of leveraging infrastructure investments and the development of public service facilities to support forecasted growth, provide for a range and mix of transit-supportive uses, such as residential, retail, office, and public uses that support the area in a pedestrian-oriented urban environment, and to reflect and reinforce the urban structure as defined by the local municipality in an approved Official Plan.

Policy 82.1 of Part III of the ROP sets out that Secondary Regional Nodes that are historic downtown areas or villages, including the Kerr Village Growth Area, will be a focus for growth through mixed use intensification at an appropriate scale considering their context.

Policy 84 of Part III of the ROP states that the goal for housing is to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs.

Policy 86.6 a) of Part III of the ROP provides the housing targets that at least 50 per cent of new produced annually in Halton be in the form of townhouses or multi-storey buildings, and Policy 86.6 b) provides that at least 30% of new housing units produced annually in Halton Region be *Affordable* or *Assisted Housing*. The Halton Region Official Plan defined Affordable Housing as housing with a market price or rent that is affordable to households of low and moderate income spending no more than 30% of their gross household income, as described in Halton’s annual State of Housing Report.

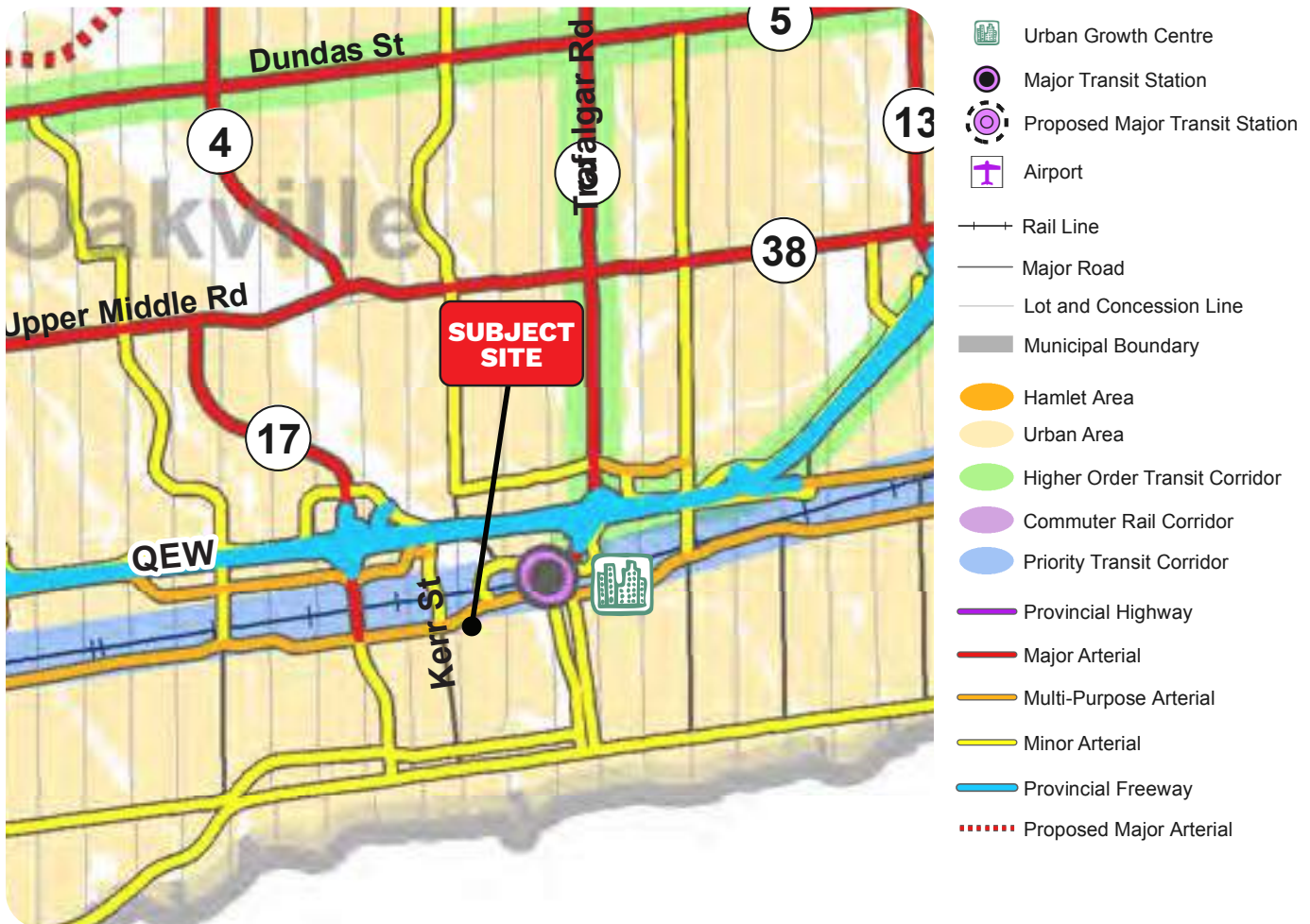


**Figure 11** - Halton Region Official Plan - Map 1h, Regional Urban Structure

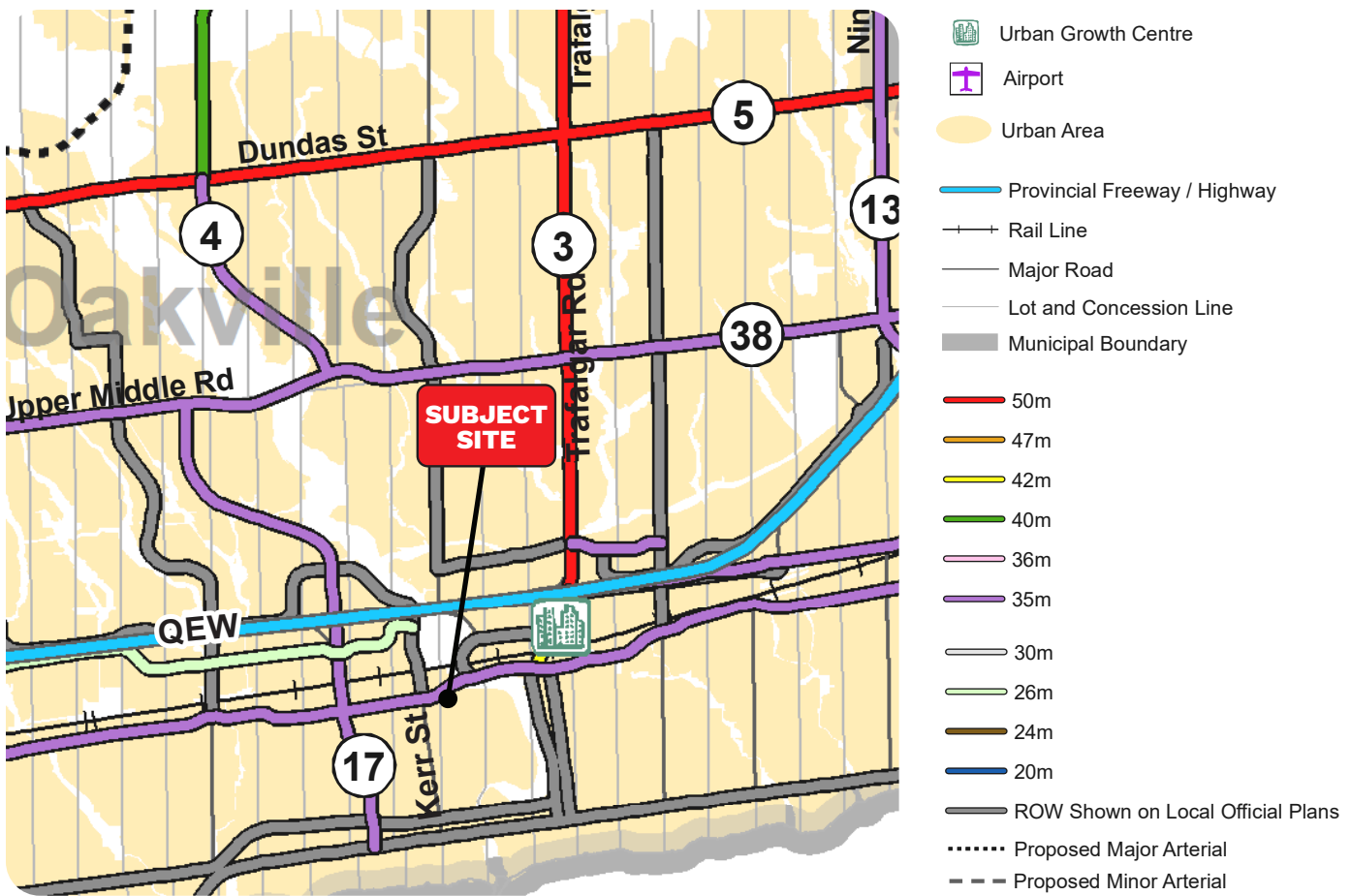
Policy 86.11 of Part III of the ROP permits intensification of land use for residential purposes through infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained.

Policy 86.18 of Part III of the ROP encourages all levels of government to stimulate rental market housing construction in Halton, and Policy 86.19 of Part III of the ROP requires the Local Municipalities to use a rental housing vacancy rate of 3 per cent as the minimum threshold to permit the conversion of existing rental housing to ownership tenure or other uses or the demolition of such housing. The most recent Regional State of Housing Report, for 2020, lists the Town of Oakville's vacancy rate at 3.0%.

Map 3, Functional Plan of Major Transportation Facilities (see **Figure 12**), identifies Speers Road as a Multi-purpose arterial, and Map 4, Right-of-way Requirements of Arterial Roads (See **Figure 13**), designates Speers Road as requiring a 35-metre right-of-way width. Multi-purpose Arterial Roads are listed in Table 3 of the ROP and described as serving a mix of the functions of Major and Minor Arterial Roads, accommodating active transportation, providing an intermediate degree of access control and pedestrian infrastructure as well as on and/or off-road cycling facilities where possible, and encourages transit-supportive, high-density, mixed-use development along them.



**Figure 12 - Halton Region Official Plan - Functional Plan of Major Transportation Facilities**



**Figure 13 - Halton Region Official Plan - Right-of-way Requirements of Arterial Roads**

Policy 152 in Part IV, Healthy Communities, provides that it is the policy of the Region to develop and adopt Healthy Communities Guidelines which include (a) a description of general characteristics of a healthy community, (b) a desirable mix of land uses within the community, (c) community design features that will promote integration of the community and accessibility by residents to services within and outside the community through active transportation and public transit (among others).

### Regional Official Plan Review

In 2015 Halton Region initiated its Regional Official Plan Review to ensure the ROP is conforming with current Provincial policy and to reflect ongoing changes across the Region's communities. The key outcomes of Phase 3 are to develop the preferred growth concept, establish policy directions, create draft amendments to the ROP, and provide a comprehensive update for the ROP.

A Draft Preferred Growth Concept Report was released on February 9, 2022, and as part of the report, a land needs assessment was undertaken for both "Community Area" and "Employment Area" across the region. A "Community Area" is defined as an "urban area where housing and population is accommodated, as well as most population-related jobs, some office employment and may include a small number of employment land jobs. Community areas include Delineated Built-Up Area (DBUA) and Designated Greenfield Areas (DGA), as defined by the Growth Plan and the 2020 Land Needs Assessment Methodology. The approach for determining Community Area land needs is based on 6 components, including 1) population growth outlook, 2) housing needs, 3) housing needs allocation to local municipalities, 4) housing supply potential by policy

area, 5) community area employment, and 6) need for additional land. Based on this analysis, it is proposed that 45% of all housing be intensification within the Delineated Built-Up Areas (DBUA) and 13% of all housing growth be apartment development. As a result, approximately 60% of housing growth is proposed to be intensification or densification in the Delineated Built-Up Areas (DBUA), and the remaining 40% of housing growth would be mainly ground-related in the existing and new Designated Greenfield Areas (DGA). Potential for housing supply in the existing DGA takes approximately 25% of all development, leaving a remainder of approximately 15% of housing development proposed for future urban DGA. To accommodate the 15% for new urban DGA, the Region requires 1,120 hectares of additional Community Area land, which is proposed to be allocated in Milton and Halton Hills as there is limited availability for future ground-related urban lands to be allocated to Burlington and Oakville.

The preferred growth concept is based largely on the roles of each local Municipality within the Region of Halton. To ensure the planning objectives that result from the preferred growth concept are implemented, each municipality must accommodate growth. The allocation of growth for each local Municipality is outlined as part of the draft report. The Town of Oakville must accommodate 28% of population growth and 27% of employment growth that is expected from 2031 to 2051 within its mixed use, transit supportive nodes and corridors in the Built-Up Area south of Dundas Street and in the existing DGA north of Dundas Street.

On February 16, 2022, Halton Region Council adopted a Motion that supports a Modified Preferred Growth Concept (MPGC) that directs Staff to prepare an Official Plan Amendment that advances a MPGC in two phases. The first phase is to limit population and employment growth before 2041 to the existing urban boundary. The second phase will focus on when and how planned growth between 2041 and 2051 should be accommodated.

On June 15, 2022, Council adopted Regional Official Plan Amendment 49, implementing the MPGC. ROPA 49 remains under review by the MMAH and is not in full force and effect. ROPA 49 updates the ROP to, among other things, provide direction on growth to 2051 throughout the region, particularly relating to required intensification rates and population and unit projections for lower-tier municipalities. Additional policies relating to climate change, create new policies relating to Regional Intensification Corridors, modify policies relating to employment areas, and modify housing targets.

Various changes to the ROP in ROPA 48 include modifying Tables 1 and 2 to update growth projections to 2051, as required by the Growth Plan. 2051 population and unit requirements are identified as being determined through a later comprehensive review. 2041 growth projections are identified for the Town of Oakville to grow to 331,500 people by 2041, with a minimum of 19,400 units, or 45% of new growth, to be accommodated within the built-up area in that period. Additionally, Table 2a, Phasing, identifies 4,500 units to be constructed within the Built Boundary between 2022 and 2026.

Policy 78.1(5) of the ROP would also be modified to require that, to support climate change mitigation, growth will be directed to areas that will support achieving complete communities and the minimum intensification and density target of this Plan as well as reducing dependence on the automobile and supporting existing and planned transit and active transportation.

Policies 82.3 through 82.7 are also proposed to be added to the ROP through ROPA 49, identifying policies for Regional Intensification Corridors. Speers Road along the Subject Site is identified as a Regional Intensification Corridor in the modified Map 1h, Regional Urban Structure map, as a part of ROPA 49 (see **Figure 14**).



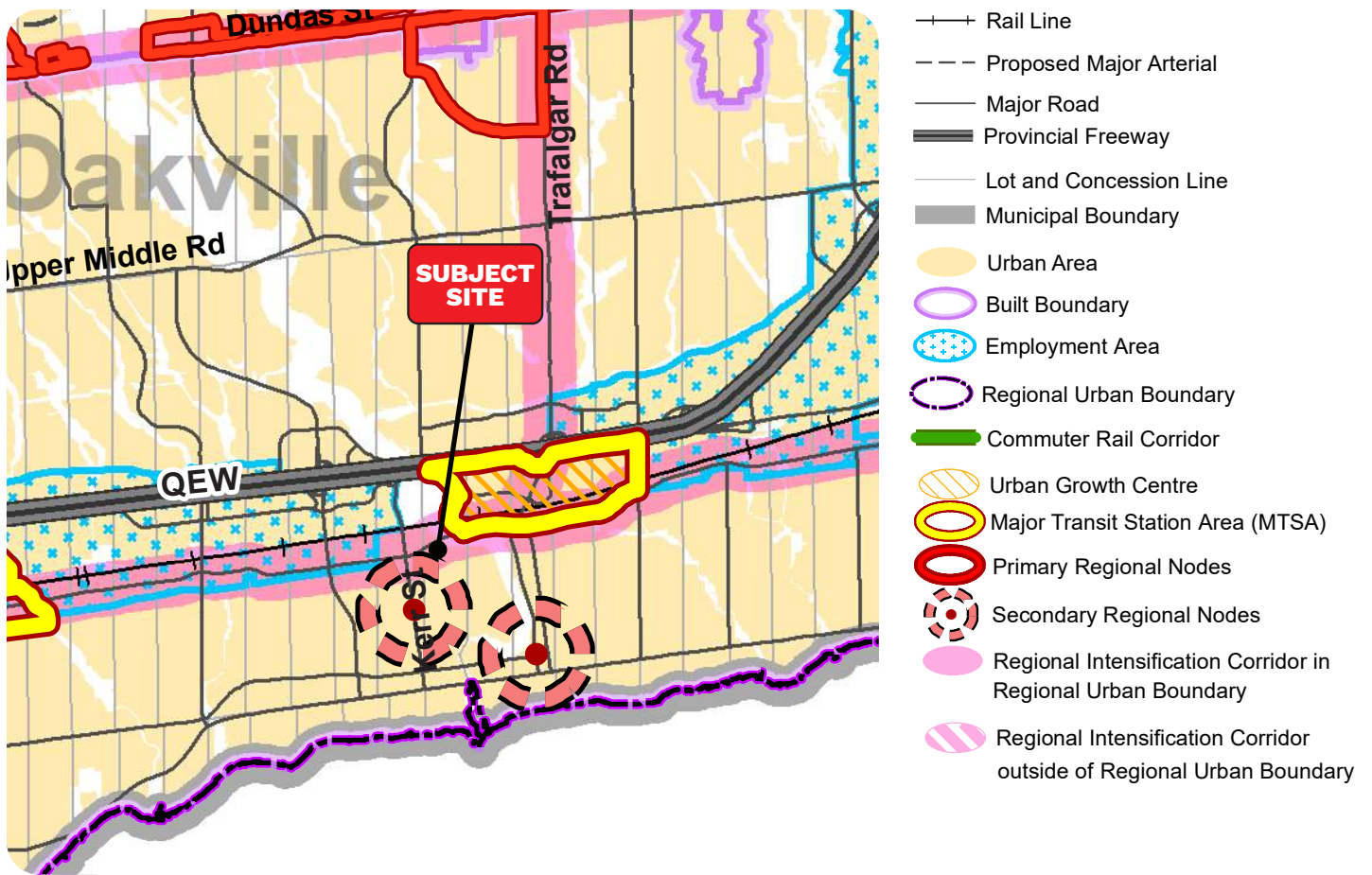


Figure 14 - Map 1h, Regional Urban Structure, ROPA 49

The objectives for Regional Intensification Corridors are set out in Policy 82.3 and include connecting other elements of the Regional Urban Structure, accommodate higher-density mixed use development (1), to achieve increased residential and employment densities to ensure the viability of existing and planned transit infrastructure and service (2), and to achieve a mix of residential, office, institutional, and commercial development where appropriate (3).

Policy 82.7 directs that it is the policy of the region to direct development with higher densities and mixed uses to Regional Intensification Corridors (1) and encourage the local municipalities to identify the corridors in their Official Plans, develop detailed policies or area-

specific plans that support accommodating growth at an appropriate scale for their context and planned transit service, and identify and plan for local nodes along the corridors where appropriate (2).

Policy 86 (6) would also be modified as a part of ROPA 49, increasing the percent of new housing units produced annually in Halton in the form of townhouses or multi-storey buildings from 50% to at least 65% to 2031 and 75% each year thereafter.

## 4.5 Town of Oakville Official Plan (Livable Oakville)

The Oakville OP was adopted by the Town of Oakville on June 22, 2009 and approved by the Regional Municipality of Halton on November 30, 2009, with modifications. The Regional approval was appealed to the Ontario Municipal Board ("the OMB") which approved the Oakville OP with further modifications on May 10, 2011 well before dates the 2020 PPS and the 2019 Growth Plan came into effect. The most recent Office Consolidation is from August 31, 2021. The Town is currently reviewing its Official Plan.

Section 2.2 of the Oakville OP provides Guiding Principles and Policy 2.2.1(b) speaks to preserving and creating a livable community in order to direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated. Policies 2.2.2 (a) and (b) speak to providing choice throughout the Town in order to enable the availability and accessibility of a wide range of

housing, jobs and community resources to meet the diverse needs of the community through all stages of life and providing choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails are also guiding principles.

The Subject Site is within Kerr Village (Official Plan's Schedule A1 - Urban Structure, (**Figure 15 - Urban Structure**), which is identified as one of the municipality's *Nodes and Corridors* and a *Main Street Area*. In accordance with Policy 3.5, *Nodes and Corridors* are *Strategic Growth Areas* as defined in the Growth Plan, and key areas of the Town identified as the focus for mixed use development and intensification. Kerr Village is therefore intended to develop as a mixed-use centre with viable main streets. The *Main Street Areas* are intended to accommodate lesser amounts of intensification.

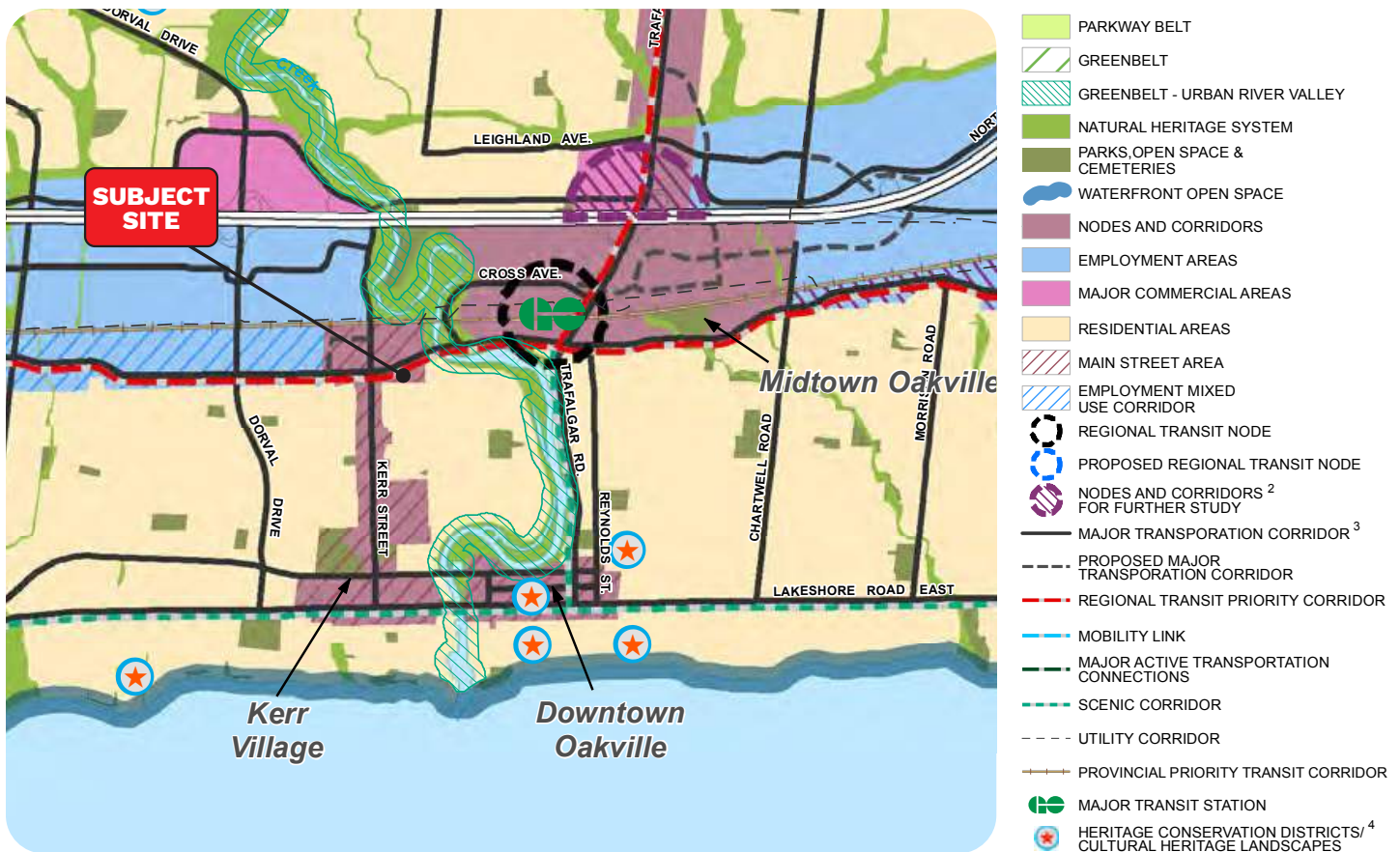


Figure 15 - Town of Oakville Official Plan, Schedule A1 - Urban Structure

Schedule A2 - Built Boundary and Urban Growth Centre (Figure 16) identifies that the Subject Site is located within the Built Boundary and Urban Area, just west of the Midtown Oakville Urban Growth Centre (generally bound by Eighth Line to the east, Cornwall Road to the south, Cross Avenue to the west and Ontario Highway 403 (QEW) to the north).

14,390 new residential units within the built boundary by 2031. Growth is to occur primarily within the defined Growth Areas in Part E, including Kerr Village. Kerr Village is intended to develop as a mixed-use centre with viable main streets, and has been the subject of detailed, comprehensive land use studies which have resulted in objectives and policies to provide for growth opportunities.

Section 4 provides that the population and employment growth in the Town is intended to be accommodated through the development of the Residential and Employment Areas within the existing built boundary. Policy 4.4 provides that the Town of Oakville is to achieve

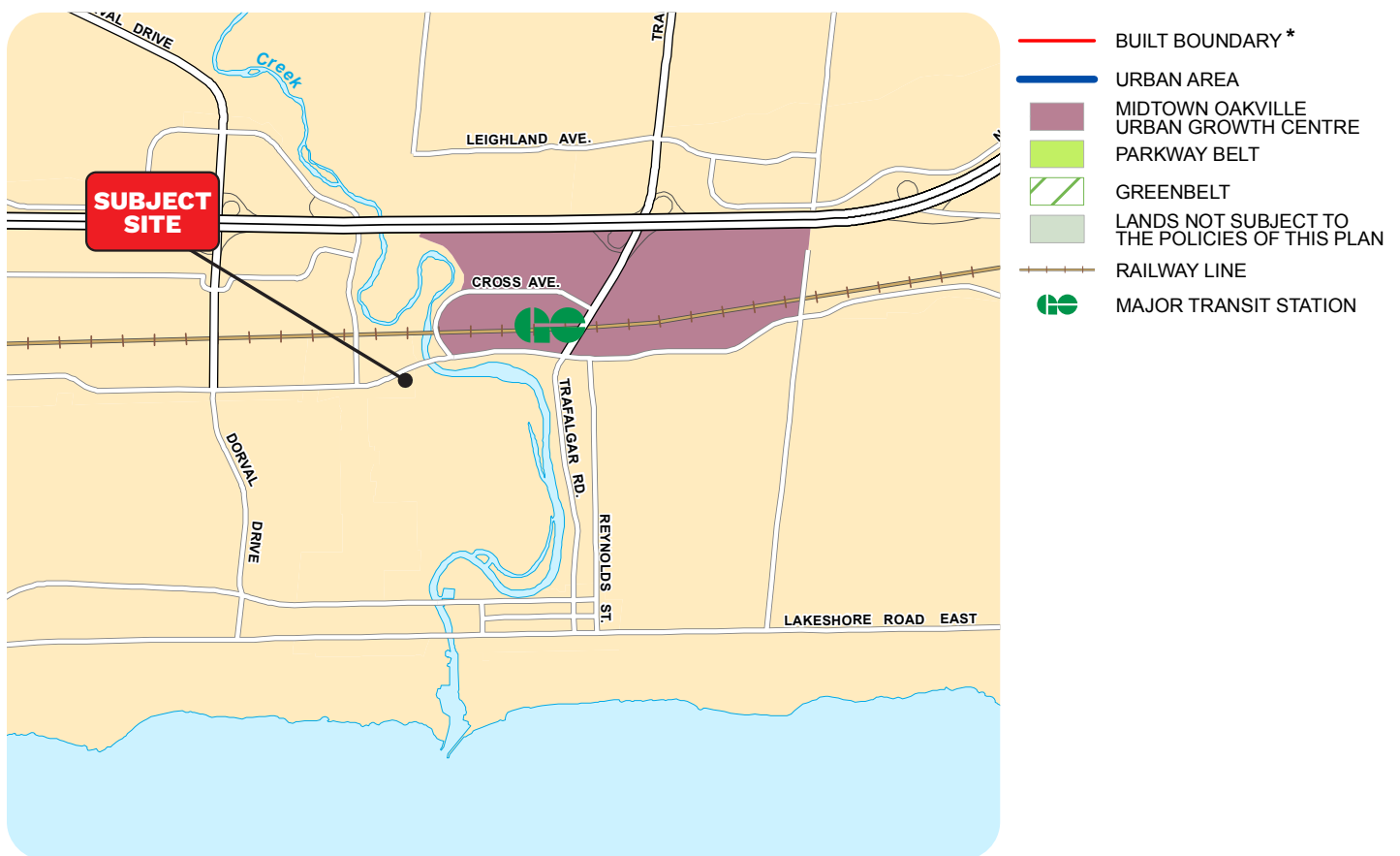
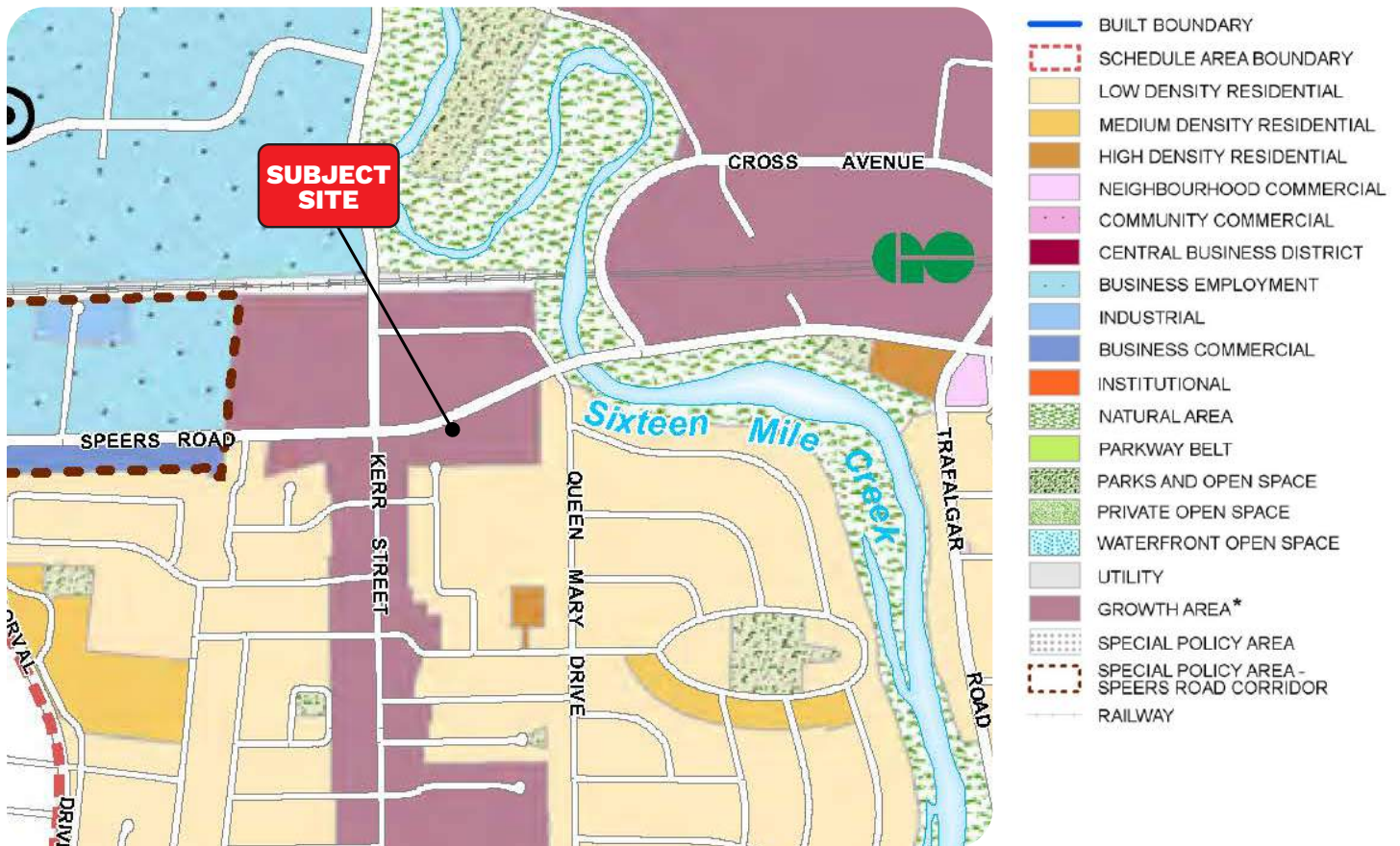


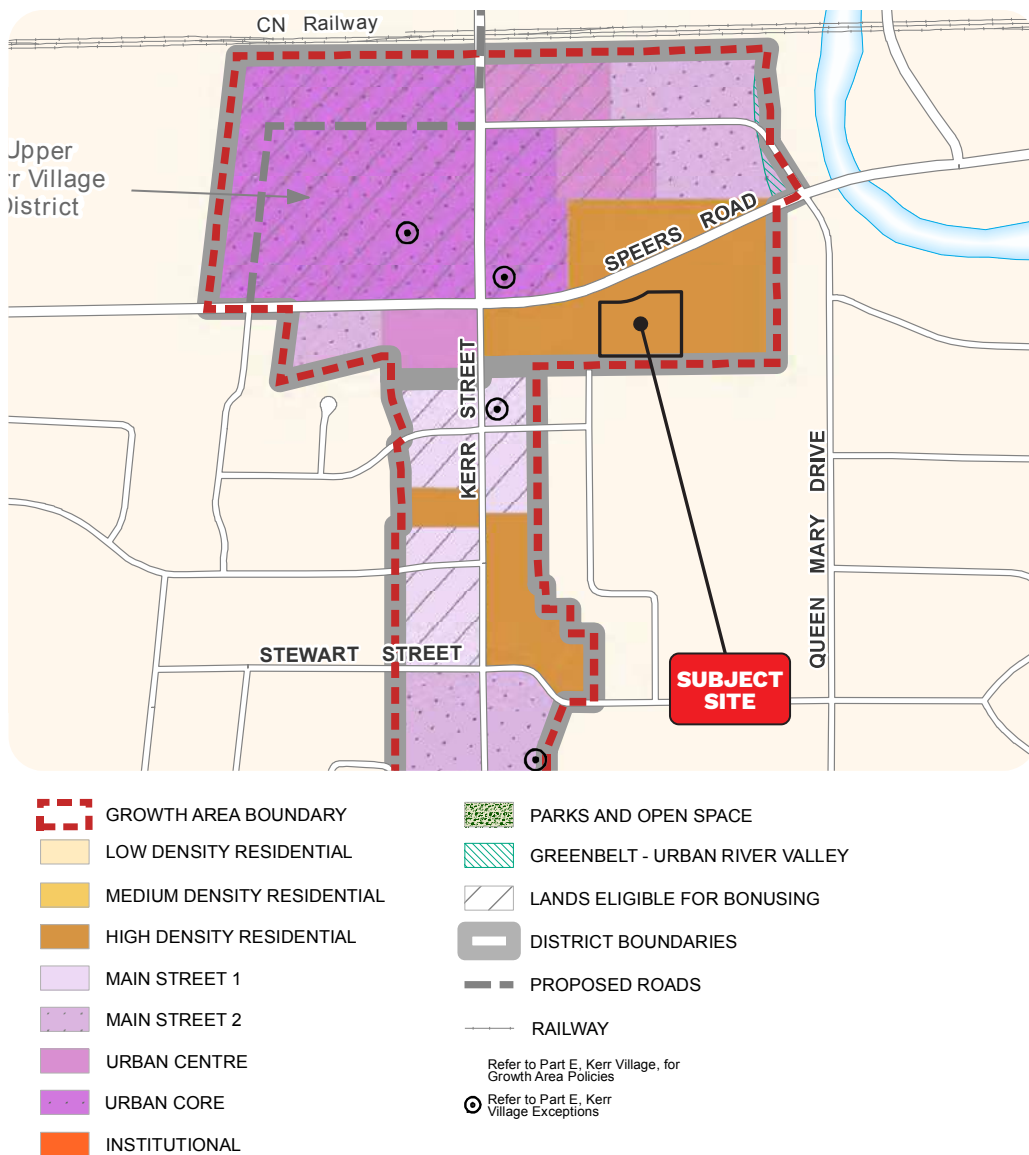
Figure 16 - Town of Oakville Official Plan, Schedule A2 - Built Boundary and Urban Growth Centre

The Subject Site falls within the Kerr Village Growth Area, as shown on Schedule G – South East Land Use in the Town of Oakville Official Plan (see **Figure 17**). Kerr Village is intended to develop as a mixed-use centre with viable main streets, and has been the subject of detailed, comprehensive land use studies which have resulted in objectives and policies to provide for growth opportunities. On Schedule O1 – Kerr Village Land Use, the Subject Site is designated as *High Density Residential*

*Residential* (See **Figure 18**) which permits a range of high-density housing types including multiple-attached dwelling units, apartments, retirement homes and long-term care homes. Policy 11.4.2 provides that the density range within *High Density Residential* areas is to be between 51 and 185 units per site hectare.



**Figure 17** - Town of Oakville Official Plan, Schedule G – South East Land Use



**Figure 18 - Town of Oakville Official Plan, Schedule O1 – Kerr Village Land Use**

Section 11 of the Oakville OP provides direction for Residential Areas of the town, which include the Subject Site. It is the objective of Residential areas to:

- maintain, protect and enhance the character of existing residential areas;
- encourage an appropriate mix of housing types, densities, design and tenure throughout the town;
- promote housing initiatives to facilitate revitalization, compact urban form and an increased variety of housing alternatives,
- promote innovative housing types and forms to ensure accessible, affordable, adequate and appropriate housing for all socio-economic groups;
- encourage the conservation and rehabilitation of older housing in order to maintain the stability and character of the existing stable residential communities; and
- discourage the conversion of existing rental properties to condominiums or to other forms of ownership in order to maintain an adequate supply of rental housing.

Policy 11.1.2 of the Oakville OP directs that the Town will seek a balance in housing tenure. Conversions of existing rental accommodation to condominium or other forms of ownership shall be discouraged.

## Urban Design

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

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

Policy 6.1.2 (a) provides that development shall be evaluated in accordance with the urban design direction set out in the Livable by Design Manual (see the Urban Design Brief provided under separate cover) and that alternative design approaches may be proposed with the provision of appropriate justification and after consultation with the Town, if the proposed design meets the intent and purpose of the OP's urban design policies.

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

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

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

- placing the principal building entrances towards the street and towards corner intersections (a);
- framing the street and creating a sense of enclosure (b);
- providing variation in façade articulation and details (c);
- connecting active uses to the public realm to enhance the liveliness and vibrancy of the street (d);

- incorporating sustainable design elements such as trees, plantings, furnishings, lighting, etc.(e); and,
- coordinating improvements in building setback areas to create transitions from the public to private realms (f).

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

Section 6.9 includes built form policies, including:

- buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping and signage (6.9.1);
- building design and placement should be compatible with the existing and surrounding built form context and carried out in a creative and innovative approach manner (6.9.2);
- to achieve compatibility between different land uses, development shall be designed to accommodate an appropriate transition between different land uses through landscape buffering, spatial separation, and compatible built form (6.9.3);
- in Growth Areas and along intensification corridors, buildings should incorporate distinctive architecture, contribute to a sense of identity and be positioned on and oriented towards the street frontage(s) to provide interest and comfort at ground level for pedestrian (6.9.4);
- buildings should present active and visually permeable façades relative to all adjacent streets and amenity spaces through the use of windows, entry features, and human-scaled elements (6.9.5);
- main principal entrances to buildings should be oriented to the public sidewalk (6.9.6);
- development should be designed to include variation in building mass, façade treatment and articulation to avoid sameness (6.9.7);
- buildings located on corner lots shall provide a distinct architectural appearance with a high level of detailing and articulated façades that continue around the corner to address both streets (6.9.8);
- new development shall ensure that proposed building heights and form are compatible with adjacent existing development by employing an appropriate transition of height and form from new to existing development, which may include setbacks, façade step backs or terracing in order to reduce adverse impacts on adjacent properties and/or the public realm (6.9.9);

- continuous street walls of identical building height are discouraged; variety in rooflines through subtle variations in roof form and height should be created (6.9.10);
- where appropriate, the first storey of a building shall have a greater floor to ceiling height to accommodate a range of non-residential uses (6.9.11);
- new development should be fully accessible, including universal design principles to ensure barrier-free pedestrian circulation (6.9.12);
- rooftop mechanical equipment shall not be visible from view from the public realm (6.9.13);
- outdoor amenity areas should incorporate setbacks and screening elements to ensure compatibility with the local context (6.9.14); and
- buildings should be sited to ensure maximum solar energy, adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties and avoid excessive shadows (6.9.15).

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

- enhance the human scale of development, create an attractive pedestrian movement and frame desired views or focal objects (6.10.1);
- preserve and enhance the urban forest (6.10.2);
- provide shade and wind protection (6.10.3); and
- preserve and complement the existing natural landscape (6.10.4).

Policies pertaining to pedestrian and vehicular access and circulation, and parking, are set out in Sections 6.11 to 6.13 and include the following:

- pedestrian walkways should be barrier-free (6.11.1);
- development should incorporate safe and direct access and circulation to and through the site that connects pedestrians to principle building entrances, amenity areas and parking areas and public sidewalks and transit facilities as well as adjacent developments, where appropriate (6.11.2);
- in areas with high levels of pedestrian traffic, walkways should be extended from curb to building face and enhanced by appropriate landscaping treatment (6.11.3);
- walkways should provide continuous routes across driveway entrances, drive aisles and through parking areas (6.11.5);

- development should incorporate safe and direct vehicular access and circulation routes with defined internal drive aisles to direct traffic, establish on-site circulation and frame parking areas (6.12.1);
- consolidated driveway accesses are encouraged to maximize landscaped space, minimize public sidewalk interruptions and expansive paved areas (Policy 6.12.2);
- surface parking should be located in rear or side yards with appropriate screening, but be sufficiently visibility for safety and functionality, and connect to the on-site pedestrian network and streetscape through landscaped pedestrian linkages (6.13.2);
- barrier-free parking spaces should be located in close proximity to principal building entrances (6.13.3);
- surface parking areas should incorporate planted landscaped areas that effectively screen parked vehicles from view from the public realm, provide shade, wind break and visual relief from hard surfaces, clearly define the vehicular circulation routes and are sufficiently sized to support the growth of trees and other vegetation.

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

- servicing and loading areas should be located and orientated away from pedestrian and vehicular circulation both on-site and in the public right-of-way; accessible but not visible from the public realm; and, separated and buffered from residential areas (6.16.1);

the visual and noise effects of activities associated with service and loading areas on the surrounding environment should be minimized by locating such areas behind buildings, erecting noise walls and fences, as well as screening with tree and shrub plantings (6.16.2);

When lands are adjacent to residential land uses, service and loading areas should be internalized in the building or appropriately screened from the public realm and adjacent uses (6.16.3); and

Site servicing and utility elements should be located within the rear yard or away from or screened from public streets, adjacent residential areas and other sensitive land uses (6.16.4).

## Transportation

Speers Road is identified on Schedule C - Transportation Plan (**Figure 19**) as a Multi-purpose Arterial Road. Table 4: Functional Classification of Roads, identifies that Multi-purpose Arterials are intended to serve a mix of functions of both major arterials and minor arterials, act as major transit corridors, and accommodate high volumes of traffic. An intermediate degree of access control is encouraged, as are transit-supportive land uses along the right-of-way. The designated right-of-way width is 35 metres, although, as noted, this width is exceeded adjacent to the Site because of the service road. East of the Site, the existing right-of-way is 28 metres.

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

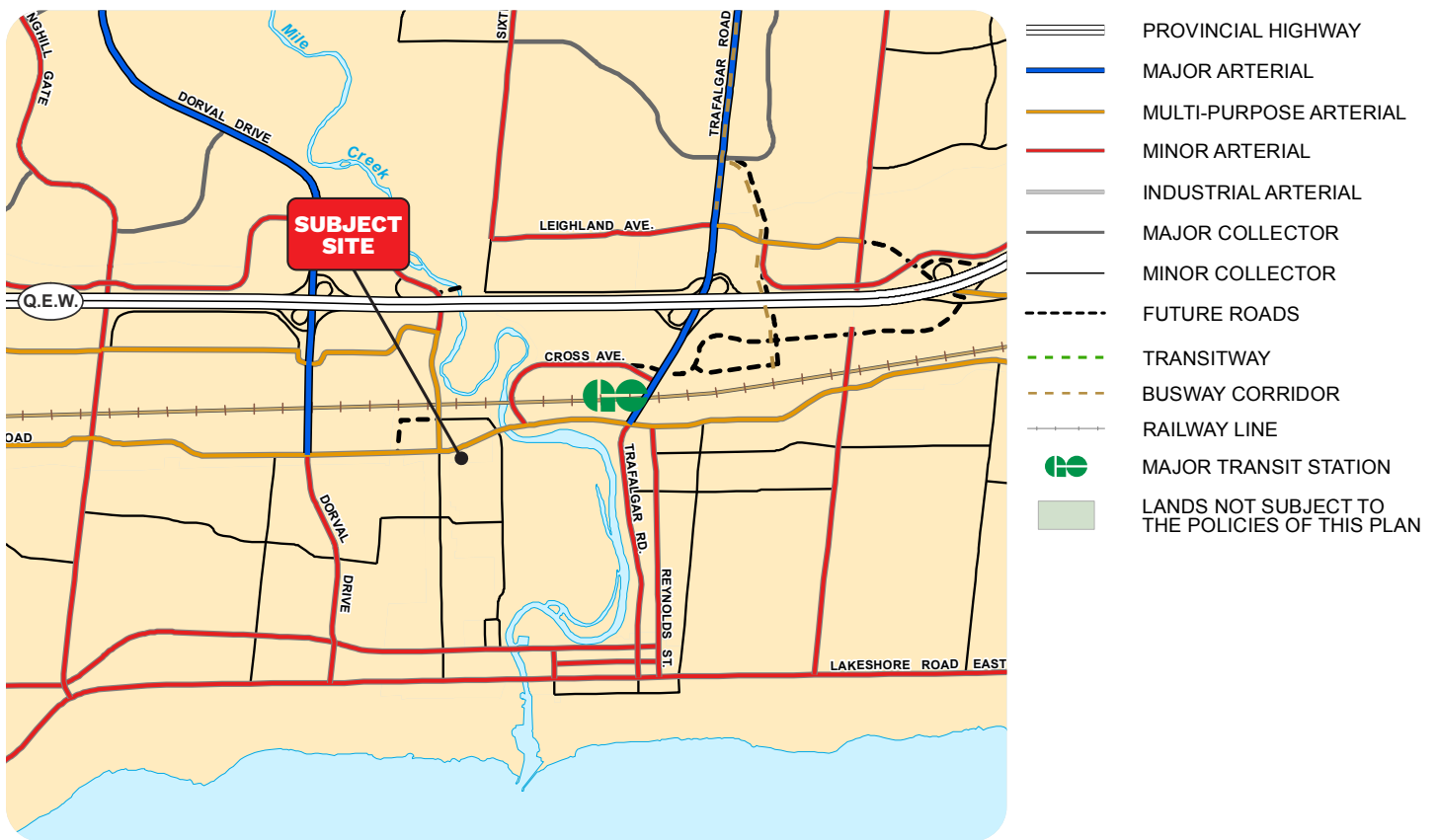


Figure 19 - Town of Oakville Official Plan, Schedule C – Transportation Plan



Policy 8.10.1 provides that walking and cycling are recognized as alternate modes of transportation that can play a positive role in improving mobility and quality of life as part of a balanced transportation system. A complete active transportation system in existing and new development areas will augment and provide connections to the road and transit system. Speers Road is identified on Schedule D - Active Transportation Plan (**Figure 20**) as a Proposed Buffered Bike Lane. A planned signed bike route runs along Kerr Street south of Speers Road, and a planned bike lane runs along Queen Mary Drive, Shepherd Road, and Kerr Street north of Speers Road.

Policy 8.10.7 states that in new *developments*, sidewalks should be required on both sides of all roads except for a road flanking a natural feature, where a sidewalk shall be provided on the developed side only, subject to the availability of a trail facility on the other side of the road.

Policy 8.10.8 states that bicycle parking standards shall be implemented through the Zoning By-law.

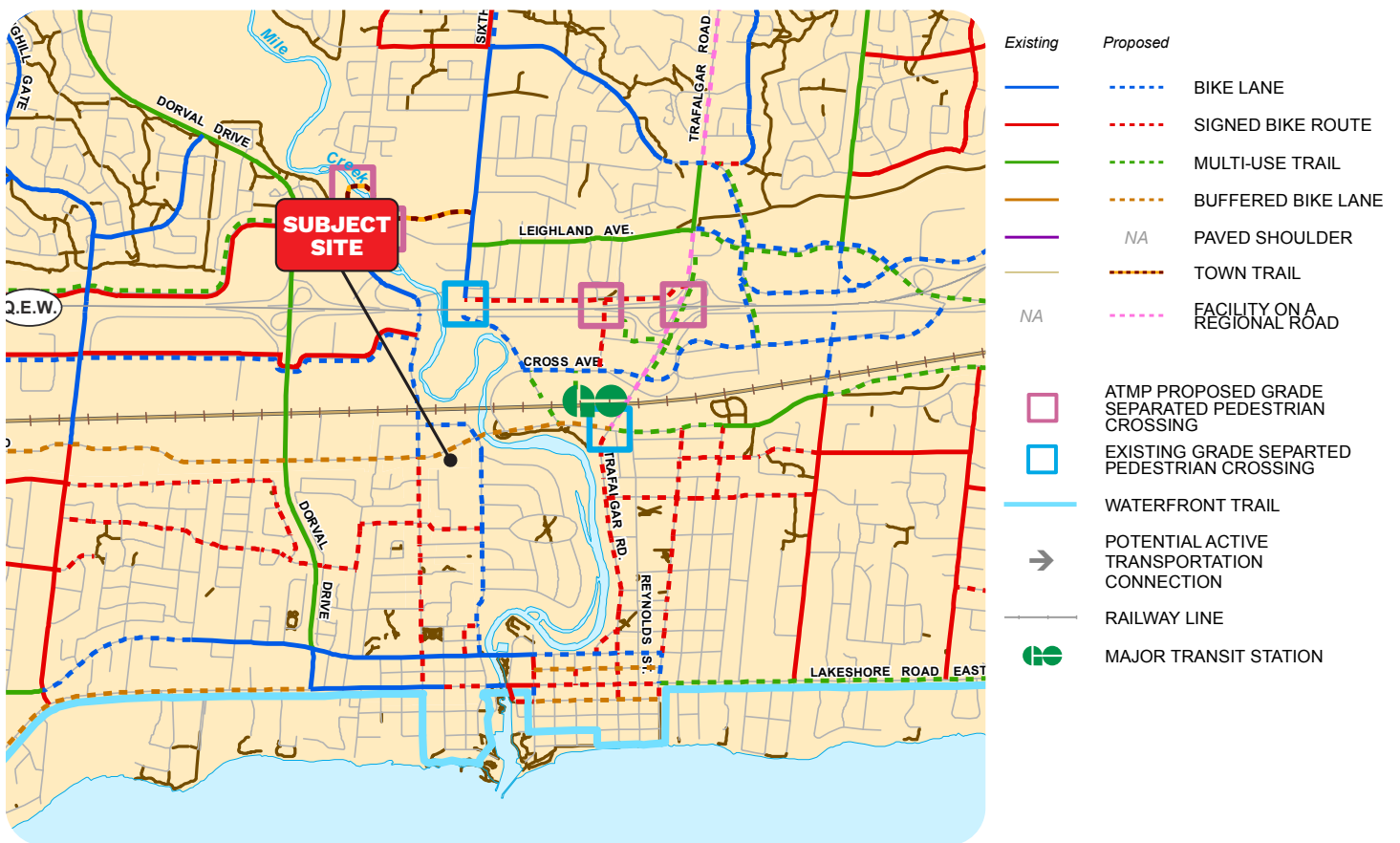


Figure 20 - Town of Oakville Official Plan, Schedule D – Active Transportation Plan

## Kerr Village Growth Area

The Kerr Village Growth Area policies (Section 23) identify this area for revitalization as a vibrant cultural and business area (23.1). Opportunities for sustainable growth are to be directed to Kerr Village through a compact, urban built form and compatible and higher density development (23.2.1). Development is also directed to be transit-supportive, use transit priority measures, provide increased levels of service and provide connected routes for cyclists, pedestrians, and public transit (23.2.2). Development should contribute to an attractive public realm that includes high quality streetscapes and accessible and comfortable open spaces (23.2.3d). Higher density uses along main streets are directed to appropriately transition and be compatible with nearby lower density residential neighbourhoods (23.2.3e).

Policy 23.3 establishes three land use districts in Kerr Village which are to provide an appropriate transition in land use and built form between the existing residential areas and any future development and redevelopment. The Subject Site falls within the Upper Kerr Village District ("the UKV District"), as shown on Schedule O2 – Kerr Village Urban Design (see **Figure 21**) which is to become a transit-supportive and mixed-use area. Higher density forms of development are permitted within the District to achieve the critical mass required for enhanced transit. The UKV District will include appropriate gateway features, an urban park with pedestrian mid-block connections and opportunities for affordable housing (23.3.1).

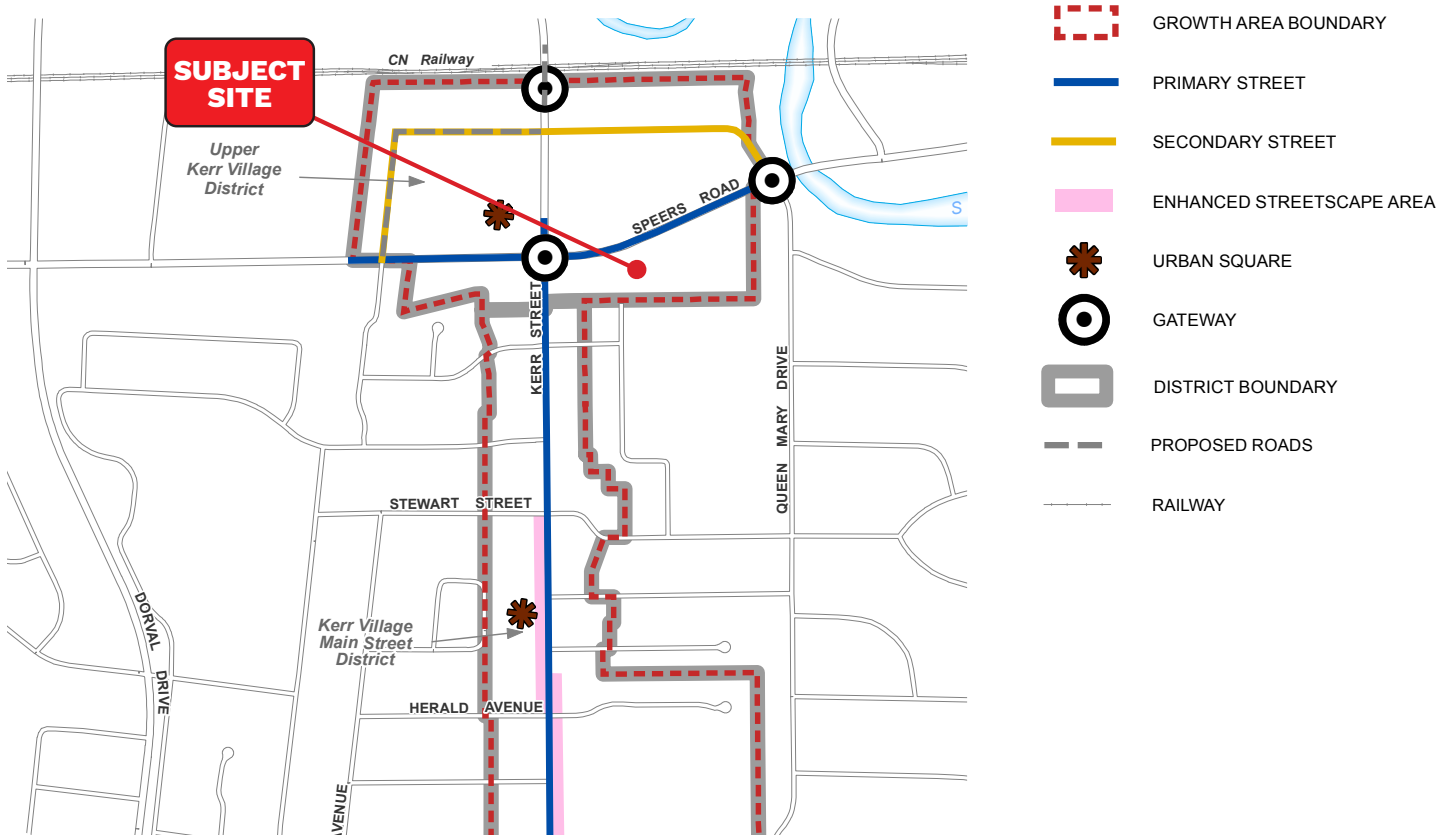


Figure 21 - Town of Oakville Official Plan, Schedule O2 – Kerr Village Urban Design

In accordance with Policies 23.4.1 a) and b) the Town is to introduce transit service improvements at an early stage in the development of the UKV District. As its revitalization continues, it will be serviced by the extension of improved transit levels of service, including transit priority measures and infrastructure required to create an efficient and attractive transit environment. Throughout the development process, attractive transit environments are encouraged to include transit passenger amenities, minimal surface parking, and other travel demand management strategies to encourage transit ridership.

Policy 23.4.1 b) i) directs that surface parking lots shall be limited, and that where surface parking is provided, the visual impact of large surface lots is to be mitigated by a combination of setbacks and significant landscaping. Bicycle parking facilities are encouraged throughout Kerr Village (23.4.1 c)). d) directs that the feasibility of creating a new or improved east-west pedestrian/cycling connection across Sixteen Mile Creek in the general area of the QEW/Speers Road is to be investigated by the Town (23.4.1.d)).

Section 23.5 provides direction with regards to Urban Design within the Kerr Village Growth Area. Policy 23.5.1 provides that development and public realm improvements shall be evaluated in accordance with the urban design direction provided by the Livable by Design Manual.

Urban design direction with regards to streetscapes is set out in 23.5.3. a) and b). Primary streets, such as Speers Road, (see **Figure 21**), are to provide for pedestrian-oriented streetscapes through the use of wide sidewalks, landscaping, and furnishings, and buildings along primary streets, such as Speers Road are to incorporate a high degree of transparency on the ground floor, provide building openings and principal entrances facing the street, and contain commercial, community, cultural, or limited office uses adjacent to the street which foster an active main street environment.

The general locations of gateways within the Kerr Village Growth Area are identified on Schedule O2 (**Figure 21**) at the intersection of Kerr Street and Speers Road and where Queen Mary Drive crosses over Speers Road. These locations are to provide gateway treatments which may include well designed built form or structures, distinctive streetscape treatments, landscaping, and/or public art (Policy 23.5.4).

Policy 23.5.6 provides direction with regards to the Built Form. Buildings greater than three storeys in height, on lands immediately adjacent to lands designated Residential Low Density, shall be stepped back above the third storey (Policy 23.5.6 b)). As the lands to the south of the Subject Site are designated as Residential Low Density (see **Figure 21**), this policy applies.

In accordance with the bonusing provisions the Town may allow the maximum permitted heights to increase by a maximum of two storeys without amendment to the Official Plan, in exchange for the provision of public benefits such as transit and alternative transportation solutions, affordable housing units, community service facilities, non-profit childcare facilities, public art, enhanced streetscapes, and enhanced green building and energy conservation technology (23.8.2).

## **Town Of Oakville Official Plan Review**

A town-wide Official Plan Review began in 2016 with the primary purpose of updating the Town's Official Plan documents to be consistent with or be in conformity with the evolving Provincial legislation and policies, as well as the ROP as amended through its Review.

The Town's Official Plan review projects include studies such as Employment and Commercial Review, Urban Structure Review, Growth Area Reviews, Nodes and Corridors and Residential Policy Review. The North Oakville East and West Secondary Plans will also be reviewed and improve conformity with the Oakville OP.

The Midtown Oakville Growth Area policies are also currently under review by the Town of Oakville. The Midtown Oakville Growth Area lies to the east of the Subject Site, east of the Sixteen Mile Creek and includes the Oakville GO station. Notably, the draft policies released as a part of this review propose to substantially increase the maximum building height in the Growth Area to 255 metres in height (Policy 20.3.8(f)).

## 4.6 Zoning By-law 2014-014

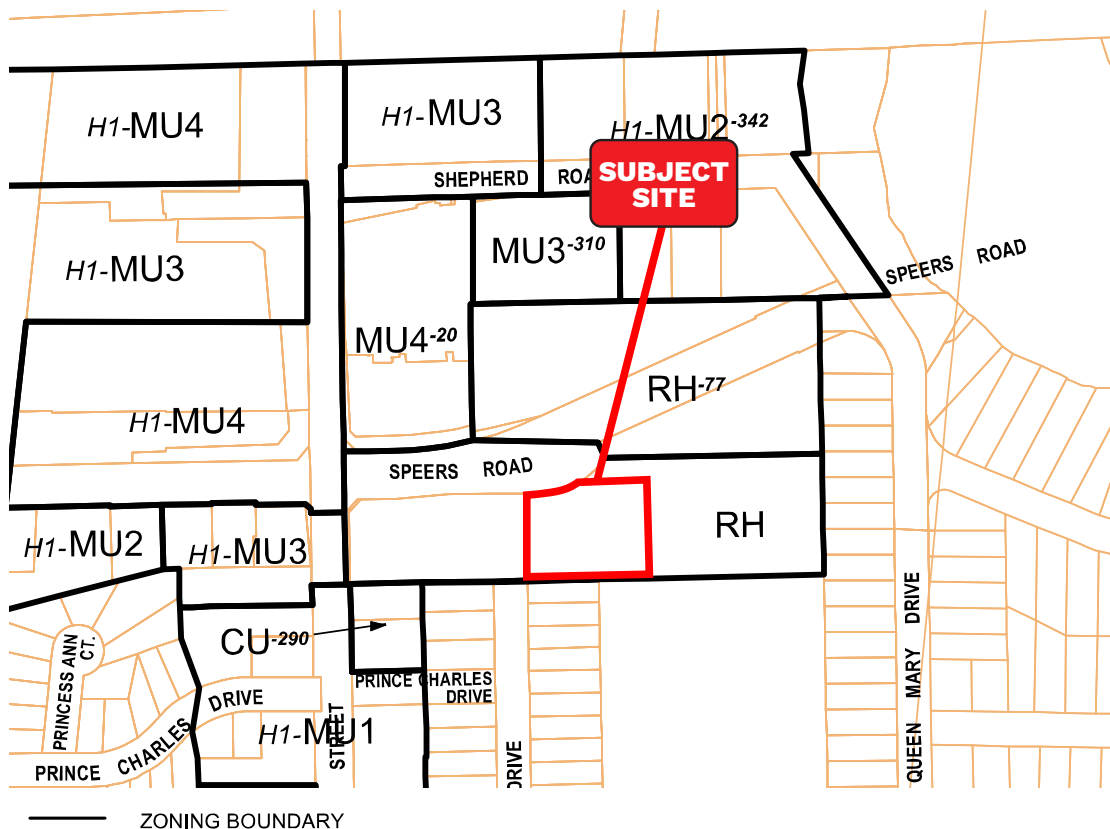
The Subject Site is zoned RH (Residential High) on Map 19(7a) of the Town of Oakville Zoning By-law 2014-014, as amended (see **Figure 22**).

The RH zone permits primarily residential and associated uses, including apartment dwellings, conservation uses, day cares, emergency service facilities, home occupations, long term care facilities, public parks, private home day cares, accessory retail stores, retirement homes, short term accommodation, and stormwater management facilities.

The applicable zoning regulations for the Subject Site are outlined in **Table 3**.

**Table 3** - Regulations in the RH zone

Regulation	RH
Minimum lot area	1,858.0 sm
Minimum lot frontage	24.0 m
Minimum front yard	7.5 m
Minimum flankage yard	3.5 m
Minimum interior side yard	4.5 m
Minimum rear yard	7.5 m
Maximum height	The height legally existing on the lot on the effective date of this By-law
Maximum lot coverage	35%
Minimum landscaping coverage	10%



**Figure 22** - Town of Oakville Zoning By-law 2014-014 Map 19(21)

## 4.7 Livable by Design Urban Design Manual

On May 12, 2014, Town of Oakville Council endorsed the Livable by Design Urban Design Manual (“the Manual”). The Manual provides a comprehensive set of guiding design principles and urban design directives applicable Town-wide for all forms of development, redevelopment and capital projects. It implements the policies in Section 6 (Urban Design) of the Official Plan and is applied to all development proposals that are subject to planning approval by the Town.

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

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

Six guiding design principles are provided, emphasizing the creation of distinct and vibrant communities, compatibility, connectivity, sustainability, legacy and creativity and innovation.

**Section 2** of the Manual defines a successful public realm and identifies key components, such as interconnected pedestrian-oriented spaces, a multi-modal street network, well-designed and integrated public spaces and street features that provide a sense of place.

**Section 3** of the Manual discusses built form and provides design direction that is intended to encourage contextually appropriate fit.

**Section 4** of the Manual address effective site organization, discussing the use of local assets to create livable and interesting and livable places and achieve compatibility.

## Urban Design Direction for the Kerr Village Growth Area

The Manual also provides more specific direction for the Kerr Village Growth Area. Kerr Village is seen as a unique traditional commercial area in Oakville that offers a variety of retail, eateries and services to local residents living within the district and in surrounding neighbourhoods. A key defining and unifying element of this district is the traditional commercial corridor along Kerr Street – a functional and attractive ‘main street’. The document provides for 6 key design principles for the Growth Area: sense of identity, compatibility, connectivity, sustainability, legacy, and creativity.

As described in the preceding sections, the UKV District, which includes the Subject Site, is a sub-district within the Kerr Village Growth Area, which is envisioned as a higher density, transit-supportive, mixed-use area. The UKV District will include gateway features, an urban park with pedestrian mid-block connections and will establish a mix of commercial and residential uses.

The Manual provides several key design guidelines relevant to the proposed development, each associated with a specific theme. These guidelines, as well as the entire Urban Design direction for the Kerr Village Growth Area, are detailed in full in the attached Urban Design Brief submitted for the application.

A photograph of two women in an office setting, looking at a document. The woman on the left is wearing a striped shirt, and the woman on the right is wearing a light blue button-down shirt. They are both looking down at a document on a desk. The background shows office shelves and a window with blinds. The image has a dark blue overlay.

5

## Planning Analysis

## 5.1 Intensification

The Proposal supports Provincial policy directions articulated in the 2020 PPS and the 2019 Growth Plan with respect to intensification within the built boundary. Although the Region's and Town's policies have yet to be revised to be consistent with the 2020 PPS and conform to the 2019 Growth Plan, the current ROP and the Oakville OP both promote intensification on sites within the built-up urban area, particularly in growth areas that are well served by municipal infrastructure.

The Subject Site is well situated to support the intensification objectives of the applicable planning policy framework and the Proposal is consistent with many of the key policies of the 2020 PPS that promote intensification and redevelopment in a compact built form. In particular, as directed in Policy 1.1.3.2, the Proposal will use land and resources efficiently (1.1.3.2a.) and support the use of transit (1.1.3.2f). Policy 1.1.3.4 further supports the facilitation of intensification in a compact built form. The proposed development will also accommodate a range of housing options through redevelopment, an objective that is prioritized in Policies 1.1.3.3 and 1.4.3. The proposed development will be a purpose-built rental building with a mix of unit sizes including townhouses at grade, studio units, as well as 1-, 2-, and 3-bedroom units.

Similarly, the Growth Plan (2019) supports the achievement of complete communities, prioritizes intensification and higher densities and supports the creation of a range and mix of housing options through the optimization of land use in urban areas. The Proposal conforms with these directions by providing an increased number of housing units and increased housing diversity in a location well served by existing amenities.

Policies in Part II and III of the ROP also support intensification within the existing built boundary, by providing an adequate mix and variety of housing to satisfy differing physical, social and economic needs, compact and transit supportive development, and through the promotion of intensification and increased densities within the urban area. The proposed development conforms with ROP policies by providing compact, transit supportive intensification within the existing built boundary, and helping to achieve the Region's target of accommodating 50% of new growth within this area. In addition, it provides for a net increase of rental units.

Council-adopted ROPA 49, which directs that new growth to 2041 is to be accommodated within the existing urban area, further supports the appropriateness of the level of intensification proposed on the Subject Site. A greater level of intensification than is currently anticipated in the Oakville OP will be required in order to accommodate the planned regional population. ROPA 49 also identifies a new Regional Intensification Corridor along Speers Road, including the Subject Site, which is not reflected in Oakville's OP.

With access to a wide variety of existing amenities, retail and community facilities, public parks, and schools within walking distance, the Subject Site is well served by existing municipal infrastructure, making it an ideal location for intensification. The Subject Site also benefits from excellent access to transit, as it has frequent bus service and is located approximately 750 metres from the station entrance of the Oakville GO station off Cornwall Road. There are five bus routes on Speers Road providing peak hour 6-minute service to the Oakville GO station. These five routes also provide connections to other bus routes serving the Town.

The Oakville OP directs intensification to designated *Growth Areas*, including the Kerr Village Growth Area. The Subject Site is within an area identified as *Nodes and Corridors* and *Main Street Area* on Schedule A1 of the Oakville Official Plan, is within walking distance of the GO station and is adjacent to similarly scaled existing and proposed developments. The Proposal responds to this existing policy and development context, by providing a scale of intensification that helps to achieve the Town's plans to accommodate growth.

The Subject Site is designated as *High Density Residential* within the Kerr Village Growth Area and is intended to accommodate high density housing including the rental apartment uses contemplated in the Proposal. While the proposed density exceeds the maximum 185 units per hectare permitted in the *High-Density Residential* designation, which was established prior to the approval of the most recent provincial plans and policies, it implements these policies in accordance with Section 5.1 of the 2019 Growth Plan. The Subject Site is also located within the UKV District within the Kerr Village Growth Area, which is intended to become a transit-supportive, mixed-use centre with higher density forms of development which support a compact urban form. The proposed development will help realize this vision by intensifying the Subject Site with a residential development in a compact form.

The proposed development will also minimize dependence on the automobile in accordance with Policy 4.2.10(1) of the Growth Plan, Policy 78.1(5) of ROPA 49, and Policy 1.8.1 of the Oakville Official Plan.

The proposed development supports Provincial, Regional and Town objectives and policies for intensification within the built boundary and along an existing transit corridor. In this regard, the proposed development is consistent with the 2020 PPS and conforms with the 2019 Growth Plan and ROP and Oakville OP.

## 5.2 Land Use

The proposed rental apartment uses are consistent with existing uses on the Subject Site and are permitted uses within both the existing zoning by-law and the Oakville Official Plan's *High Density Residential* land use designation. While the proposed development requires the demolition of an existing rental apartment building, it will result in a substantial net increase of purpose-built rental units on the Site and will provide for an appropriate mix of new rental units.

The 2020 PPS and the 2019 Growth Plan emphasize the importance of optimizing land use within existing urban areas along public transit. The proposed development will optimize the use of the Subject Site by increasing the amount of rental housing and replacing the existing, older facility with improved housing, new amenities for residents and units built to today's standards.

The ROP also identifies those areas within the urban boundary where growth and intensification are to be focused. A more efficient use of the Subject Site will conform with this policy direction.

The *High Density Residential* designation in the Oakville OP permits an apartment dwelling. This designation is intended to accommodate higher residential densities in accordance with the Section 11 of the Official Plan.

The proposed development achieves several of the policy goals within the Oakville OP for residential areas. The proposed development, although of a higher density than the existing buildings in the surrounding area, has been designed to reflect today's urban design standards in terms of the podium design, tower floorplate, building separations, and setbacks and step backs to adjacent lower density uses.

In our opinion, the proposed high-density residential apartment use conforms to and is consistent with the intent of Provincial policies and plans, the ROP and the Oakville OP and is appropriate given the Subject Site's *High Density* and *Residential* designation, its proximity to the GO station and its location within a designated Growth Area.

## 5.3 Housing

The proposed development will make an important contribution to the provision of rental housing to meet the current and future needs of residents and to increase the new housing supply in the area. The Proposal includes a total of 314 residential units, which represents an increase of 255 units over the existing 59 units on the Subject Site – over 4 times the existing number of rental units. The building is designed as a purpose-built rental building; thus, all the new units will be maintained as rental units, which will ensure that the amount of rental accommodation in the Town will not only be maintained but increased.

### Housing Policy

#### Halton Region Official Plan

The new supply of rental housing will assist the Region of Halton in its goal of expanding the stock of rental market housing in Halton as per Policy 86(18) of Part III of the ROP. The proposed development addresses housing Policies 84 and 85:

- by providing a greater range of housing options within the Region through the inclusion of new purpose-built rental housing units,
- by making more efficient use of existing developed lands and available services, and
- by improving the quality of the existing housing stock.

The Proposal also supports Policy 86 (6) by providing new apartment units, contributing to the target of 50% of new units annually being townhouses or apartments.

The proposed redevelopment is encouraged by the provisions of Policy 86(11), which permits residential intensification through infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained. The proposed development addresses Policy 86(23) by replacing an existing, low efficiency rental building with a new purpose-built rental building with modern energy efficiency standards and improved residential amenities.



Policy 86(19) of Part III of the ROP prohibits local municipalities from permitting rental housing conversions or demolitions if the rental housing vacancy rate is below 3%. The most recent data from the 2020 Region of Halton State of Housing Report indicates that the rental vacancy rate in 2021 is 3% for the Town of Oakville, meaning that the demolition or conversion of rental housing is permitted under Policy 86(19). Further, while the Proposal would result in the demolition of existing rental housing units this demolition is only being proposed to achieve a significant increase in rental housing on the same site. There is not a net reduction of rental housing supply in Halton region, but rather a net addition of 255 rental housing units. In our opinion, the intent of Policy 86(19), is to preserve the existing rental housing stock within Halton Region and ensure that the total number of rental housing units within the Region does not drop during periods of low vacancy. As the Proposal adds to the supply of rental housing it should contribute to maintaining a healthy vacancy rate.

### Region of Halton State of Housing Report

The Region of Halton publishes its *State of Housing* report on an annual basis. The most recent report available, the 2020 State of Housing Report, analyses the housing market and housing needs within the Region as of this date.

With respect to the identification of affordable housing, the report determined that for housing to qualify as *Affordable* as defined in the ROP, it must not exceed a maximum monthly rent of \$2,120 or purchase price of \$409,500. The report finds that 25.9% of new housing sales in 2020 were below this maximum, while no percentage is provided for new rental construction. Because project costs are subject to change, rent for the proposed units will be determined based on market conditions at the time of project completion.

Although it cannot be determined today what the future rents will be or what the future *affordable* levels and qualifications will be, based on current information and trends, it is anticipated that at a minimum, the 28 studio units proposed, or approximately 9% of the units proposed, would qualify as *affordable*. There is also the potential for more one-bedroom units to meet the *affordable* qualifications at the time of project completion.

A summary of the current rents as of October 2022 within the existing building on the Subject Site is summarized in **Table 3** below:

**Table 3 – Existing Building Average Rents**

Unit Type	Average Rent*
Studio	\$1,116
1-Bedroom	\$1,318
2-Bedroom	\$1,442
<b>Total</b>	<b>\$1,351</b>

*\*Does not include parking or storage locker rentals, which are in addition to base rents.*

Currently, all 59 units on the Subject Site qualify as *affordable* with 36% of the units rented at or close to market rates (August 2022) and the balance rented at below-market rates. In accordance with the rent control requirements of the *Residential Tenancies Act*, rents can only be raised to reflect the current rental market when a unit becomes vacant. We note that many of the units require significant investment to bring up to current market standards and were any units renovated, they may no longer qualify as *affordable* under the current definition.

Policy 86(6) of the ROP seeks to achieve a minimum of 50% of new units being townhouses or apartment units. Based on the *State of Housing* report over 70% of housing completions in 2020 falling into this category, including 56.6% in the Town of Oakville. The proposed development would help the Region achieve its goal.

### Oakville Official Plan

While the conversion of existing rental accommodation is discouraged by Oakville policy (OP Policy 11.1.2), the proposed redevelopment will result in a net increase in total rental units with no conversion of existing units proposed. Further, the Proposal will replace older, less efficient units with new, modern rental apartment units which will include a mix of residential unit sizes and types, ranging from studio units to 3-bedroom grade related townhouse units suitable for family households, a policy objective of the Oakville OP (Policy 2.2.2 a).

The existing building features few tenant amenities while the new building will include a high level of indoor and outdoor amenities.

## Tenant Relocation Strategy

To help address the impacts the redevelopment will have for tenants of the existing apartment building on the Subject Site, the Owner will exceed all obligations for its existing tenants as set out in the *Residential Tenancies Act*.

- a. The Owner will provide compensation packages for existing tenants above those required under the *Residential Tenancies Act*, based on factors such as length of tenure, the age of the tenant and any issues with respect to the tenant's health and disabilities. The precise details of the compensation packages will be confirmed and secured with Town and Regional staff through the development approvals process.
- b. The minimum compensation package will ensure at least 6 months' notice to move out (which exceeds the notice required by the *Residential Tenancies Act* by 2 months) and, as noted, rental compensation in excess of the requirements of the *Residential Tenancies Act*.
- c. Advice and guidance will be provided to all tenants to assist them in finding alternate rental accommodation; and
- d. all tenants will be given first right of refusal to return to the completed development at market rents.

For the reasons outlined above it is our opinion that the proposed development conforms to the housing policies of the ROP, particularly ROP Part III Policy 86.19 which restricts the conversion or demolition of existing rental housing. The Proposal also conforms to and is consistent with housing policies provided in the 2020 PPS, 2019 Growth Plan and the Oakville OP.

## 5.4 Height, Massing and Density

A full discussion of the site organization, location and massing of the Proposal is provided in the Urban Design Brief which has been prepared by Bousfields Inc. and submitted under separate cover as part of the submission. As discussed in that document, the proposed development has been designed to integrate within the existing development context while improving the public realm.

The proposed height, massing and density have been designed to achieve appropriate fit within the surrounding context and create a pleasant, pedestrian-oriented environment. The design responds to several contextual and urban design considerations, including:

- the approved and planned context of tall buildings in the surrounding area including a general gradation of height towards the GO Station to the northeast,
- the size, depth, and configuration of the Site which can reasonably accommodate a tower while maintaining appropriate built form relationships;
- the immediate and wider context of existing and planned towers of comparable or greater scale;
- the location of the Site within the Kerr Village Growth Area at a view terminus location along one of the Town's principal streets; and
- mitigation of any potential impacts on the surrounding context including the low-rise residential area to the south and the school yard.

A full analysis of the proposed height is provided in the attached Urban Design Brief, which finds that the Proposal's height is appropriate within the existing and emerging built form context in this area of Oakville. The area around the Subject Site includes significant building heights currently proposed adjacent to the GO Station. The proposed development will contribute to the achievement of transit-supportive intensification in accordance with recent and emerging policy changes – including the Provincial Policy Statement, Growth Plan and Oakville Official Plan – as outlined in previous sections of this report.

As requested by Town staff, a comparison of the existing and proposed densities and heights on the Subject Site and other developments within the Town of Oakville has been prepared and is shown in **Table 4**. Approved buildings have been coloured green and figures which exceed that proposed on the Subject Site have been highlighted blue for ease of reference.

**Table 4 - Existing and Proposed Density, Heights, and Tower Floorplates**

Address	FSI	Units / Hectare	Height	Floorplate (Gross)	Approval Status	Notes
<b>50 Speers Road – Existing</b>	<b>+/- 1.25</b>	<b>141</b>	<b>7 storeys</b>	<b>+/- 886sm</b>	<b>Constructed 1965</b>	<b>Existing building on the Subject Site</b>
<b>50 Speers Road - Proposed</b>	<b>5.43</b>	<b>751</b>	<b>27 storeys</b>	<b>769 sm</b>	<b>Subject Application</b>	<b>Subject application – for comparison.</b>
<b>Applications in General Proximity of the Subject Site (~1km)</b>						
65 Speers Road	3.82 FSI	538	19 & 21 storeys	910 sm	Construction Completed	“Rain & Senses” Condominium located to the northwest of the Subject Site
530, 550, 588 Kerr Street and 131, 171 Speers Road	3.4	385	Up to 26 storeys	770 sm	OPA Ongoing	Located in close proximity to Subject Site.
185 Cross Avenue	<i>Unclear</i>	<i>unclear</i>	12, 12, 20 storeys	<i>unclear</i>	ZBA Approved	Approved in 2016 Located in Midtown Oakville Growth Area
157 Cross Avenue	7.11	660	27 storeys 87.2 m	650 sm	ZBA Ongoing	Located in Midtown Oakville Growth Area
599 Lyons Lane	5.70	532	26 & 26 storeys	<i>unclear</i>	OPA & ZBA Approved	Approved in 2008, unbuilt. Located in Midtown Oakville Growth Area
627 Lyons Lane	4.46	561	28 storeys 93 m	730sm	ZBA Ongoing	Located in Midtown Oakville Growth Area
271 Cornwall Road	3.76	528	14 & 19 storeys 69m	819 sm	ZBA & OPA Approved	Located in Midtown Oakville Growth Area
217 to 227 Cross Avenue and 571 to 595 Argus Road	9.57	1,385	44, 49 & 58 storeys 179.8m	800sm	ZBA & OPA Ongoing	Located in Midtown Oakville Growth Area
166 South Service Road East	8.95	1,606	44, 50 & 58 storeys 182m	750sm	ZBA & OPA Ongoing	Located in Midtown Oakville Growth Area

Address	FSI	Units / Hectare	Height	Floorplate (Gross)	Approval Status	Notes
<b>Other Applications in the Town of Oakville</b>						
294 Hays Boulevard	4.76	643	<b>27 &amp; 30 storeys</b> <b>103.15 m</b>	<b>770 sm</b>	ZBA & OPA ongoing	Located in Uptown Oakville Growth Centre
1230 White Oaks Boulevard	2.07	220	20 storeys 64 m	750 sm	SPA Ongoing <b>ZBA Approved</b>	Located along Trafalgar Road, north of the QEW. Existing rental buildings on the property to remain, density calculations includes existing buildings
3064 Trafalgar	<b>6.86</b>	<b>890</b>	<b>30 &amp; 30 storeys</b> <b>98m</b>	<b>850 sm</b>	SPA Ongoing <b>ZBA &amp; DPS Approved</b>	Located in North Oakville
2266 Lakeshore Road W	5.23	636	15 storeys	N/A – not tower form	OPA & ZBA Under Appeal	Located in Bronte Village
133 Bronte Road	3.77	404	10 & 14 storeys 52m	N/A – not tower form	<b>Development Completed in 2021</b>	Located in Bronte Village
278 Dundas Street East	3.37	326	Up to 25 storeys 80 m	<i>unclear</i>	<b>Under Construction</b>	Located in Uptown Oakville Growth Centre
411 Dundas Street East	4.45	570	3x15 storeys	<i>unclear</i>	SPA Ongoing <b>ZBA Approved</b>	Located in North Oakville
Oakvillage 3B	4.98	652	15 storeys	740 sm	<b>Under Construction</b>	Located in North Oakville
Oakvillage 3C	<b>7.18</b>	<b>960</b>	20 storeys	734 sm	<b>Under Construction</b>	Located in North Oakville
Oakvillage A/B	4.74	663	16 & 20 storeys	726 sm	<b>Under Construction</b>	Located in North Oakville
Oakvillage 4C	<b>6.41</b>	<b>922</b>	20 storeys 67 m	743 sm	SPA Ongoing <b>ZBA Approved</b>	Located in North Oakville

ZBA - Draft Plan of Subdivision

OPA - Official Plan Amendment

DPS - Draft Plan of Subdivision

SPA - Site Plan Approval

Provincial direction to optimize land uses in proximity to Major Transit Station Areas has resulted in applications for significantly taller buildings to the north of the Oakville GO Station. The latest draft of the Midtown Oakville Growth Area policies proposes to implement Official Plan policies with a maximum height of 255 metres for the lands to the east of the Subject Site within the Midtown Oakville Growth Area. The proposed 27-storey residential apartment building will provide an effective transitional height towards these planned densities and heights to the northeast and is supportive of Policy 11.1.9 c) of the Oakville Official Plan, which provides for development to provide transition between areas of different land use designation.

While the Site is not identified as a gateway feature in the Kerr Village Growth Area Policies because of the shifting alignment of Speers Road, the Site acts as a view terminus along Speers Road when travelling eastbound. As encouraged by Guideline 3.1.24 of the Livable Design Manual, the proposed development has been designed to appropriately frame this view.

To mitigate any built form impacts, the Proposal has been located and designed to maintain significant separation distances from other properties and incorporates step backs on upper storeys. As discussed in the Urban Design Brief, these and other building envelope controls will minimize the building mass, maintain appropriate sky view, limit shadowing, create appropriate transition, and reduce the perception of building height.

Shadow impacts from the proposed building and its associated height have been comprehensively reviewed as a part of this application and are addressed below in Section 5.5 of this report.

The attached Urban Design Brief finds that the proposed massing will fit harmoniously within the existing development context with a pedestrian-friendly built form that improves the pedestrian condition at grade and incorporates architectural elements that respond appropriately to the surrounding area along all frontages. The proposed development will enhance the Site's character while respecting the existing and planned character of the surrounding area, as directed in Oakville Official Plan Policies 6.9.1 and 6.9.9. The proposed massing, transitions, spatial separation, orientation, and site design maintain compatibility and

respect the existing and planned community context and different uses as directed in OP Policies 6.9.2 and 6.9.3. Additionally, as directed in OP Policy 6.9.5, the residential lobby and grade-related residential units will create a significantly improved, attractive and animated pedestrian-oriented environment. The Proposal will also create a distinctive and articulated building envelope to avoid sameness (Policies 6.9.7) while also ensuring accessibility and direct barrier-free access to principal building entrances, servicing and parking (Policy 6.9.12). The proposed design will also conform with OP Policy 6.9.14, which directs proposed outdoor amenity spaces to incorporate appropriate setbacks and screening to minimize any overlook and ensure compatibility with the local context.

A detailed discussion and analysis of how the Proposal addresses relevant urban design guidelines, including the Livable by Design Manual and the Urban Design Direction for Kerr Village Growth Area, is described in Section 6.0 of the Urban Design Brief.

The proposed density will help realize the Town's plans for the Kerr Village Growth Area. Growth Areas are intended to accommodate the majority of intensification within the Town of Oakville. The proposed density of 751 units per hectare (and 5.43 Floor Space Index) conforms to the ROP, the 2019 Growth Plan and the intent of the Town of Oakville Official Plan and is appropriate considering its transit-supportive location.

The Subject Site's land use designation of *High Density Residential* currently provides a maximum density of 185 units per hectare. In our opinion this maximum density cap fails to recognize the more recent policy directions in the 2020 PPS and 2019 Growth Plan. It also does not reflect the latest policy initiatives in ROPA 49.

It is appropriate to establish a density and height for the Subject Site that is based on specific built form design, context and urban structure considerations, rather than density and height provisions that predate the adoption of the latest provincial and regional policies regarding intensification within established urban areas.

## 5.5 Built Form Impacts

Our analysis indicates that the proposed development will have acceptable built form impacts on the public realm and surrounding properties which include the detached houses and public school yard to the south and the higher density apartment buildings to the north, east and west.

### Shadow Impacts

To address shadow impacts, a shadow study has been prepared by BDP Quadrangle in support of the proposed development, in accordance with the Town of Oakville's Shadow Impact Analysis Terms of Reference. Test dates include April 21, June 21, September 21 and December 21. A full analysis of shadow impacts of the proposed development is provided in Section 6.3.2 of the Urban Design Brief prepared by Bousfields and submitted under separate cover with this Application.

## 5.6 Urban Design

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

## 5.7 Transportation

In support of the proposed development, BA Group has prepared a Transportation Impact Study dated October 2022 that includes an estimate of travel demands generated by the proposed development, identifies the impacts of these trips on the area transportation network and addresses the need for any measures required to mitigate these impacts. The study also reviews other transportation related aspects of the proposed development, including the applicable parking, loading and bicycle parking requirements for the proposed development, recommended transportation demand management measures and non-automobile travel options. The following points provide a high-level summary of the findings of the accompanying report:

- Overall, area signalized intersections operate well under existing conditions, with volume to capacity (v/c) ratios of less than 1.0 for all movements.
- All area unsignalized intersections, with the exception of the Speers Road West Access / Speers Road, operate well today and will continue to operate acceptably under future conditions with background traffic growth and redevelopment of the Site.

- A total of 55 net new auto trips are predicted to be generated for the proposed development during both the AM and PM peak hour, respectively.
- The proposed parking supply of a blended rate of a minimum of 1.0 spaces per unit, inclusive of resident and visitor parking, is appropriate and will accommodate the needs of the Site.
- A total of 314 bicycle parking spaces are proposed, including 236 spaces located in secure, weather protected areas for long-term use and 78 spaces located in convenient accessible locations for short term use. The proposed bike parking supply meets the by-law requirements.
- According to the zoning by-law, there is no minimum number of loading spaces required. One loading space will be provided on the Subject Site.

## 5.8 Servicing and Stormwater Management

In support of the proposed development, Odan Detech Consulting Engineers has prepared a Functional Servicing and Stormwater Management Report dated August 25, 2022.

The servicing strategy for the proposed development is summarized as follows:

### Water Servicing

It is proposed to connect the Site to the existing 200mm dia. watermain located adjacent to the subject property on the 80 Speers Road property.

The average day water consumption rate for the proposed development is 1.54 L/s. With regard to fire protection, the required fire flow plus maximum day demand is 2168 USGM. The hydrant flow test shows that there is a flow rate of 6,042 USGM available at residual pressure 20 psi, which is greater than the development's water demand (2168 USGM), therefore it follows that the existing main is sufficient to provide fire protection to the subject development and no infrastructure improvements are necessary to service the subject development.

## Sanitary Servicing

- A 150mm @ 2.0% sanitary sewer connection is proposed to the 200mm sanitary sewer beneath Bartos Drive. The proposed 150mm sanitary lateral pipe has a capacity of 22 L/s, which is adequate to convey the above post-development sanitary flow of 6.25 L/s.
- An analysis of the downstream sanitary sewer has confirmed that there is sufficient capacity to accommodate the subject development, with downstream pipes generally operating at no more than 65% of their capacity.

## Stormwater Servicing

- Storm runoff from all above-grade open-to-above surfaces will drain uncontrolled by mechanical storm drains to the 100-year storm tank located in the P1 level.
- Controlled discharge will drain by a proposed 200mm @ 2.0% storm sewer connection to the adjacent existing 300mm Storm sewer which eventually drains to the 525mm storm sewer on Bartos Drive.
- The proposed stormwater quantity control is such that the controlled discharge in a 100-year storm is equal-to the allowable release rate. The stormwater storage is provided such that the volume provided is greater than the required 100-year storm volume.
- Since the majority of the site area consists of roof and landscape area, an Oil and Grit Separator unit is not required.

## 5.9 Land Use Compatibility Study

In support of the proposed development, Gradient Wind Engineers has prepared a Land Use Compatibility Report dated September 2022. The report finds that the residential sensitive land use is feasible, as the proposed building is within the "RH – Residential High" zoning area and there are already existing residential buildings in close vicinity of the property. Further, the identified industries operating with a valid ECA are out of the potential influence areas defined by Ontario Guideline D-6. Compatibility between Industrial Facilities, and the development can incorporate mitigation strategies to address emission impacts from TRAP sources. In

line with standard building practices, appropriate provisions include the design, installation, operation, and maintenance of air filtration at the fresh air intakes of the mechanical systems serving all habitable areas, including the addition of air conditioning. The areas that would not require filtered air would be parking garages and utility spaces. Minimum Efficiency Reporting Value (MERV) 8 certification filters should be used for this development in all occupied spaces. Details of the air filtration system will be designed by the mechanical engineers during the detailed design phase.

## 5.10 Energy Strategy

In support of the proposed development, Fluent Group Consulting Engineers has prepared an Energy Strategy Report dated September 2022. The report identifies opportunities to reduce energy usage significantly below OBC Part 12 requirements and to enhance operational resiliency. The measures described should be considered as potential upgrades to the baseline design to significantly improve the energy performance of the building and contribute to the Town of Oakville's Community Energy Strategy. These measures will continue to be investigated and evaluated further as the project proceeds through the next phases of the planning and design process.

The following are the key recommendations for enhanced energy performance:

- limit the window-to-wall ratio of the exterior walls to no more than 40% on each elevation;
- increase the effective thermal resistance value of exterior walls to  $\geq R-15$ ;
- switch the baseline HVAC system to a system served primarily by a Ground Source Heat Pump (GSHP);
- limit the flow rate of kitchen faucets to  $\leq 5.7$  LPM, consider drain water heat recovery, and/or pursue alternatives to a natural gas fired water heating;
- consider implementing suite-level billing with separate meters for electricity, thermal energy for space heating, hot water use, and cold water use; and
- consider implementing a "suite kill switch" that automatically turns off all lighting and other non-essential loads in a suite when occupants are not present.



# Conclusion



Located within an area intended to accommodate growth that is in close proximity to higher order transit, the proposed redevelopment of the Subject Site represents a key opportunity to achieve Provincial, Regional and municipal goals related to increasing the supply of rental housing and providing intensification in areas that are served by existing infrastructure.

The proposed development will replace an aging 7-storey apartment building that has limited supporting amenities with a new 27-storey purpose-built rental apartment building. The proposed building will provide a net increase of 255 residential rental units in a range of unit sizes and types to meet the needs of a wide variety of residents. Through the application review process, details regarding compensation packages for tenants of the existing building will be developed and will continue to exceed the requirements of the *Residential Tenancies Act*.

The Proposal will also improve the public realm with the provision of an upgraded mid-block pedestrian connection, grade-oriented units, upgraded landscaping treatments, and the removal of a significant amount of surface parking. By promoting a pedestrian-friendly environment within the Kerr Village Growth Area, the proposed development will encourage the use of transit and active transportation.

The development will also achieve harmonious fit within the existing, emerging and planned context. The proposed design includes step backs and setbacks to define a comfortable public realm and appropriately transition to adjacent low scale uses to the south. Additionally, the tower is proposed at a height that is compatible with the taller buildings in the surrounding area. This context includes much taller buildings to the northeast in the Midtown Growth Area, as well as proposed and existing towers of similar height to the west in the Upper Kerr Village District.

Our analysis indicates that the proposed development is consistent with the 2020 PPS, conforms with the 2019 Growth Plan and the ROP and represents good planning. While an Official Plan Amendment is required to permit the proposed density, this amendment is in general alignment with the overall intent of the Official Plan. Accordingly, the requested Official Plan and Zoning By-law Amendment applications should be approved.

