



October 7, 2022

Mr. Gabe Charles
Director of Planning
Town of Oakville
1225 Trafalgar Road
Oakville, Ontario
L6H 0H3

Attention: Robert Thun, Senior Planner

Dear Mr. Charles:

**Subject: Planning Rationale Report Addendum
Town File Nos. Z.1333.01 and 24T-11001/133
3269 and 3271 Dundas Street West, Oakville**

Further to recent meetings with Regional and Town planning staff in an effort to finalize the above captioned development applications, this Planning Rationale Report Addendum (this Addendum) provides further analysis of policy conformity. Attached to this Addendum is a proposed updated Zoning By-law Amendment, prepared in response to comments received. Minor modifications to the Draft Plan of Subdivision have been made to clarify the proposed land uses on the blocks. No adjustments to the delineation of blocks or other features shown in the Draft Plan of Subdivision were required. As requested, we include the Draft Plan of Subdivision with this submission.

1. LOCATION & SITE DESCRIPTION

The subject lands are known municipally as 3269 and 3271 Dundas Street West and legally described as Part of Lots 33 and 34, Concession 11, NDS (herein after referred to as the “subject lands”). The subject lands are currently used for agricultural purposes.

2. PROPOSAL

A Zoning By-law Amendment application (Town file no. Z.1333.01) and a Draft Plan of Subdivision application (Town file no. 24T-11001/1333) have been submitted by WSP on behalf of bcIMC Realty Corp. c/o QuadReal Property Group to permit the development of employment and ancillary uses, and to provide for natural heritage system conservation, stormwater management, a cultural heritage landscape park, public streets, and other blocks. The applications were deemed completed and formally commenced on June 9, 2011.

The proposed development envisages the establishment of an employment/business park in accordance with the policies of the North Oakville West Secondary Plan (NOWSP). The development will facilitate an appropriate range of employment and ancillary uses as well as limited service uses, which will contribute to a fully functional employment area as contemplated by the Town in the NOWSP. The Draft Plan of Subdivision will be subject to conditions of approval and the Zoning By-law is proposed to be subject to holding provisions for Phases 1B and 2 of the development. The proposed holding provisions will ensure that development proceeds in a logical and orderly fashion, in conjunction with the provision of infrastructure to service the lands.

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Proposed holding provisions are incorporated into the attached Zoning By-law Amendment for review.

The landowner's proposal is to establish the pattern and framework for development in terms of buildable blocks, roads, stormwater management facilities, open space and related uses. This framework is established through the approval of the Plan of Subdivision and application of appropriate zoning on the property. QuadReal has shared non-statutory, non-binding master plan alternatives with the Town, representing the possible nature of development. Of course, we understand from our client that the nature of the marketplace for employment and business uses does evolve over time. The specific nature of site development will be established through subsequent block-based applications for Site Plan Control under the *Planning Act*. The review of individual sites, being subject to Site Plan Control, provides opportunity to review and refine the development of each individual block from technical, operational, and urban design perspectives.

3. PURPOSE & BACKGROUND

This Addendum follows and builds upon the Planning Rationale Report dated May 2011 and has been prepared in response to comments received from Halton Region on August 26, 2022. The purpose of this Planning Rationale Addendum Report is to provide an updated justification for the subject applications.

Following is a summary of the background:

- The applications were originally submitted on May 25, 2011. The applications were deemed complete and formal application review commenced on June 9, 2011.
- The applications have included a total of 8 submissions and resubmissions, principally focused on revisions to the Environmental Implementation Report/Functional Servicing Study (EIR/FSS), based on feedback from Conservation Halton and the Town. The latest submission was made on February 3, 2022 and included comments response tables, and updated EIR/FSS, and revised Draft Plan of Subdivision. The latest submission of the EIR/FSS has been accepted by the agencies.
- A number of supporting studies have been completed in support of the applications and have been revised in conjunction with various application resubmissions:
 - Environmental Implementation Report / Functional Servicing Study
 - Planning Rationale Report
 - Urban Design Brief
 - Stage 3 Archaeological Assessment
 - Geotechnical Report
 - Arborist Report
 - Transportation Impact Study
 - Cultural Heritage Evaluation
 - Environmental Site Assessment

All of the supporting studies have been accepted by Halton Region and Conservation Halton, or are subject to proposed conditions of draft plan approval. We understand that both Halton Region and Conservation Halton have prepared proposed conditions of draft plan approval, which are being coordinated with the Town. We note that the proposed conditions of draft plan approval have not been shared with the applicant at this stage.

- Comments have been received from Halton Region, dated August 26, 2022. Most of the Region's comments are addressed through suggested conditions of draft plan approval, as discussed in the Region's letter. This Planning Rationale Report Addendum provides a response to the final outstanding comments raised and technical matters noted. Principally, the Region has requested additional rationale with respect to the conformity of the Zoning By-law Amendment to applicable policy.

4. PLANNING POLICY REVIEW

The applications must be consistent with the 2020 Provincial Policy Statement and conform to or not conflict with the 2020 Growth Plan for the Greater Golden Horseshoe, in accordance with Section 3(2) of the *Planning Act*. Since the applications were submitted in 2011, they must conform to the 2009 Halton Region Official Plan and the 2009 North Oakville West Secondary Plan. This Addendum also has appropriate regard to recent amendments to these documents, as discussed in the following subsections. This includes Regional Official Plan Amendment (ROPA) 48, which was approved by the Ministry in November 2021, as well as ROPA 49, which was adopted by Regional Council in June 2022, and is before the Minister of Municipal Affairs and Housing. ROPA 49 is not in force and effect. This Addendum also has appropriate regard to the Town's Official Plan Amendment (OPA) 34, which applies to the North Oakville West Secondary Plan and was adopted by Town Council in April 2021. OPA 34 is before the Region and in not in force and effect. Finally, this Addendum considers Town of Oakville Zoning By-law 2009-189, which implements the NOWSP, and is proposed to be applied to the subject lands through the Zoning By-law Amendment application.

4.1 PROVINCIAL POLICY STATEMENT (2020)

The applications are consistent with the 2020 Provincial Policy Statement (the PPS), as required by Section 3(2) of the *Planning Act*. The PPS establishes policies for managing growth, managing natural resources, protecting the environment, and protecting health and safety. The key relevant policies are summarized as follows:

- The applications support the policies of Section 1.3 of the PPS, which relate to employment. The applications propose permitted employment and ancillary uses which will contribute to the objective of facilitating job growth in lands designated for employment, as identified by municipalities in Official Plans.
- The applications are consistent with the infrastructure and servicing policies of Section 1.6 of the PPS. The EIR/FSS provides a clear plan for facilitating municipal services and transportation facilities, which will facilitate development of employment and ancillary uses in a logical, coordinated and efficient manner.
- The applications are consistent with the natural heritage policies of Section 2.1 and the water policies of Section 2.2 of the PPS. The applications propose to zone environmentally sensitive lands and features for natural heritage protection, on the basis of detailed studies accepted by Conservation Halton.
- The applications are also consistent with the Protection Public Health and Safety Policies of Section 3.0 of the PPS. The applications are supported by detailed study directing development to suitable areas.

4.2 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2020)

The applications conform to or do not conflict with the 2020 Growth Plan for the Greater Golden Horseshoe (the Growth Plan), as required by Section 3(2) of the *Planning Act*. The Growth Plan is a Provincial plan that provides direction for managing growth and development, protecting resources, and facilitating infrastructure. The key relevant policies are reviewed as follows:

- Section 2.2.5 provides policies for employment. The proposed applications accommodate permitted employment and ancillary uses and do not contemplate residential, major retail or other uses which would compromise the function of employment lands (Section 2.2.5.7). The Region is required to establish density targets for employment areas per Section 2.2.5.13 d), and these targets, once established, are to be implemented in Official Plan policies and zoning.
- The proposed applications incorporate new roads and improvements which support coordinated planning and goods movement, which is essential to the functioning of these

- employment lands (Section 3.2.4). The development will be serviced by municipal water and wastewater systems, supporting an efficient and coordinated approach to servicing the development (Section 3.2.6). Further, the development will be supported by stormwater management improvements that are coordinated with broader studies and are supported by Conservation Halton (Section 3.2.7).
- The proposed applications will protect for natural heritage and water resource systems as identified through detailed study and accepted by Conservation Halton (Section 4.2).

4.3 HALTON REGION OFFICIAL PLAN

The applications are in conformity with the Halton Region Official Plan. Since the applications were submitted in 2011, the 2009 Halton Region Official Plan is applicable (pre-ROPA 48). However, regard has been given to more recent policy directions and amendments to the Halton Region Official Plan. Generally, these policy changes do not impact the proposed Draft Plan of Subdivision and are considered in the proposed Zoning By-law Amendment, as discussed later in the Analysis of Comments (Section 5) of this Addendum.

The subject lands are designated Urban Area (Map 1) and a portion of the lands designated Regional Natural Heritage System (Map 1, shown as Key Features on Map 1G).

Objectives for the Urban Area designation and policies begin with Policy 72. It is intended that a range of uses be permitted as outlined in local Official Plans (76). An appropriate range and balance of employment uses are to be provided to meet long-term needs (72(10)). Residential and major retail uses are prohibited (77.4). Local municipalities are to promote increased densities in employment areas by facilitating compact, transit-supportive built form and minimizing surface parking (77.4(5)).

The subject lands are subject to an Employment Area Overlay (Map 1). Objectives for employment areas are outlined in Section 77.1, including facilitating opportunities for a range of economic activities and ancillary uses.

The subject lands are also located north of Dundas Street West, which is a Major Arterial and a Higher Order Transit Corridor (Map 3). In their comment letter, the Region has noted that section 81(7)d) is applicable, which states that local municipalities are to promote development densities that will support existing and planned transit services. Conformity to this policy and implementation of the local policies for development density are discussed later in this Addendum.

The Region also states that Section 81(7)c) is applicable. This policy states that site-specific Official Plan or Zoning By-law amendments that reduce development density within an Intensification Area is prohibited unless part of a municipal comprehensive review of the Official Plan. In our opinion, Section 81(7)c) is not directly applicable to the subject lands since the lands do not meet the definition of an Intensification Area in the Regional Official Plan. Additionally, the effect of the proposed Zoning By-law Amendment will be to modify zoning to permit new urban development for the first time, so the proposed applications do not have the effect of reducing density (rather the effect is increasing density from agricultural uses to urban development in the form of employment uses).

The subject lands meet the definition of a Designated Greenfield Area. Table 2 of the Official Plan sets out a broad minimum overall development density for all Designated Greenfield Areas, measured in residents and jobs combined per gross hectare. For Oakville, this is 46 residents and jobs per hectare per Table 2. Local Municipalities are to prepare area-specific plans and policies for these areas to demonstrate how the targets are to be achieved (Section 77(5)). The target is not intended to be applied to each individual development application.

ROPA 48 was approved by the Province in November 2021. ROPA 48 is an amendment to implement an updated Regional structure, including a hierarchy of growth areas and the Strategic Growth Areas. Under ROPA 48, Dundas Street West is designated a Higher Order Transit Corridor and the lands are designated Urban Area and subject to the Employment Areas overlay.

ROPA 48 introduces a new framework for Strategic Growth Areas (Section 51.3), inclusive of Regional Corridors, which are intended to achieve increased densities to ensure viability of transit and to achieve a mix of uses where appropriate (79(11)). Regional Corridors include Higher Order Transit Corridors. Section 79.3(13) provides policies for Employment Areas that are Strategic Growth Areas. It is intended that local policies will identify minimum employment targets for the Strategic Growth Areas and will support achieving minimum employment targets (land use designations, zoning, minimum gross floor area, etc.) and encouraging the use of other tools such as community improvement plans and community planning permit systems to support development of employment uses.

ROPA 49 was adopted by Regional Council on June 15, 2022. ROPA 49 identifies an integrated Growth Management Strategy. ROPA 49 renames certain Strategic Growth Areas as Regional Intensification Corridors, and Dundas Street West is identified as a Regional Intensification Corridor. The Plan does not identify specific density targets but intends for these areas to be planned according to the context and existing/planned transit. Generally, these areas are intended to achieve increased densities to support viability of transit services per the objectives of Section 82.3. Section 82.4 lists the Corridors and Dundas Street West, which abuts the south side of the subject lands, is included. Section 82.6 supports a mix of employment uses and higher density employment uses, consistent with the Employment Areas policies per Sections 83-83.2. Local municipalities are to plan for Employment Areas in accordance with the policies of Section 83.2(7) and to support the density targets outlined in Table 2 (83.2(5)). The Employment Area density target per Table 2 is 36 jobs per hectare, measured as per Section 227.1 of the Halton Region Official Plan, which states that the density is to be “measured across the lands within the Employment Areas that are designated as Urban Area.” This target is thus measured across all of the Region’s Employment Areas, and is not specific to the subject lands.

4.4 TOWN OF OAKVILLE - NORTH OAKVILLE WEST SECONDARY PLAN

The applications are in conformity with the North Oakville West Secondary Plan. The NOWSP provides a comprehensive set of policies to guide development and land use north of Dundas Street and south of Highway 407. The Plan was approved in May 2009, as OPA 289 to the 2006 Oakville Official Plan.

The NOWSP designates the subject lands as Employment District and Natural Heritage System Area. The northerly portion is designated Transitway, on the south side of Highway 407. Dundas Street West is a Major Arterial/Transit Corridor; new roads are identified as Minor Arterial (east-west route) and Avenue/Transit Corridor.

Section 8.3.2 generally describes Employment Districts as accommodating predominantly employment generating uses and limited supportive commercial uses. Section 8.3.4 states the density target is approximately 55 employees per net hectare across the NOWSP.

Section 8.5.12 provides an overview of permitted uses, including a full range of employment uses. Limited retail and service commercial uses servicing the employment area are to be clustered at intersections with arterials and avenues and implemented in zoning. Section 8.6.5 provides more detailed permitted uses, including: light industrial operations (light manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution and wholesaling); business/professional office uses and medical clinics; service establishments (print shops, equipment rental establishments, restaurants, hotels, banquet hotels, financial institutions and service establishments primarily providing services at the customer’s location, and limited retail such as business supply and industrial supply). Permitted public uses include institutional uses and places of worship and vocational schools. Other permitted uses include sport and recreation uses; place of amusement uses; automobile related uses including gas stations; ancillary retail sales of products produced, assembled and/or repaired on the premises; ancillary retail sale of products distributed from an ancillary showroom as part of a distribution use; research and development; information processing such as call centres and similar uses; and computer-based services such as design studios.

Certain uses are also permitted in areas that do not abut the health oriented mixed-use node, major arterial roads or Highway 407, including general industrial operations, outside storage and outside operations incidental to industrial operations, transportation terminal/works yard and outside storage yard, waste processing station (subject to a zoning by-law amendment) and waste transfer station (subject to a zoning by-law amendment).

Per Section 8.6.5.3, ancillary uses are to be clustered at intersections with Arterials and Avenues. Open storage associated with service establishments shall be restricted to areas that do not abut the Health Oriented Mixed Use Node, major arterial roads or Highway 407. Zoning is required to set out limitations on ancillary retail sales areas as permitted.

Development is also subject to other criteria under Section 8.6.5.4, including a minimum floor space index (FSI) of 0.25 for retail/service commercial uses, maximum FSI of 3, maximum height of 15 storeys, and the intent of creating an attractive street edge. Employment uses shall have regard to achieving a minimum FSI of 0.35 as a general objective and zoning/site plan should include measures to support this objective, such as minimum setbacks, innovative stormwater management controls, parking reductions and other measures to encourage greater development intensity.

Table 1 provides some further guidance, noting that transit supportive land uses are encouraged along the ROW of Major Arterials/Transit Corridors (Dundas Street West), Minor Arterials/Transit Corridors and Avenues/Transit Corridors.

OPA 322 was adopted in 2018 and subsequently approved. OPA 322 introduces clarity around permissions for land use permissions of stormwater management facilities (discouraged within 100 m of Dundas Street West) and incorporates some definitions.

Reasonable consideration is also made to OPA 34. The North Oakville West Secondary Plan and North Oakville East Plans were passed as amendments to the Town's 2006 Official Plan, whereas OPA 34 integrates the North Oakville West Secondary Plan into the Livable Oakville Plan as an outcome of a review of the plans, initiated in May 2017. OPA 34 was adopted by Council on April 12, 2021, and is before the Region for approval. OPA 34 is therefore not in force and effect. OPA 34 proposes to introduce some key changes compared to the NOWSP policies in effect and summarized as above. Principally, the changes are to integrate the policies into the broader Livable Oakville Plan. The notable changes are as follows:

- 1** The land use designation for the subject lands would be Business Employment rather than Employment District (Schedule K). The Business Employment designation would be guided by the Livable Oakville Plan and would replace the current policies of the Employment District. The policies of Section 26.7.7 would apply, in addition to the policies of Part C (General Policies) and Part D (Land Use Designations and Policies) of the Livable Oakville Plan. The permitted uses for Business Employment would be outlined in Section 14.4, and include offices, light industrial uses (manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling), hotels, public halls, indoor sports facilities, training facilities and commercial schools. Major office would be considered at certain locations where there is high visibility and are adjacent to highway corridors and Regional Transit priority corridors. Existing service commercial uses would be permitted and new service commercial uses, including restaurants, financial institutions and drive-throughs may be permitted on the same lot as other principal uses (light industrial, office, hotels, etc.). Motor vehicle related uses may also be permitted in certain areas. Outdoor storage areas would be required to be screened and permitted via zoning.
- 2** The policies of Section 26.7.7, which would be incorporated via OPA 34, and applicable specifically to the Northwest Area, also state:
 - a** General industrial operations in enclosed buildings are permitted on lands that do not abut the Hospital District, Palermo Village, Tremaine Road, Dundas Street, Bronte Road or Highway 407.
 - b** Motor vehicle related uses may also be permitted.

- c Service commercial uses are to be located at intersections of arterials and avenues.
 - d Buildings shall be a minimum of two storeys in height and a maximum of 15 storeys, except that buildings fronting onto Dundas Street shall be a minimum of four storeys.
- 3 Some modifications to the names/designations of roads appear to be considered (Schedule C). Generally, the road network itself would be unchanged and consistent with the submitted applications. Dundas Street West would continue to be a Major Arterial and is shown as a Primary Transit Service Corridor. The proposed new east-west arterial road is shown as Minor Arterial / Community Service in OPA 34. The other new proposed roads within the subject lands are shown as Future Roads, Avenue/Transit Corridor, and Community Service in OPA 34. As such, the intent and function of the new roads is not proposed to be changed through OPA 34.
 - 4 OPA 34 would incorporate policies for a Natural Heritage System north of Dundas Street under new Section 10.11. Schedule B2 incorporates mapping in this regard. OPA 34 would be aligned with the Natural Heritage System mapping in the NOWSP, which is proposed to be implemented through the proposed Zoning By-law Amendment and has been studied extensively through the EIR/FSS.
 - 5 OPA 34 would incorporate various area-specific policies under Section 26.7, to address the general vision and objectives for the Northwest Area, policies for the Natural Heritage System, community design policies, and infrastructure policies for the Northwest Area. These policies have been appropriately implemented in the Draft Plan of Subdivision and through the proposed Zoning By-law Amendment, which will incorporate the built form requirements established under North Oakville Zoning By-law 2009-189. Further opportunity to implement these policies will be made through the Site Plan Approval process.

5. ANALYSIS OF KEY COMMENTS

The Region has provided two key comments in relation to the proposed Zoning By-law Amendment and its conformity with various policies previously summarized. First, the Region has requested analysis to ensure that the proposed zoning will only permit principally employment uses and permitted commercial uses, such that the zoning does not constitute an employment lands conversion. Second, the Region has requested a review of the proposed density of development to consider whether development contributes to the various policies promoting density along the Dundas Street West Corridor.

5.1 REVIEW OF PERMITTED USES

It is the intent of the proposed Zoning By-law Amendment to conform to the NOWSP, and to align with and implement the North Oakville Zoning By-law 2009-189 in a manner that is specific to the subject lands. It is not the intent of the applications to permit the development of prohibited retail uses, including major retail uses. The proposed zoning by-law amendment provides greater clarity and alignment with this intent.

The updated proposed Zoning By-law Amendment intends to zone lands into the following classifications. Alignment of the proposed permitted uses with the applicable NOWSP policies is described below. It is noted that the specific exception numbers to be assigned will need to be confirmed by the Town.

- 1 The **Light Employment Exception 1 (LE-1)** zone is proposed to apply to the area immediately abutting the Highway 407 / Transitway corridor. This zone utilizes the LE zone's permitted uses under North Oakville Zoning By-law 2009-189, which intends for more prestige employment uses. This zone would allow for the uses permitted in the LE zone, consisting of a range of office and light industrial uses in wholly enclosed buildings. In accordance with Section 8.6.5.2 of the North Oakville West Secondary Plan, there is an intent to limit uses on lands abutting Highway 407 to uses of a more prestige nature. Specifically, outside storage, transportation terminals, waste processing/waste transfer and other non-

prestige uses are intended to be restricted. The LE zone under the North Oakville Zoning By-law is the zone that best corresponds with this intent. To implement the Town’s policies, we have applied the LE-1 zone along an approximate 60 metre width of the Highway 407 corridor and transitway block to implement this policy. As a result, the Highway 407 corridor and transitway will be abutted by natural heritage system zoning (NHS) and LE-1 zoning. Further implementation of the Town’s design policies can occur through the Site Plan Control process, such as ensuring suitable architectural treatment. Further land division may also occur, depending on the ultimate build-out. “Limited retail uses”, as defined and permitted in accordance with regulations in the LE zone, would also be permitted. This use is intended as ancillary retail only, providing space for the sale of goods manufactured or distributed in conjunction with the principal employment/industrial use. Additionally, “café” as defined in the North Oakville Zoning By-law is proposed to be added as a permitted use as it is very small-scale (limited to 100 sq. m.), does not include alcohol sales or drive-throughs, and would therefore be complementary and secondary to other permitted uses. There would be opportunity through Site Plan Control to further limit and guide any such proposed use to appropriate locations.

- 2 The **Light Employment Exception 2 (LE-2)** zone is proposed to apply to one block on the north side of Dundas Street West. The permitted uses for this block are proposed to be consistent with the LE-1 zone, discussed above. Since this zone abuts Dundas Street West, the LE zone established in the North Oakville Zoning By-law is utilized to ensure that the development implements the Town’s policies to promote prestige employment along Dundas Street West, as discussed above in relation to the LE-1 zone abutting Highway 407. The reason for creating a separate exception is to incorporate special lot and building requirement provisions, as discussed in relation to the Region’s second comment in Section 6.2 of this Addendum.
- 3 The **General Employment Exception 1 (GE-1)** zone would apply to employment blocks generally within the interior of the development site. The zone proposes largely the same uses as contemplated in the North Oakville Zoning By-law’s General Employment Zone, including outdoor storage. Outdoor storage is contemplated in the North Oakville West Secondary Plan and in the Business Employment designation, subject to screening and implementation in zoning. The lot and building requirements of the North Oakville Zoning By-law 2009-189 would apply. The application of the zone to the interior of the development ensures that outdoor storage will not be near the Major Arterial or Highway 407, as required by the North Oakville West Secondary Plan. The purpose of the exception zone is to additionally permit a café, as defined in the By-law. As noted previously, the “café” use is defined in the North Oakville By-law as consisting of a very small-scale use (i.e., up to 100 sq. m.) that does not include alcohol sales or drive-throughs and would therefore be complementary and secondary to the permitted employment uses.
- 4 The **Service Area – Employment Exception 1 (SA-1)** zones include two blocks, each located at the intersection of the new east-west Minor Arterial and new north-south Avenues. This zone would allow flexibility to develop employment and service commercial uses, at the intersections of an Avenue and Arterial, as required by the North Oakville West Secondary Plan. The SA zone, under the parent Zoning By-law, normally permits a range of retail, service commercial, and employment uses. This exception is proposed to remove the permission of “retail store” to ensure clear alignment with the permitted uses of the North Oakville West Secondary Plan. Since Light Industrial and Office uses are permitted in this zone and since “retail stores” are removed as a permitted use, we also propose adding permission for “limited retail uses.” Limited retail uses are proposed to be subject to the requirements in accordance with Section 7.9.1.1 of the Zoning By-law, which ensures the use is ancillary to a principal employment use, is limited in area, and meets other criteria. The exception is also proposed to add “research and development” uses as permitted, as this use is similar from a land use perspective to other uses permitted in the parent SA zone, such as offices and light industrial. The permitted uses for these blocks are therefore in conformity with the uses permitted in the North Oakville West Secondary Plan and OPA 34.

- 5 The **Service Area – Employment Exception 2 (SA-2)** zone is proposed to apply to one block located at the northeast corner of a Major Arterial (Dundas Street West) and a new North-South Avenue. This zone would allow flexibility to develop a range of permitted service commercial and employment uses as contemplated by the North Oakville West Secondary Plan. “Gas bar” is proposed to be added as an additional permitted use for this block, and this use is contemplated by the NOWSP and OPA 34. This would be the only development block in the subject lands where a gas bar is permitted. As proposed in the SA-1 zone above, “limited retail uses” and “research and development” are proposed as additional permitted uses to the SA-2 zone. Since these lands will front onto Dundas Street West, additional provisions are proposed below in response to the Region’s comments regarding density, as discussed in Section 6.2 of this Addendum.
- 6 The **Natural Heritage System (NHS)** zone incorporates various natural features and buffers, as studied and recommended through the supporting EIR/FSS.
- 7 The **Park (P)** zone identifies a cultural heritage landscape park block and is adjacent to the NHS block.
- 8 The **Stormwater Management Facility (SMF)** zones delineate areas to be used for stormwater management facilities, as identified through the supporting EIR/FSS.

Overall, the effect of this Zoning By-law Amendment is to facilitate development of principally employment uses and a limited range of service commercial uses. Retail uses are strictly limited to ancillary uses that will involve sale of goods produced on-site in conjunction with a principal employment use. The service commercial uses are limited to only a few development blocks which meet the North Oakville West Secondary Plan’s criteria for locating these uses. It is the intent of the proposed zoning to facilitate a degree of appropriate flexibility, recognizing the unpredictable office and industrial market in the longer-term development horizon. It is desirable to permit “limited retail uses” as ancillary to employment uses broadly, as it is a very limited and defined use, and the specific tenants are unknown at this time. Furthermore, the mix of proposed uses as provided above will support the goals of creating complete communities and a more interesting and attractive future business park which is compatible with the low-density residential uses on the south side of Dundas Street West.

5.2 REVIEW OF DENSITY AND BUILT FORM

The Region’s second comment is regarding whether the proposed zoning will reduce the intended density as contemplated by the North Oakville West Secondary Plan. Generally, it is the intent of Regional and Provincial policy for the Town to establish density requirements for Employment Lands through Official Plan and area-specific planning processes. The Zoning By-law Amendment has been updated to ensure that the development will meet the North Oakville West Secondary Plan’s policies regarding density and to have the appropriate and suitable regard to the policies of Council-adopted OPA 34. As noted previously, the main intent of the proposed Zoning By-law Amendment is to permit urban uses in a greenfield context, so the effect of the amendment is not to reduce development density.

With respect to local density requirements, the applicable NOWSP specifies a minimum 0.25 FSI for service commercial uses and a general target of a minimum 0.35 FSI for employment uses. The Plan identifies a broad employment lands density target which is to be achieved across all employment lands and monitored by the Town over time. Further, we note that OPA 34 would introduce policies requiring minimum 4 storeys on Dundas Street and two storeys elsewhere. As previously mentioned, OPA 34 has been adopted by Town Council and is with the Region for approval. It is understood that the minimum height requirement proposed to be introduced through OPA 34 is intended to facilitate higher density and to achieve a built form vision for the Dundas Street West Corridor.

The revised zoning incorporates new built form elements to ensure that development achieves the originally intended densities and supports the built form vision for this area. This includes the following proposed provisions:

- It is proposed that the LE-2 zone, which consists of employment/office uses on the north side of Dundas Street West, incorporate a minimum building height of 9.0 m. This will help to facilitate multiple functional storeys and, through architectural treatment, the buildings should also be able to achieve approximately 12.0 m façades.
- It is proposed that the SA-2 zone, the service commercial block on the north side of Dundas Street West, incorporate a minimum building height of 9.0 m. Additionally, through architectural treatment, we note that the building may achieve up to about 12.0 m along the front façade. We note that this minimum height should not apply to the gas bar use, as this height would not be feasible for the use. The gas bar would be inclusive of any associated convenience store/car wash as accessory to the use per the definition of a gas bar in North Oakville Zoning By-law 2009-189. Rather, we propose that the SA-2 zone apply a minimum height of 5.0 m for any buildings associated with the gas bar, as this is the minimum height requirement in the North Oakville Zoning By-law's Automobile Service (AS) zone.

It is noted that the proposed Zoning By-law Amendment is responsive to the policies of the NOWSP and supports its implementation by utilizing the implementing zones under the North Oakville Zoning By-law. The proposed specific lot and building requirements noted above have appropriate regard for the Town's policy intent, acknowledging that OPA 34 is not in effect. The parent zone requirements for the LE, GE and SA zones permit a maximum height of 15 storeys and a maximum FSI of 3.0, which are requirements under the North Oakville West Secondary Plan. There are no minimum building height requirements in the North Oakville Zoning By-law. The North Oakville Zoning By-law requires a minimum FSI of 0.25 for the SA zone, and other requirements such as maximum setbacks will apply to the SA, LE and GE zones, to support facilitating more compact development formats. The developments will be subject to Site Plan Control to provide further opportunity to refine development from an urban design and built form perspective. This is particularly important for meeting urban design objectives while also enabling some flexibility, as the future tenants and their specific needs are unknown.

With respect to the minimum 2 storey height requirement proposed to be introduced through OPA 34 elsewhere in the Business Park designation, most of the permitted uses are not economically viable nor are typically operated in multi-storey formats (e.g., manufacturing, warehousing uses). It would be very difficult to attract tenants into this format. We anticipate that the buildings should still be able to achieve a height of 6.0 m which is equivalent to a two-storey building. Furthermore, in many cases, a two-storey front-facing office component, coupled with a rear high-ceiling clearance manufacturing or warehousing component is typical in these business park settings. These uses are permitted under the North Oakville West Secondary Plan and continue to be permitted in the Business Employment designation under OPA 34. As such, the new minimum height policies would likely restrict any potential tenants to office uses across the entirety of the development area. We understand from our client that the market condition for office uses is particularly unpredictable and, in a post-pandemic era where work-from-home is being normalized, the office market is unlikely to recover quickly. As such we recommend retaining flexibility in the zoning, and that building height and architectural treatment be considered further through Site Plan Control.

6. CONCLUSION

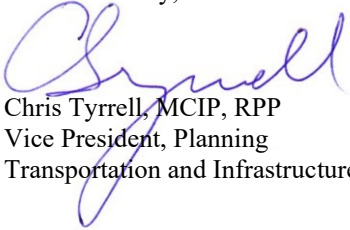
In our opinion, the applications are consistent with the 2020 PPS, conform to or do not conflict with the 2020 Growth Plan, conform to the Halton Region Official Plan, and conform to and implement the North Oakville West Secondary Plan and the North Oakville Zoning By-law. The applications will support a suitable range of employment and service uses which create a wide range of employment opportunities within a rapidly evolving economic climate and market conditions. The proposed Zoning By-law Amendment has been updated to clearly align with and



conform to the policies of the North Oakville West Secondary Plan, which is in full force and effect.

We look forward to working with the Town and Region to finalize the approvals process for the Zoning By-law Amendment and the Draft Plan of Subdivision.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Tyrrell', written over the typed name and title.

Chris Tyrrell, MCIP, RPP
Vice President, Planning
Transportation and Infrastructure

A handwritten signature in blue ink, appearing to read 'Bobby Gauthier', written over the typed name and title.

Bobby Gauthier, MCIP, RPP, PMP
Practice Lead, Urban and
Community Planning

Encl.

cc: Gus Tsoraklidis, QuadReal Property Group