

# Planning Justification Report

## Green Ginger Phase II

### Town of Oakville



Prepared By:



Prepared For:

**Green Ginger Developments Inc.**

August 2016



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# Planning Justification Report

Green Ginger Phase II

Town of Oakville

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*Prepared By:*

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L3R 6B3

*Prepared For:*

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3751 Victoria Park Avenue  
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August 2016  
16-2471



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- A – OMB Minutes of Settlement
- B – Town of Oakville Planning Statistics Spreadsheet
- C – Draft Zoning By-law
- D- Green Ginger Developments Inc. Servicing Allocation Correspondence

# 1.0

## INTRODUCTION

*Malone Given Parsons Ltd. has been retained by Green Ginger Developments Inc. which owns approximately 51 ha of land in the North Oakville Secondary Plan. Phase 1 (18.7 ha) has been draft plan approved and is under development. Green Ginger Development Inc. now proposes to develop the remaining 32.3 ha balance of their lands in Phase 2.*

### 1.1 Purpose

Green Ginger Developments Inc. (“Green Ginger”) is submitting an application for a Plan of Subdivision and Zoning By-law Amendment for approval of Draft Plan of Subdivision and to amend the Town of Oakville Zoning By-law (North Oakville Zoning By-law No. 2009-189).

Malone Given Parsons Ltd. has been retained by Green Ginger to prepare the Planning Justification Report which is required to be submitted as part of the Plan of Subdivision and Zoning By-law Amendment applications. The purpose of this report is to provide an overview of the technical information required by the Town of Oakville to support the applications and to describe how the applications conform to and are consistent with all provincial, Region of Halton and Town of Oakville policies.

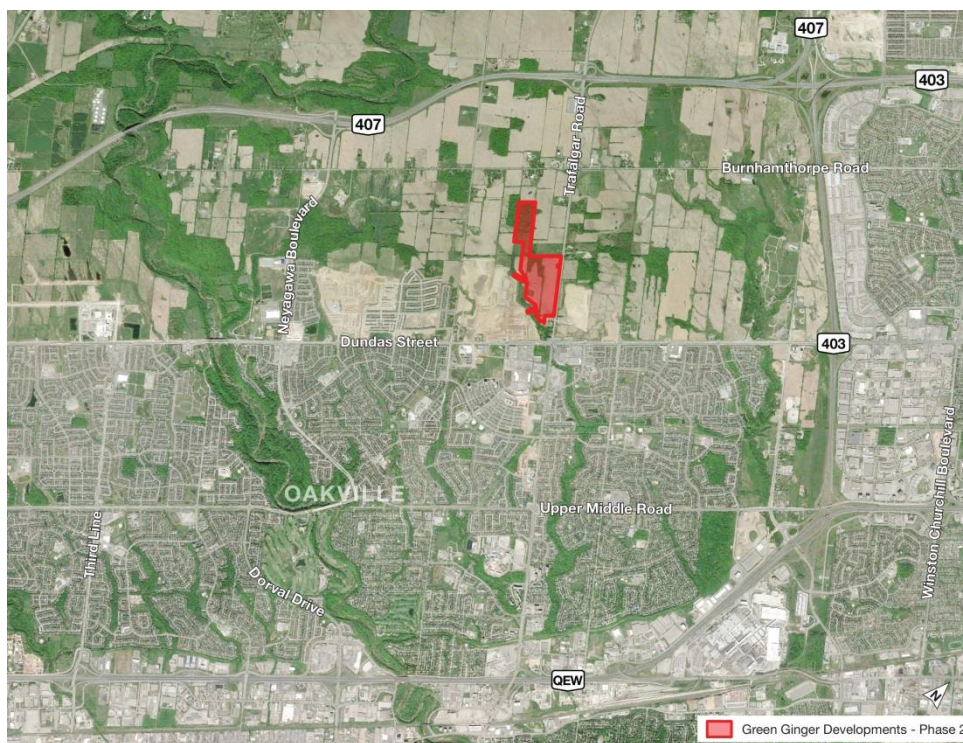
### 1.2 Green Ginger Lands

Green Ginger owns approximately 51 ha of land within the Town of Oakville north of Dundas Street since 2000. The 18.7 ha Phase 1 is draft plan approved and is currently under development. Phase 2 is comprised of 32.3 ha of land and is the subject of this report (‘the Green Ginger Lands’). The Green Ginger Lands do not have a municipal address and are legally described as:

PT LTS 13 & 14, CON 1 TRAF NDS, PT 1 20R14237 S & E PTS 6 & 14  
HR892157; S/T EASEMENT OVER PT 13 HR892157; S/T  
TEMPORARY EASEMENT OVER PTS 4,5,7,8 & 12 TOWN OF  
OAKVILLE

This planning justification report only applies to the Phase 2 lands shown in  
Figure 1.1 below.

**Figure 1.1 Location of Green Ginger Phase 2 Lands**



Source: Malone Given Parsons Ltd.



# 2.0

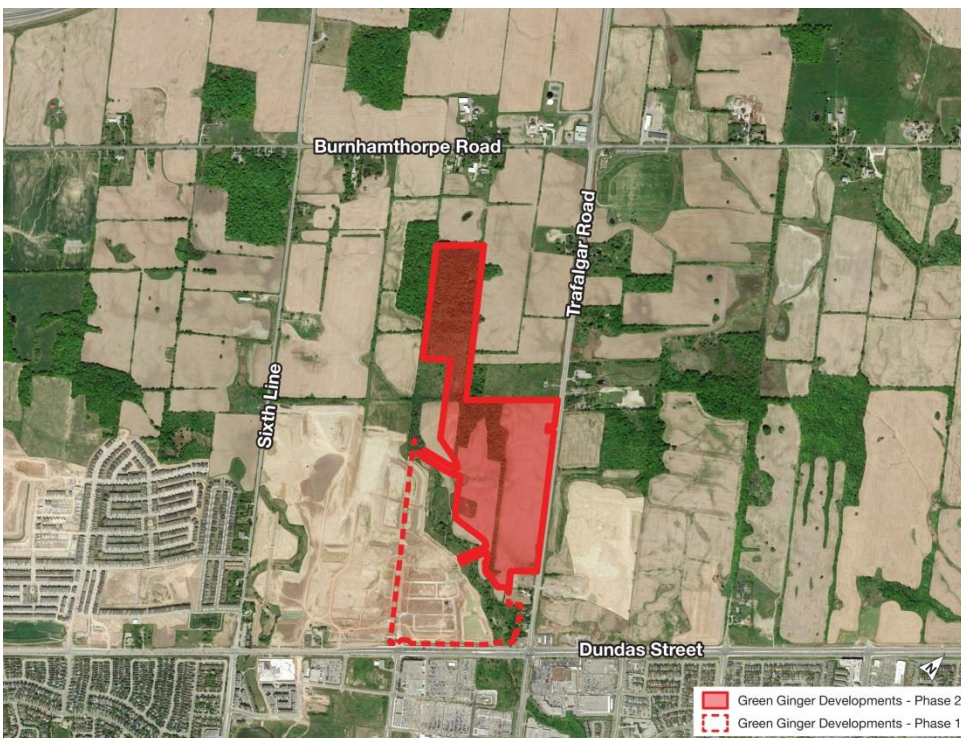
## PROPERTY CONTEXT

*This section provides a description of the subject property, its location and characteristics, and surrounding land uses.*

### 2.1 Site Location and Characteristics

The Green Ginger Lands are currently vacant and are comprised of agricultural fields and woodlands. The topography of the site is slightly undulated but is relatively level with the fronting Dundas Street and Trafalgar Road. The grade of the site generally descends towards the southeast and towards East Morrison Creek. East Morrison Creek divides the Green Ginger Phase 1 and Phase 2 lands.

**Figure 2.1 Aerial Photo of the Green Ginger Lands**



Source: Malone Given Parsons Ltd., Air Photo- Google Earth 2016

## 2.2 Surrounding Land Uses

The Green Ginger Lands are irregular in shape and are generally bound by Trafalgar Road to the east, the adjacent Green Ginger Phase 1 lands to the south that front onto Dundas Street, and existing rural and agricultural uses to the west and north. The Green Ginger Lands have approximately 730 metres of frontage on Trafalgar Road. Trafalgar Road is a major arterial road and transit corridor under the jurisdiction of Halton Region.

The Green Ginger Lands are located in an area which is in transition from rural/agricultural uses to urban uses. The following uses are adjacent to the Green Ginger Lands:

- North: Existing natural, rural and agricultural uses.
- South: Green Ginger Phase 1 lands which is a residential community consisting of 672 units comprised of both freehold townhouses and mid-rise apartment as well as a Natural Heritage System (NHS) which includes East Morrison Creek.
- East: Existing natural, rural and agricultural uses under development (Minto-Trafalgar Dundas Subdivision).
- West: Under development as well as existing natural, rural and agricultural uses.

# 3.0

## THE PROPOSED DEVELOPMENT

*This Section describes the proposed development for the Green Ginger Lands and outlines the requested Draft Plan of Subdivision and Zoning By-law Amendments.*

### 3.1 The Proposed Development

The development proposes a mix of residential uses, natural heritage and public open space features within a well-planned and attractive community located within the Glenorchy community in the North Oakville East Secondary Plan area (NOESP). The NOESP is a comprehensively studied and planned area which establishes the detailed planning framework for development north of Dundas Street and south of Highway 407. Green Ginger Development Inc. entered into various Minutes of Settlement and Agreements with the Town as part of the final resolution of the NOESP (OMB Case No. PL041188: Minutes of Settlement attached in Appendix A). The development includes 723 freehold townhouse units and future development blocks that allow for multiple unit development adjacent to Trafalgar Road which will increase the overall unit count for the Green Ginger Lands. The land uses, densities, and overall development plan are in accordance and implements the NOESP.

### 3.2 Draft Plan of Subdivision

The draft plan of subdivision is primarily comprised of freehold townhouse units located within the interior of the Green Ginger Lands. Two medium-high density blocks of approximately 5 ha are located adjacent to Trafalgar Road. The development details of the higher density development blocks abutting Trafalgar Road will be submitted separately as part of the Site Plan Application.

The development will include two village squares, a stormwater management pond and a NHS. The northern extent of the Green Ginger Lands contains a large woodlot of 8.99 ha which will be preserved as part of the NHS. Views into the NHS have been provided where possible to allow for interaction with the natural

features. Access to the NHS is provided by roadway as well as pedestrian walkways which provide a connection to the NHS trail and the Green Ginger Phase 1 lands.

The village squares have been located to maximize accessibility and to enhance the visual and physical elements of the development. Green Ginger Development Inc. entered into the North Oakville Master Parkland Agreement which generally sets out the total parkland obligation for the lands within the NOESP. The agreement reflects the requirements for parkland, village squares, and walkways.

A stormwater management facility is located at the southern portion of the Green Ginger Lands. It is separated from residential blocks to the north by proposed Street 'A' and is adjacent to the NHS. As part of the Minutes of Settlement between the Town of Oakville, Halton Region and Green Ginger, the conceptual location of stormwater management ponds, the encroachment of ponds into the linkage areas and other location requirements were included (PL041188). The Minutes of Settlement indicate that the Ministry of Natural Resources (MNR) consented to measure the fisheries setback as 30 metres from the bankfull width of Stream Reach MOC-4. The location of the stormwater management pond complies with the MNR requirements contained in the aforementioned minutes of settlement.

The NOESP defines a secondary school site designation east of the NHS. Of the total school designation, 0.76 hectares falls within the lands subject to the Green Ginger draft plan. This area has been secured and defined for future use as a secondary school in conjunction with the adjoining property located outside of the plan of subdivision.

Primary access to the development is proposed from Dundas Street via Ernest Appelbe Boulevard at a signalized intersection opposite Oak Park Boulevard and two planned signalized intersections on Trafalgar Road opposite Wheat Boom Drive and Threshing Mill Boulevard. Street 'A' is an extension of Wheat Boom Drive Sixteen Mile Drive which is a Secondary Transit Corridor Service - Avenue/Transit Corridor with a 24.0 metre right-of-way (ROW). Street 'A' extends westerly from Trafalgar Road (opposite Wheat Boom Drive) across Sixteen Mile Creek connecting to Green Ginger Phase 1. Street 'B' is a future Community Service - Avenue/Transit Corridor with 24.0 metre ROW. The internal street pattern of the development proposes a modified grid pattern which respects the NHS while allowing for internal vehicular circulation and a well-connected pedestrian network.

The Phase 1 Green Ginger lands received servicing allocation as part of the Region's 2008 & 2012 Allocation Program. The Green Ginger Lands will require servicing allocation as part of the next allocation program anticipated in 2018.

The proposed Draft Plan of Subdivision is shown in Figure 3.1. The Town of Oakville's planning statistics spreadsheet is contained in Appendix B.



**BLOCK 107**  
Natural Heritage System  
6.99 ha.

**BLOCK 103**  
Secondary School  
0.76 ha.

**BLOCK 104**  
Village Square  
0.39 ha.

**BLOCK 101**  
Trafalgar Road Urban Core  
2.84 ha.

**BLOCK 102**  
Trafalgar Road Urban Core  
2.03 ha.

**BLOCK 106**  
Storm Water Management Facility  
2.10 ha.

**BLOCK 108**  
Road Widening  
0.03 ha.

**BLOCK 109**  
Road Widening  
0.34 ha.

**AGRICULTURE**

**AGRICULTURE**

**AGRICULTURE**

**DUNDAS STREET EAST**

**TRAFALGAR ROAD**

**STREET A**  
**STREET B**  
**STREET C**  
**STREET D**  
**STREET E**  
**STREET F**  
**STREET G**  
**STREET H**  
**STREET I**  
**STREET J**

**PHASE 1**

**PHASE 2**

**PHASE 3**

**PHASE 4**

**PHASE 5**

**PHASE 6**

**PHASE 7**

**PHASE 8**

**PHASE 9**

**PHASE 10**

**PHASE 11**

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**PHASE 223**

**PHASE 224**

Part of Lots 13 and 14,  
Concession 2  
Town of Oakville  
Regional Municipality of Halton  
**24T-05008 / 1313**

Legend:  
 [White Box] Subject Lands  
 [Light Gray Box] Phase 1  
 [Dark Gray Box] Phase 2

Map showing the proposed development site, including the location of the subject lands, Phase 1, and Phase 2. The map includes a north arrow and a scale bar.

| Phase 2 | Lot / Block                       | Land Use | Units | Acre (ha) |
|---------|-----------------------------------|----------|-------|-----------|
| 1-45    | Min. 6.1 m Street Townhouses      | 267      | 5.56  |           |
| 46-81   | Min. 4.95m Street Townhouses      | 226      | 5.65  |           |
| 82-99   | Min. 6.4m Back to Back Townhouses | 222      | 2.20  |           |
| 100     | Min. 6.1m Rear Access Townhouses  | 88       | 2.10  |           |
| 101-102 | Traillgar Road Urban Core         |          | 0.87  |           |
| 103     | Secondary School                  |          | 4.76  |           |
| 104-105 | Village Squares                   |          | 0.60  |           |
| 106     | Storm Water Management Facility   |          | 2.11  |           |
| 107     | Natural Heritage System           |          | 0.59  |           |
| 108-109 | Road Widening                     |          | 8.37  |           |
| 110-113 | Future Development                |          | 0.47  |           |
| 114-115 | Walkway                           |          | 0.03  |           |
| 116-119 | 0.3m Reserves                     |          | 0.01  |           |
| 120     | Channel                           |          | 0.22  |           |
| SLA-C   | 14.0m Roadway - 1.447m            |          | 3.64  |           |
| SL-D    | 19.0m Roadway - 204m              |          | 0.59  |           |
| SL-E-F  | 17.0m Roadway - 3.900m            |          | 2.38  |           |
| Lane A  | 11.0m Laneway - 55m               |          | 0.36  |           |
| TOTAL   | 5,006m                            | 723      | 39.64 |           |

I hereby authorize Malone Given Parsons Ltd. to prepare and submit this Draft Plan of Subdivision to the Town of Oakville.

Katy Schofield  
GREEN GINGER DEVELOPMENTS INC.

I hereby certify that the boundaries of the land to be subdivided and their relationship to the adjoining properties are correctly shown on this plan.

HOLDING JONES VANDERVEEN INC.  
ONTARIO LAND SURVEYORS  
(905) 550-4000

As required under section 51(17) of the Planning Act (R.S.O. 1990 C.P. 13)

a), e), f), j) As shown on the Draft Plan.

b), g) As shown on the Draft and Key Plans.

c) As shown on the Key Plan.

d) As shown on the Schedule of Land Use.

h), k) Full Municipal services to be provided.

i) Soil is Clay Loam.

l) none.

Note: Contours relate to Canadian Geodetic Datum.  
Dimensions subject to final calculations.

|                     |                   |                      |
|---------------------|-------------------|----------------------|
| Date of Submission: | February 22, 2006 | Project No.: 16-2471 |
| Date of Revision:   | August 5, 2018    |                      |

Prepared for: GREEN GINGER DEVELOPMENTS INC.

Prepared by:  **MALONE GIVEN PARSONS LTD.**  
140 Renfrew Drive, Suite 201  
Markham Ontario L3R 6B3  
Tel(905) 513-0170 Fax(905) 513-0177

Table 3.1 provides the development statistics for the Draft Plan of Subdivision.

**Table 3.1 Draft Plan Development Statistics**

| Proposed Land Use - Phase 2          | Units      | Lots & Blocks | Area (ha)    | % of Total    |
|--------------------------------------|------------|---------------|--------------|---------------|
| Street Townhouses - Min. 6.1 m       | 267        | 1-45          | 11.52        | 29.1%         |
| Street Townhouses - Min. 4.95 m      | 226        | 46-81         |              |               |
| Back to Back Townhouses - Min. 6.4 m | 222        | 82-99         |              |               |
| Rear Access Townhouses - Min. 6.1 m  | 8          | 100           |              |               |
| Trafalgar Road Urban Core            |            | 101-102       | 4.87         | 12.3%         |
| Secondary School                     |            | 103           | 0.76         | 1.9%          |
| Village Squares                      |            | 104-105       | 0.6          | 1.5%          |
| Storm Water Management Facility      |            | 106           | 2.11         | 5.3%          |
| Natural Heritage System              |            | 107           | 8.99         | 22.7%         |
| Road Widening                        |            | 108-109       | 0.37         | 0.9%          |
| Future Development                   |            | 113           | 0.47         | 1.2%          |
| Walkway                              |            | 114-115       | 0.03         | 0.1%          |
| 0.3 m Reserves                       |            | 116-119       | 0.01         | 0.0%          |
| Channel                              |            | 120           | 0.22         | 0.6%          |
| 24.0 m Roadway - 1,447m              |            | Streets A-C   | 9.69         | 24.4%         |
| 19.0 m Roadway - 204 m               |            | Street D      |              |               |
| 17.0 m Roadway - 3,300 m             |            | Streets E-O   |              |               |
| 11.0 m Laneway - 55 m                |            | Lane A        |              |               |
| <b>Totals</b>                        | <b>723</b> |               | <b>39.64</b> | <b>100.0%</b> |

Source: Malone Given Parsons Ltd.

Figure 3.2 illustrates the land use designation of each block as well as the distribution of density on the Green Ginger Phase 2 lands.





### 3.3 Zoning By-law Amendment

In order to permit development of the draft plan of subdivision, an amendment to the Town of Oakville Zoning Bylaw 2009-189 is required. The amendment proposes to rezone the lands from “ED – Existing Development Zone” to:

- “TUC” - Trafalgar Urban Core Zone
- “NHS” - Natural Heritage System Zone
- “SMF” - Stormwater Management Facility Zone
- “P” - Park Zone
- “I” - Institutional Zone

The lands proposed for the street oriented townhouse will be zoned “TUC-18”. This site specific zone was approved as part of Green Ginger Phase 1. A new site-specific TUC zone is proposed for the blocks fronting on Trafalgar Road. A new site-specific TUC zone is also proposed to permit the back to back townhouse blocks.

Table 3.2 provides a summary of the proposed zones and the number of lots/blocks within each zone. The uses and development standards proposed for the Green Ginger Lands conform to OPA 272.

**Table 3.2 Summary of Zoning**

| Zone   | Blocks     |
|--------|------------|
| TUC-18 | 1-81 & 100 |
| TUC-*  | 82-99      |
| TUC-** | 101 & 102  |
| NHS    | 107        |
| SWF    | 106        |
| P      | 104 & 105  |
| I-***  | 103        |

Source: Malone Given Parsons Ltd.

The Green Ginger Lands will be subject to the following amendments to the provisions of Section 3.0 Definitions of North Oakville Zoning By-law 2009-189:

- a) Lot Frontage shall be the horizontal distance between the side lot lines of a lot measured parallel to and 6 metres back from the front lot line;
- b) Lot Depth shall be the straight line distance from the mid-point of the front lot line to the mid-point of the rear lot line of the same lot;

- c) In the case of a corner lot with a sight triangle, the exterior side lot line shall be deemed to extend to its hypothetical point of intersection with the extension of the front lot line for the purposes of calculating lot frontage and lot depth;
- d) In the case of a corner lot with a sight triangle, the front lot line shall be deemed to extend to its hypothetical point of intersection with the extension of the side lot line for the purposes of calculating lot frontage and lot depth.

The lands zoned TUC-\* shall be subject to the following amendments:

In addition to the permitted uses, buildings, and regulations of the Trafalgar Urban Core Zone (TUC), the following regulations shall apply:

- a) Uses permitted in the TUC-1 zone, subject to the regulations of Section 7.1.7.1;
- b) The regulations in Table 7.6.2 shall apply;
- c) The minimum front yard setback to a day lighting triangle is 0 metre;
- d) The minimum side yard setback to a day lighting triangle is 0 metre;
- e) A parking space in a private garage shall have an unobstructed area with a width of not less than 2.7 metres for a single car private garage;
- f) One step may encroach into the length and width of a parking space within a garage at the end of the parking space;
- g) Section 4.27 shall not apply for inset porches;
- h) Notwithstanding Section 3.27, a porch shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the building or insect screening.

The lands zoned TUC-\*\* shall be subject to the following amendments:

In addition to the permitted uses, buildings, and regulations of the Trafalgar Urban Core Zone (TUC), the following regulations shall apply:

- a) Uses permitted in the TUC-8 zone, subject to the following regulations:

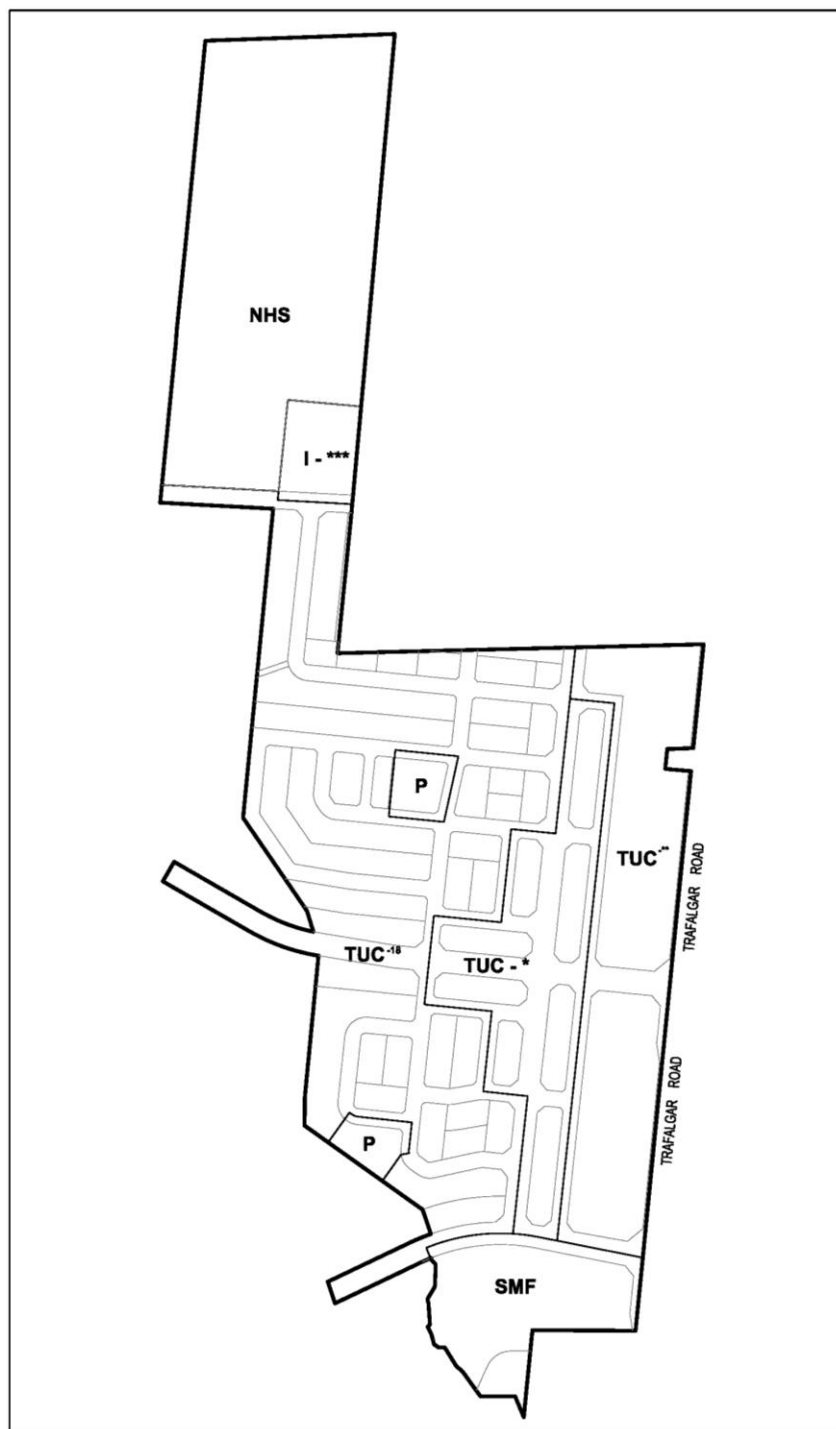
- i) The front lot line shall be deemed to be the lot line that separates the lot from Trafalgar Road. All other lot lines shall be deemed to be flankages;
  - ii) The maximum front yard setback shall be 10 metres for buildings fronting onto Trafalgar Road. The maximum front yard setback shall not be required for buildings fronting onto other streets;
  - iii) The maximum side yard setback to the flanking shall not be required.
- b) The regulations in Table 4.1A shall apply except for the following:
- i) The maximum permitted parking spaces for any apartment buildings shall be 2 parking spaces per dwelling unit including parking spaces for visitors;
  - ii) The visitor parking spaces shall be permitted in a surface parking area.
- c) The accessory buildings and structures including an exit stair from a parking garage shall be permitted to be closer to the flanking than the main building;
- d) Stairs and air vents associated with an underground parking structure are permitted in any yard;
- e) Established grade is defined as the finished floor elevation at grade;
- f) Balconies and/or open-air terraces are permitted in any yard.

The lands proposed to be zoned Institutional on the Green Ginger Lands form a small portion of a larger Institutional block. This 0.76 ha block may not be required for the development of a secondary school. Therefore, it is proposed that residential uses also be permitted on this block in the event that the site is declared surplus and sold by the school board. It is proposed that in addition to the permitted uses, building, and regulations of the Institutional Zone “I”, the permitted uses, building, and regulations of the TUC-18 zone and TUC-\* zone shall also apply.

All other lands without amendments identified above will be subject to the provisions of North Oakville Zoning By-law 2009-189, as amended.

Figure 3.2 is the proposed zoning schedule for the Green Ginger Lands. A draft zoning by-law is contained in Appendix C.

**Figure 3.2 Proposed Zoning Schedule**



Source: Green Ginger Developments Inc.

# 4.0

## PLANNING POLICY AND REGULATORY FRAMEWORK

*This section is a review of current provincial, regional and local policies which provides the policy framework for consideration.*

*The following affect the Green Ginger Lands:*

- *Provincial Policy Statement (2014);*
- *Places to Grow: Growth Plan for the Greater Golden Horseshoe (2006)*
- *Halton Region Official Plan (2009)*
- *Town of Oakville Official Plan (2006)*
- *North Oakville East Secondary Plan (OPA 272) (2008)*
- *North Oakville Zoning By-law 2009-189*

### 4.1 Provincial Policy Statement, 2014

The new Provincial Policy Statement (PPS) came into effect on April 30, 2014. The PPS provides policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. All planning decisions “shall be consistent with” the policies of the PPS.

The PPS promotes efficient land use and development patterns as they support sustainability and optimize the use of land, resources, and public investment in infrastructure. According to the PPS, healthy, livable and safe communities are sustained by promoting efficient development and land use patterns, by promoting cost-effective development patterns and standards to minimize land consumption and servicing needs and promoting development that conserve biodiversity (Policy 1.1.1 (a) (e) (h)). Moreover, land use patterns within Settlement Areas shall be based on densities and a mix of land uses which efficiently use land and resources, support active transportation, and are transit-supportive (Policy 1.1.3.2(a)).

The PPS promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity as well as planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation (Policy 1.5.1 (a) (b)). The development of the Green Ginger Lands includes a modified grid pattern which encourages walking in the neighbourhood and the use of active transportation. The distribution of urban squares within the development also facilitates social interaction within the community. It is also proposed that the Green Ginger Lands include pedestrian trails in the NHS which facilitates recreation and active transportation within the community.

The PPS encourages new development in designated growth areas to occur adjacent to the existing built-up area with a compact form and mix of uses and densities (Policy 1.1.3.6). The Green Ginger Lands are adjacent to the existing built-up area south of Dundas Street and is of a compact urban form.

The PPS also promotes planning for stormwater management which minimizes or prevents increases in contaminant loads, minimize changes in water balance and erosion, and promotes best management practices including stormwater attenuation. The proposed development protects the East Morrison Creek through the NHS and includes two stormwater management facilities.

The PPS encourages a land use pattern, density and mix of uses that minimize the length and number of vehicle strips and supports current and future transit and active transportation (Policy 1.6.7.5). The proposed development includes a block pattern which encourages walking and a density that supports transit.

It is our opinion that the proposed development of the Green Ginger Lands is consistent with the policies of the PPS.

## 4.2 Growth Plan for the Greater Golden Horseshoe

The Growth Plan was prepared by the Province to implement its vision of stronger, prosperous communities. It contains a set of policies for managing growth and development (to the year 2031) and guides decisions on a range of issues including land use planning and urban form. The Growth Plan was amended in 2013 to update population and employment forecasts to 2041.

The Guiding Principles of the Growth Plan emphasize the need to build compact, vibrant and complete communities, and to optimise the use of existing and new infrastructure to support growth in a compact, efficient form (1.2.2).

The Growth Plan shows the Green Ginger Lands within a Designated Greenfield Area. Policies within the Growth Plan promote the accommodation of population growth by building compact, transit-supportive communities in designated greenfield areas (2.2.2. (1) (c)). Section 2.2.7 of the Growth Plan contains policies for Designated Green Field Areas and requires that new development taking place in designated greenfield areas be planned, designated, zoned and designed in a manner that:

- Contributes to creating complete communities;
- Create street configurations, densities, and an urban form that support walking, cycling and the early integration and sustained viability of transit services;
- Provides a diverse mix of land uses to support vibrant neighbourhoods; and,
- Creates high quality open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.

Section 2.2.7 of the Growth Plan also requires designated greenfield areas be planned to achieve a minimum density target that is not less than 50 residents and jobs combined per hectare. It should be noted that the density target is for the entire designated greenfield area of the municipality.

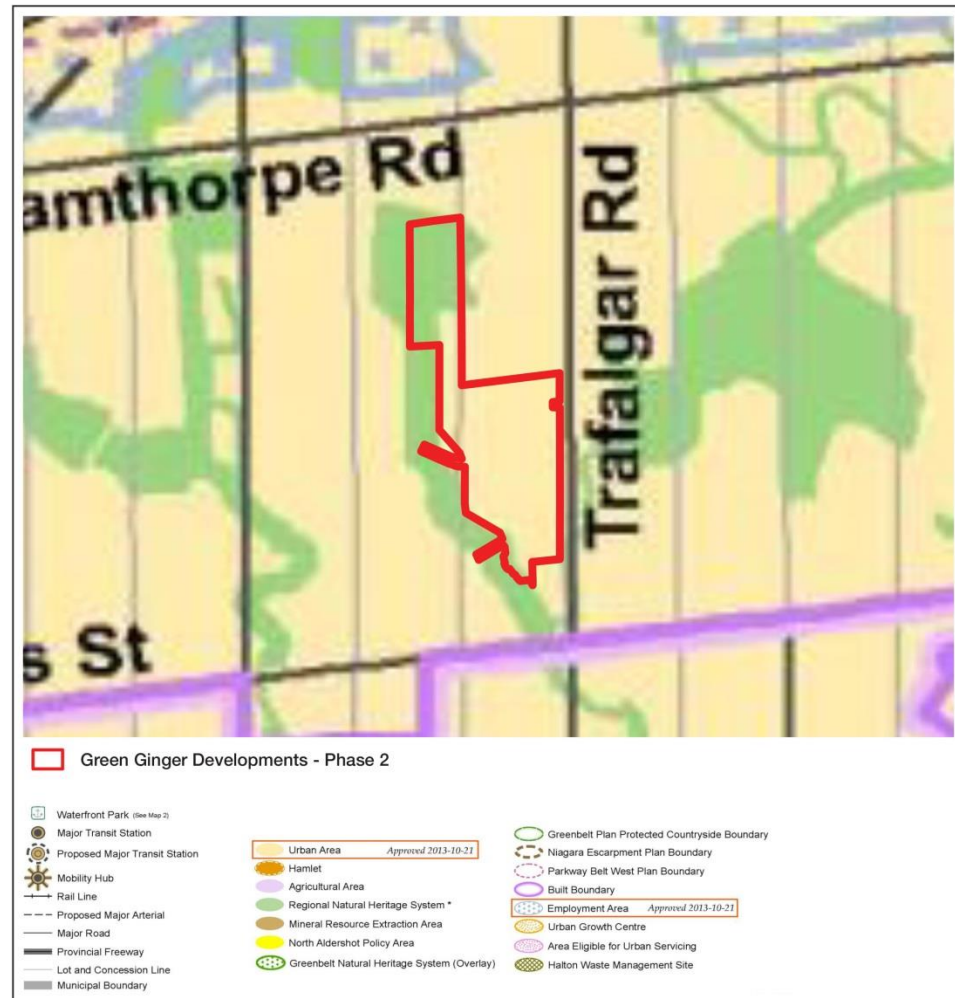
The development of the Green Ginger Lands conforms to the Growth Plan as it will contribute to developing the designated greenfield area in a way that provides a street pattern, residential densities and an attractive urban form that support walking, cycling and transit and that contains high quality urban spaces, public parks and natural areas.

### 4.3 Halton Region Official Plan

Regional Council approved Regional Official Plan Amendment 38 (ROPA 38) in December 2009 which updated to the 2006 Halton Region Official Plan. ROPA 38 was modified and approved by the Minister of Municipal Affairs and Housing in 2011. This decision was subsequently appealed to the Ontario Municipal Board (OMB). Since that time, the Regional Official Plan has been partially approved by the OMB. On January 13, 2016, the OMB issued an Order confirming the approvals in principle it previously granted.

The Green Ginger Lands are designated as 'Urban Area' and 'Regional Natural Heritage System' on Map 1: Regional Structure as shown in Figure 4.1.

**Figure 4.1- Regional Structure**



Source: Map 1 - Halton Region Official Plan, modified by Malone Given Parsons Ltd. (2016)

One of the objectives of the Urban Area is to support a form of growth that is compact, 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 offers a strong and competitive economy (72(2)). The proposed development will assist the Region in achieving this objective.

The Urban Area consists of areas where urban services are or will be made available to accommodate existing and future urban development and amenities and will accommodate the distribution of population and employment for the



Region (74 & 75). The range of permitted uses in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

Policy 77(2.4) requires that development occurring in designated greenfield areas to:

- a) Contribute towards achieving the Region's development density targets;
- b) Contribute towards creating healthy communities;
- c) Create street configurations, densities and an urban form that support walking, cycling and the early integration and sustained viability of transit services;
- d) Provide a diverse mix of land uses, including residential and employment uses to support vibrant neighbourhoods; and
- e) Create high quality parks and open spaces with site design standards and urban design guidelines that support opportunities for transit and active transportation.

A portion of the Green Ginger Lands are designated Regional Natural Heritage System. The goal of the natural heritage system is preserve and enhance the biological diversity and ecological functions within Halton for future generations.

Regional Policy 116.2 speaks to the Regional Natural Heritage System being more specifically delineated and implemented in the Oakville OPA 272. Regional Policy 118 requires that Local Official Plans and Zoning By-laws to recognize the Regional Natural Heritage System and include policies and maps to implement the policies of the Regional Plan.

A portion of the Green Ginger Lands are identified as 'Key Features' within the Regional Natural Heritage Systems on Map 1G. The purpose of the Key Features designation is to assist in the implementation of permitted use policies in the Regional Natural Heritage System and the requirement for EIAs. It is also intended to assist Local Municipalities in delivering detailed implementation policies for the Key features in accordance with the policies of the Regional Plan (Policy 139.11).

**Figure 4.2- Key Features within the Greenbelt and Regional Natural Heritage Systems**

Source: Map 1G - Halton Region Official Plan (2009), modified by Malone Given Parsons Ltd. (2016)

The proposed development is consistent with the Regional Official Plan inasmuch as:

- Residential uses are permitted within Urban Areas.
- The development of the Green Ginger Lands will assist Halton Region in achieving its development density targets.
- The proposed development has a compact form with an appropriate range of housing densities that support active transportation and the early provision of transit.
- The proposed development includes a modified street grid pattern that encourages walking and active transportation which contribute to healthy communities.

- The proposed development includes high quality parks in the form of urban squares and open spaces integrated with the NHS.

It is our opinion that the proposed development conforms to the policies of the Region of Halton Official Plan.

#### 4.4 Town of Oakville Official Plan

The Town of Oakville Official Plan 2006 is the parent plan for the North Oakville East Secondary Plans. Due to the complexities of existing land use or uncertainty of some key land use or transportation elements, no specific designations for the lands north of Dundas Street was put in place. The Oakville Official Plan provided higher-order objectives and key factors to guide more detailed studies, which OPA 272 was eventually derived from.

A new Official Plan ('Livable Oakville Plan') was prepared as part of the Growth Plan conformity exercise as required by the Places to Grow Act, 2005 and was approved in 2009. The Livable Oakville Plan applies to all lands within the town except the North Oakville East and West Secondary Plan areas.

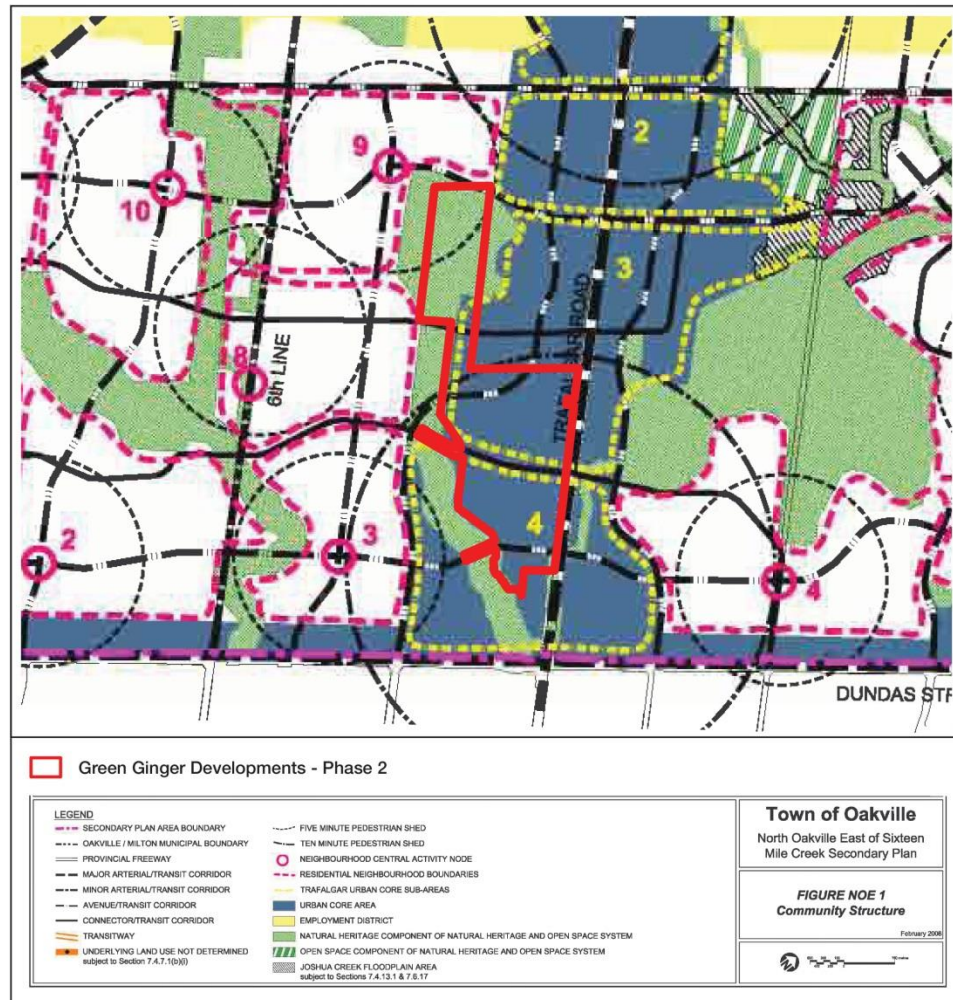
The proposed development does not require an amendment to the Official Plan.

#### 4.5 North Oakville East Secondary Plan (OPA 272)

The Green Ginger Lands are located within the North Oakville East Secondary Plan (NOESP) which was approved by the Ontario Municipal Board in January 2008. The NOESP provides the planning policy framework for development north of Dundas Street and south of Highway 407.

The Green Ginger Lands are designated 'Urban Core Area' and are located within the Trafalgar Urban Core Sub-Areas 3 and 4 as shown on NOE 1 – Community Structure. The Community Structure Plan establishes a range of components which define the general arrangement of land use for the NOESP Area. The Urban Core designations provide the densest development and the highest order activities. The primary focus of this development is along Trafalgar Road.

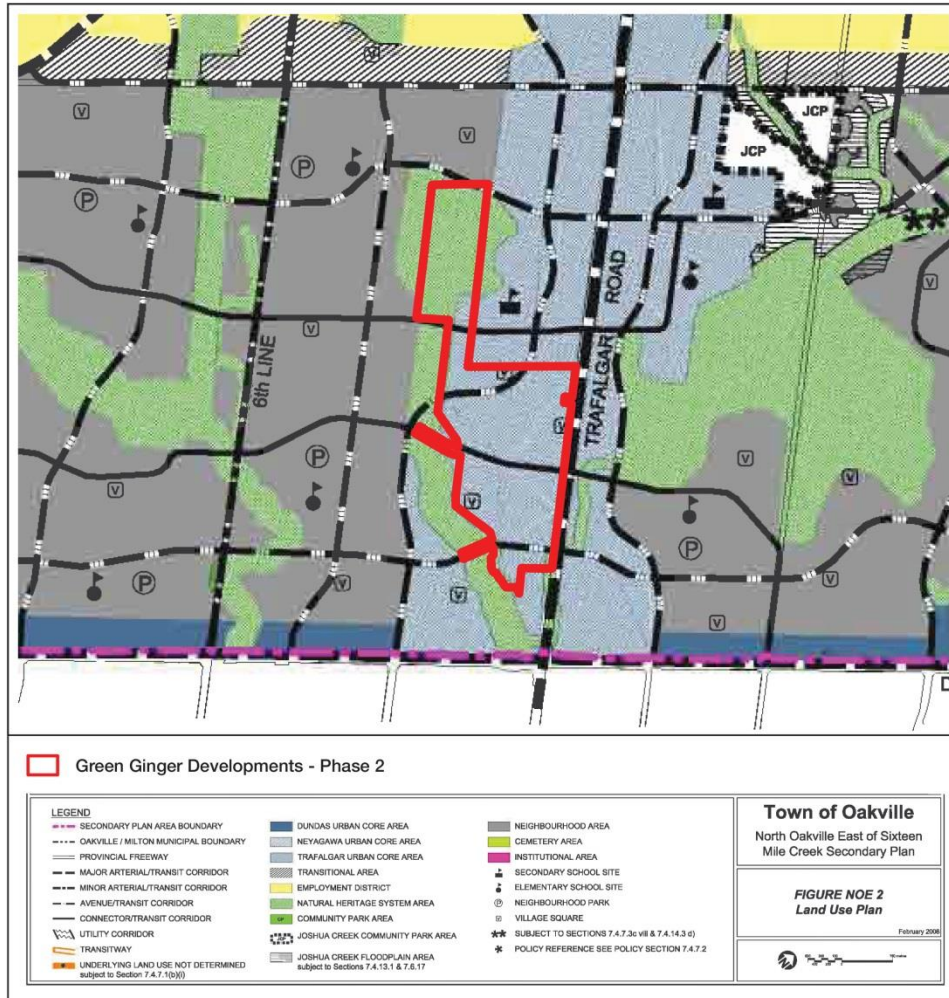
Figure 4.3: Community Structure



Source: Figure NOE1 - OPA 272

The Green Ginger Lands are designated ‘Trafalgar Urban Core Area’ and ‘Natural Heritage System Area’ as shown on NOE 2 – Land Use Plan.



**Figure 4.4: Land Use Plan**

Source: Figure NOE2 - OPA 272

The Trafalgar Urban Core Area is intended to be the focus of development in the NOESP Area. The Trafalgar Urban Core Area is designed to provide for a major node that is pedestrian and transit oriented. A range of uses is permitted in the Trafalgar Urban Core Area, including medium and high density residential uses.

Policy 7.6.4.6 provides specific policies for Urban Core Area 3 which applies generally to the northern half of the Green Ginger Lands. This policy states that Urban Core Area 3 will include primarily residential buildings as well as office and institutional uses (secondary schools) and places of worship. High density residential uses are encouraged to locate along Trafalgar Road. Medium Density Residential is permitted throughout this area with some consideration of low density residential uses in select areas.

Policy 7.6.4.7 provides policies for Urban Core Area 4 which generally includes the southern half of the Green Ginger Lands. High Density Residential uses are permitted and encouraged to locate along Trafalgar Road. Medium Density Residential uses are permitted are encouraged to locate in areas which complement adjacent high density residential development as well as at the ends of the area as a form of transition to adjacent residential neighbourhoods.

Policy 7.6.4.8 (b) applies to all of the Urban Core Areas. It directs that the highest development densities along Trafalgar Road, with building heights and densities generally scaling down to the east and west of Trafalgar Road. Development in the Trafalgar Urban Core Area is permitted at the following heights and densities:

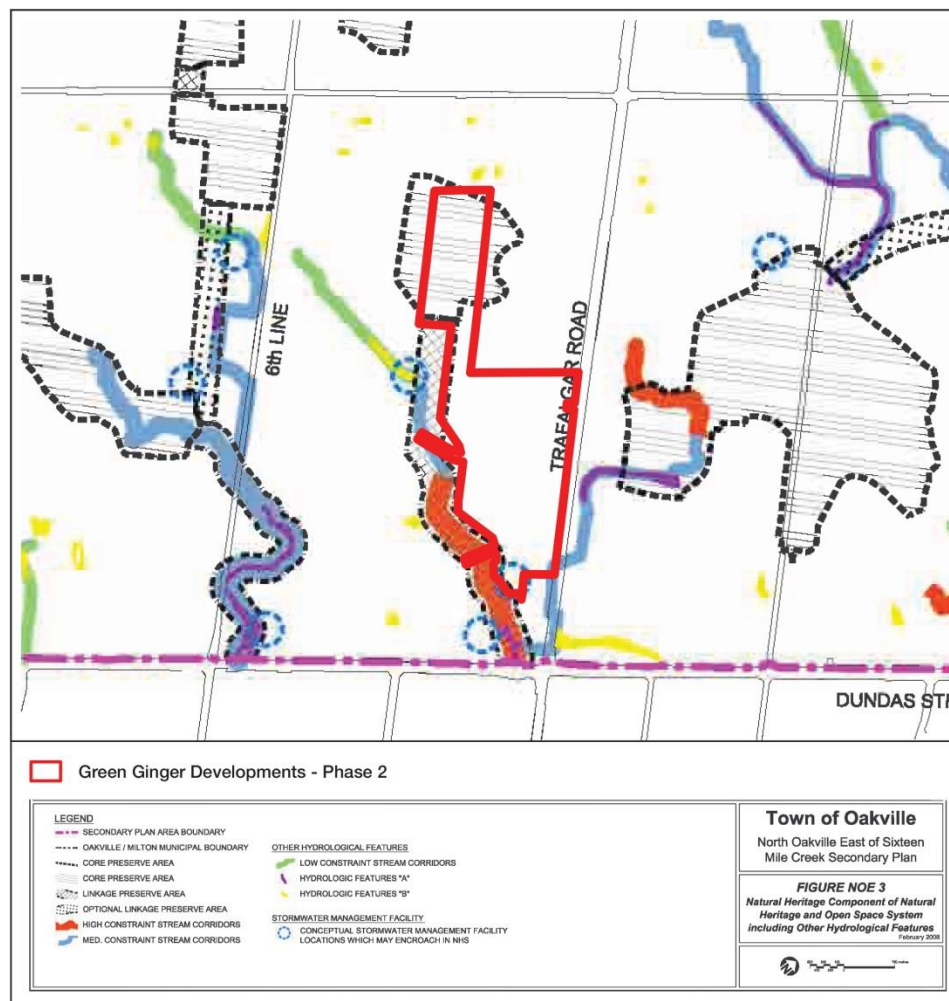
- i) Minimum density – Floor Space Index (FSI) of 1 on those blocks fronting on Trafalgar Road and 0.75 for other lands within the designation;
- ii) Maximum density – FSI of 5;
- iii) Medium Density Residential density – minimum density of 25 units per net hectare and maximum density of 75 units per net hectare. Development at less than 30 units per net hectare will be limited;
- iv) Maximum height – 15 storeys, with the exception of lands at the intersection of Major Arterial/Transit Corridors and Avenue/Transit Corridors with Trafalgar Road where the maximum height of 20 storeys.

The proposed development of the Green Ginger Lands implements the policies of the Trafalgar Urban Core Areas. The highest densities will be located along Trafalgar Road, with lower density development in the form of townhouses located towards the interior of the Green Ginger Lands. Back-to-back townhouses are proposed west of the blocks adjacent to Trafalgar Road providing for a transition between the medium high development blocks to the east and the street townhouses to the west. The lowest density development comprised of street townhouses is generally located in the interior of the development and adjacent to the NHS. Two village squares proposed within the Green Ginger Lands are located to provide maximum access to parkland within the community. The southern village square is located adjacent to the NHS allowing for sightlines and access to the NHS trail system. The provision of urban squares within key focal points is a key design element being implemented in the proposed plan of subdivision.

The majority of the Green Ginger Lands are proposed for medium density residential uses contributing to a pedestrian and transit oriented community. The two large development blocks along Traflagar Road are contemplated for high density mixed use development. The large development blocks are configured to allow for maximum design flexibility. The development and uses of these two development blocks, the details of which will be provided at the site plan application stage, will be in conformity with Official Plan policies. The proposed densities and heights of the Green Ginger Lands are within the densities and heights currently permitted by the Official Plan.

The area which encompasses the East Morrison Creek forms the NHS designation on the Green Ginger Lands. The purpose of the NHS designation is to protect, preserve, and where appropriate, enhance the natural environment as well as contribute to the enhancement of air and water resources and provide for limited passive recreational needs (7.4.6.2). Figure NOE 3 identifies natural heritage components and hydrological features of the Natural Heritage and Open Space System.

**Figure 4.5: Natural Heritage Component of Natural Heritage and Open Space System**



Source: Figure NOE3 - OPA 272

The Green Ginger Lands contain the following designations:

- Core Preserve Area;
- Linkage Preserve Area;
- High Constraint Stream Corridors;
- Medium Constraint Stream Corridors; and
- Conceptual stormwater management facility locations which may encroach in the NHS.

The Core Preserve Area includes key natural features including required buffers and adjacent lands intended to protect the function of those features. Linkage



Persevere Areas include areas designed to link the Core Preserve Areas together to maintain and enhance their environmental sustainability. High Constraint Stream Corridor Areas and Medium Constraint Stream Corridors Areas include certain watercourses and associated riparian lands, including buffers. These areas are to be protected for hydrological and ecological reasons in accordance with the North Oakville Creeks Subwatershed study. Development or land disturbances shall generally be prohibited in the NHS area although limited uses are permitted for required flood and stream bank erosion control; for fish, wildlife and conservation management; to accommodate stormwater outfall; or to relocate or deepen channels in Medium Constraint Stream Corridor Areas.

Roads and related utilities are also permitted in the NHS as long as they are designed to minimize any impacts on the natural environment and the crossings are in keeping with the road designations shown on Figures NOE 2 and NOE4. The proposed development includes three road crossings which are indicated in NOE 2 and NOE 4, however, the transportation network has been reconfigured and eliminates the need for a fourth crossing thereby minimizing the impact on the NHS.

A recreation trail is located throughout the NHS which is generally restricted to the edge of the NHS except where connections between Phases 1 and 2 are proposed. The trail not only provides access to the NHS, it also provides pedestrian connections between Phase 1 and 2 enhancing the connectivity of the communities. Trails or other similar passive recreation uses are permitted and such uses are generally located adjacent to the boundary linkage and are designed to minimize any impact in the natural environment.

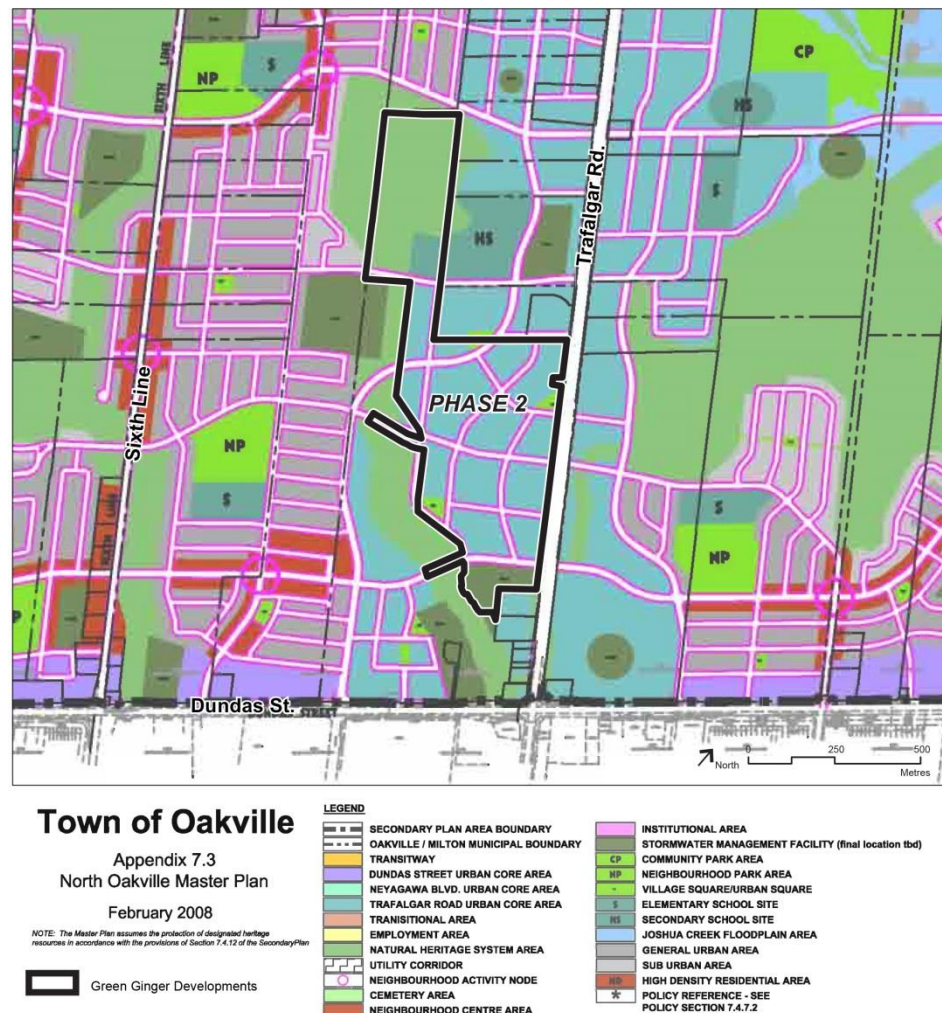
Stormwater management facilities are permitted, as long as they are established in accordance with the North Oakville Creeks Subwatershed Study and are generally in keeping with the designation on Figure NOE 3. NOE 3 identifies two conceptual locations for stormwater management facilities which may encroach on the NHS. One stormwater management pond is proposed in the southern portion of the Green Ginger Lands. This stormwater management pond reflects the location of the stormwater management pond shown in NOE 3. The size and configuration of stormwater management facilities will be determined through a related Environmental Implementation Report (EIR) or Functional Servicing Study (FSS) which are submitted as part of the Plan of Subdivision and Rezoning applications. The EIR/FSS is being prepared by David Schaeffer Engineering Ltd. and submitted as part of the application.

Section 7.5.3 of the Official Plan provides general design guidelines. The proposed development generally conforms to the design directions of the Official Plan. The details of the development designed are discussed in the urban design brief prepared by The Planning Partnership submitted as part of the application.

## 4.6 Area Design Plan

This section discusses the design deviations from the North Oakville Master Plan. The proposed development largely implements the community structure proposed in North Oakville Master Plan with respect to the Trafalgar Urban Core Area, NHS and Stormwater Management Facility land uses.

**Figure 4.6: Excerpt of North Oakville Master Plan**



Source: Appendix 7.3 North Oakville Master Plan February 2008, modified by Malone Given Parsons Ltd.

Overall, the transportation network is generally consistent with the North Oakville Master Plan street network, with the exception of the removal of one road crossing of the NHS and fewer local road intersections with Trafalgar Road.

As per the NOESP, Ernest Appelbe Boulevard, Street 'A' and Street 'C' are classified as Avenue/Transit Corridors and Street 'B' is classified as a Connector/Transit Corridor. The draft plan of subdivision introduces an alternative alignment to Ernest Appelbe Boulevard from the NOESP. The alternate Ernest Appelbe Boulevard is proposed to terminate at a Street 'B' T-intersection and extends northerly from Street 'B' as Street 'C' through future development north of the Green Ginger Lands with a connection to the future William Halton Parkway. Street 'C' provides an alternate north-south corridor alignment offset west of Ernest Appelbe Boulevard. Streets 'B' and 'C' have been widened to 24 metre ROW to accommodate the change. The proposed realignment of Street 'C' has resulted in a revised block pattern for the Green Ginger Lands shown on the North Oakville Master Plan.

This change in the transportation network is still in keeping with the overall modified grid network and offers a more traditional grid system. The new alignment respects NHS by eliminating one road crossing across the NHS while maintaining a connected street system. The elimination of the road provides a more efficient use of planned infrastructure and avoids the need for an unjustified expansion by optimizing the modified transportation network.

The proposed change to the road network has been assessed in a Traffic Impact Study dated August 2016, prepared by GHD. The finding of the study is that estimated future road volumes along the alternative north-south corridor and the study intersections created by the alternative street are operating with substantial reserve capacity and will be consistent with the main function of the collector road system.

#### 4.6.1 Conclusion

It is our opinion that the proposed draft plan of subdivision and zoning by-law amendment represent good planning.

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# 5.0

## SUPPORTING STUDIES AND REPORTS

*Various supporting studies are prepared in connection with the applications for Draft Plan of Subdivision and Zoning By-law Amendments. This section provides an overview of the main findings and conclusions of each Study, however the documents should be reviewed in their entirety.*

### 5.1 Phase 1 and 2 Environmental Assessment

Soils Engineers Ltd. prepared a Phase One and Phase Two Environmental Site Assessment Report. The Phase One Environmental Report (“Phase 1 ESA”) (Reference No. 1007-E120) is dated December 8, 2010. The Phase Two Environmental Report (“Phase 2 ESA”) (Reference No. 1007-E120) is dated June 17, 2011. The reports covered both the Phase 1 and Phase 2 Green Ginger lands.

The report findings state that the Green Ginger Lands were mainly used for agricultural and residential purposes. The neighbouring properties consist mainly of farmland to the north, west and east and a commercial development to the south across Dundas Street.

The assessment revealed that fill material having elevated levels of Electrical Conductivity (EC) levels exceeding the Table 1 soil quality criteria (coarse-textured soils) for all non-agricultural property use under Part XV.1 of the EPA is present on the site. The report recommends that the impacted fill material be delineated and removed from the site.

The Phase 2 ESA was conducted to determine the level and extent of the EC exceedance for the soil. Seven test pits were dug and soil samples were retrieved for chemical analysis. The results of the analysis indicates that the concentrations of the tested parameters lie below the laboratory detection limits and/or within the

Table 1, full depth background site condition standards for all other types of property usage under Part XV.1 of the EPA. The Phase 2 ESA concludes:

- that there is low potential for liability attendant to the subject site;
- the subject site is considered suitable for the proposed residential development; and
- that no further environmental investigation is recommended.

## 5.2 Archeological Assessment

Archeoworks Inc. prepared a Stage 1-2 archaeological assessment for the Green Ginger property (Phases 1 and 2), as well as Stage 3 and Stage 4 archaeological assessments for the prehistoric Native Landing Site ('Landing Site') and the 19<sup>th</sup> century Euro-Canadian Thompson Site ('Thompson Site'). The Thompson Site is located on the Green Ginger Phase 1 lands and the Landing Site is located on the Phase 2 lands.

During the course of the Stage 2 assessment, fifteen archaeological findspots were encountered, eight of which were subsequently registered as archaeological sites, and all of which were recovered and documented. The Landing Site and the Thompson Site required Stage 3 investigations. During the Stage 3 investigations, it was determined that the Landing Site (AiGw-427) and the Thompson Site (AiGw-428) were both significant archaeological sites which were subjected to comprehensive Stage 4 salvage excavations in advance of development.

A Stage 4 Archaeological Mitigation was undertaken for the Landing Site (AiGw-427) which yielded 579 artifacts. Analysis of the artifacts suggests that the Landing Site was likely a small, single-use campsite during the Middle or Late Archaic period. The Landing Site was deemed cleared of further archaeological consideration. The Ministry of Culture concurred with the Stage 4 recommendation that the provincial interest in the site has been addressed by way of letter dated July 23, 2010.

## 5.3 Urban Design Brief

The Planning Partnership prepared an Urban Design Brief for the Green Ginger Phase 2 lands dated July 2016. The design brief is an extension of the Green Ginger Phase 1 Urban Design Brief. The design brief provides insight on the design of the subdivision and illustrates how the design of Green Ginger has

regard for the policies and design strategies that are outlined in the various planning and urban design documents prepared by the Town of Oakville.

The design brief also demonstrates how the Green Ginger Phase 2 Subdivision is consistent with the design principles of the North Oakville East Urban Design and Open Space Guidelines and builds upon the guiding design principles outlined in the Urban Design Direction for Oakville.

### Urban Design Features

Some of the principle urban design components of the subdivision highlighted in the urban design brief include the transition from the higher density urban edge along Trafalgar Road on the west side which includes two gateways into the community. A north-south street is defined by a continuous street wall condition produced by townhouses, which provides a connection to the neighbourhood to the north. Neighbourhood character streets also connect the neighbourhoods to Trafalgar Road and the Green Ginger Phase 1 lands to the west. The village squares and open space facilities are also key urban design components which include “eyes on the park” that enhance the importance of these spaces. The open space system is enhanced with future trails and bicycle paths that connect the neighbourhood to the North Oakville community.

The design of the neighbourhood provides opportunities for views to the NHS as well as the neighbourhood open space.

### Open Space Hierarchy

The open space hierarchy defines the character of the Green Ginger Phase 2 neighbourhood. The NHS is an important component of the subdivision and its boundaries have extensively influenced the development of the proposed draft plan.

Two village squares are located in the centre of the two medium density neighbourhoods. They will be flanked by the surrounding built form and defined through a combination of the townhouse flanking elevation and the decorative fencing treatment. The southern village square is located adjacent and provides a connection with the NHS. Special consideration is given to the village squares in order to distinguish the character of a community and provide special gathering spaces.

The storm water management feature is also located adjacent to the NHS, which acts to expand on the open space system. A trail is also proposed which interfaces with the NHS. Major valley trails are located generally on the west side of the NHS in the Phase 2 lands. The exact location and type of trails are subject to



change based on the North Oakville Trail Plan and input from Town and Conservation Halton staff.

### Public Realm

The North Oakville East Urban Design and Open Space Guidelines require that proposed street furniture have consultation and coordination between the Town and developers to ensure these features are complementary and consistent with the North Oakville community.

There are opportunities in Green Ginger Phase 2 to provide enhanced tree planting to assist in creating a strengthened pedestrian environment. In particular, Streets C and G are meant to produce a pedestrian spine connecting the neighbourhood from north to south whilst Streets A and B east to west. The entryway at street 'B' and Trafalgar Road is an important gateway into the community which should be accentuated with landscape planting and landscape features. Public art or an entry feature can also be used to mark the location.

### Tree Canopy Coverage

Within the Green Ginger Phase 2 lands, the canopy coverage contribution will be achieved through the proposed streetscape treatment and village squares. The urban design brief indicates that although landscapes included in the project are still in early stages and are conceptual, the Tree Canopy Coverage Plan has demonstrated the ability of this design to meet or exceed the Town's tree canopy coverage targets.

### Roads and Streetscapes

The streets in Green Ginger Phase 2 are designed to provide a variety of transportation and pedestrian access dedications. The streets will prioritize the needs of pedestrians, cyclists and transit users while creating comfortable and attractive spaces for social interaction. This will be achieved by accommodating pedestrian sidewalks and treed boulevards on both sides of the street and including a bicycle travel lane on some streets. The Green Ginger plan includes the integration of a system of paths and linkages to tie the neighbourhoods together and enhance community connectivity

### Built Form

The Phase 2 product program proposes to continue with the same contemporary townhouse block designs approved for Phase 1. The architectural details and siting design guidelines will remain unchanged from the previous phase. There will be a range of residential forms in the community. There is one rear lane



townhouse block with front entrances facing the northern village square. Street townhouse units may be 2 to 3 storeys with parking access by front loaded garages. Back-to-back townhouses may also be 2 to 3 storeys with integrated garage accessed from the street. In Green Ginger Phase 2, this type of unit is located along the east side of Street 'C' to create a strong built form edge along the street and to act as a buffer to the future development along Trafalgar Road. Additionally, four back-to-back blocks are located along Street 'B' at the entry to the community.

Gateway units located at the entry to a community are designed with special consideration in architectural massing, design, orientation, siting and materials. Priority Lots including corner lots, vista termini and lots facing/backing onto open space are also designed with special consideration in architectural massing, design, orientation, siting and materials. Priority lots may also include special model designs and special architectural features and detailing where appropriate.

## 5.4 Environmental Implementation Report/Functional Servicing Report/ Stormwater Management Study

David Schaeffer Engineering Ltd. prepared the Environmental Implementation Report and Functional Servicing Study Addendum for Green Ginger Phase 2 lands, dated August 2016. The report provides an update pertaining to the Phase 2 lands as previously described in the EIR/FSS for North Oakville Main East Morrison Creek prepared by Sernas Associates et. al. dated December 2013 (EM1 EIR/FSS), and the EM1 Addendum prepared by Stonybrook Consulting et. al. dated November 2015.

The Green Ginger Phase 2 Addendum addresses the EIR/FSS requirements in support of the Phase 2 draft plan of subdivision application not previously identified in the EM1 reports. The addendum report considers the realignment of the MOC-2 channel realignment from the EM4 catchment, and assumes the drainage area exchange with the Star Oak lands.

The Green Ginger Phase 2 Addendum provides minor updates to the EM1 EIR/FSS and EM1 Addendum with additional information on the Green Ginger Phase 2 Draft Plan. Section 7.0 Grading, Drainage and Stormwater Management along with Appendix G - Stormwater Design Sheets, Appendix H-2 - Pond Sizing, Appendix H-3 - SWM Facility Sizing and Appendix Q-1 - Green Ginger Phase 2 Tree Inventory and Preservation Plan Report, have been re-written or are new. Additionally, figures throughout the EM1 EIR/FSS and EM1 Addendum

have been updated to include the new alignments of stream reach MOC-2 within the Lower East Morrison as it affects Green Ginger Phase 2 lands.

The Ministry of Natural Resources and Fisheries (MNR) have advised that East Morrison Creek south of Dundas Street may be considered Redside Dace habitat pending further sampling in 2016. As Pond 30 is proposed within the Green Ginger Phase 2 lands, the Addendum demonstrates that the conceptual design of Pond 30 meets the *MNR Draft Thermal Mitigation Checklist for Stormwater Management Ponds Discharging into Redside Dace Habitat*. The location of Pond 30 has not changed since the EM1 EIR/FSS and the drainage area for Pond 30 is generally consistent with that defined in the EM1 EIR/FSS (December 2013). The Pond 30 design demonstrates the thermal mitigation measures specified in the Addendum report can be provided in the proposed pond block size.

## 5.5 Traffic Impact Study

GHD prepared a Traffic Impact Study for the Green Ginger Phase 2 development, dated August 2016. The purpose of the report is to determine traffic related impacts on the adjacent road network along the Dundas Street and Trafalgar Road corridors. The study indicates that the full build-out of the proposed development is expected to generate a total of 619 new vehicle trips during the AM peak hour and 732 vehicle trips during the PM peak hour. The report concludes that under the future total traffic conditions including full-build out of Green Ginger Phase 2, the impact of the added traffic is only marginally apparent during the study peak hours. The report also concludes that the impact of the new site traffic can be accommodated during all peak study hours and no improvements to the study intersections were recommended.

## 5.6 Transit Facilities Study

GHD also prepared a Transit Facilities Plan, dated August 2016. The purpose of the study is to verify that the proposed draft plan of subdivision will conform to the Town's Transit Plan for North Oakville. The report concludes that the long term transit plan utilizes the Avenue/Transit Corridors and Corridor/Transit Corridors as part of the continuous routes between Neyagawa Boulevard and White Oaks Golf Club (east-west) and between Dundas Street and the New North Oakville Transportation Corridor (north-south). The report also indicates that all units are located less than 400 metres from a Transit Corridor which defines the

planned transit service routes and that proposed bus stops will be implemented at the maximum spacing of 250 metres along them. The report identifies that Street ‘A’ and Street ‘B’ will be constructed prior to any occupation in the subdivision thus allowing introductory service whenever deemed appropriate.

## 5.7 Noise & Vibration Study

The Green Ginger Phase 2 Noise & Vibration Study was prepared by HGC Engineering and dated August 3, 2016. The study evaluated the sound levels currently created and noise levels forecast from road traffic on Trafalgar Road and Dundas Street East. The report noted that while noise levels from road traffic on Trafalgar Road will exceed the Ministry of Environment and Climate Change guidelines, feasible means exist to mitigate the noise levels in order to satisfy the Ministry guidelines. The study also made the following four recommendations: (1) an additional noise study be performed after secondary school site selection occurs to evaluate its possible impacts on the adjacent residential units; (2) forced air ventilation systems be installed to permit the future installation of central air conditioning systems in units with fronting exposure to Trafalgar Road as well as those with some exposure to Dundas Street East; (3) Building contractors meeting the minimum requirements for the Ontario Building Code will provide sufficient acoustical insulation for the indoor spaces for all dwellings; and, (4) Warning clauses should be used to inform future residents of the traffic noise issues.

## 5.8 Region Servicing Allocation Letter

Green Ginger Developments Inc. has expressed their intention to Halton Region in obtaining servicing allocation for the Phase 2 development. The allocation request is for the 723 units proposed within the subject plan of subdivision. Green Ginger Developments Inc. is not seeking allocation for the two Trafalgar Road Urban Core blocks at this time. The correspondence is attached as Appendix D.

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# 6.0

## CONCLUSION

It is our professional opinion that the submitted applications represent good planning and should be approved for the following reasons:

- The proposal meets the policy tests of the Provincial Policy Statement and the Growth Plan. The proposed development promotes the accommodation of population growth by building complete communities with street configurations, densities and a compact urban form that is supportive of transit and active transportation in designated greenfield areas.
- The proposal conforms to the policies of the Regional Official Plan. Residential uses are permitted in Urban Areas. The development of the Green Ginger Lands will contribute to the intensification target for the Region. The development will also protect and enhance the Regional Natural Heritage System.
- The Town's Official Plan (OPA 272) designates the Green Ginger Lands Trafalgar Urban Core and Natural Heritage System Area. The proposed development implements the policies of the Official Plan with the highest densities located along Trafalgar Road and the densities generally scaling down towards the interior of the lands while maintaining a walkable community and a well connected street network. The proposed land uses, building heights and land use densities are also permitted by the Official Plan. The NHS protects the core preserve areas, linkage preserve area, high constraint stream corridors, and medium constraint stream corridors in accordance with the Natural Heritage System designation.
- The stormwater management facilities are implemented in accordance with the Natural Heritage System Area policies, the North Oakville Creeks Subwatershed study and the minutes of settlement with the MNR.
- The proposed development fundamentally implements the North Oakville Master plan and proposed a modification to the transportation network which is in keeping with the overall modified grid network, offers a more traditional grid system, and maintains a connected street system. The modification has been assessed and is supported by GHD in their report dated August 2016 and included as part of the plan of subdivision and zoning by-law amendment applications for the Green Ginger Lands.
- Green Ginger Developments Inc. have stated their intention to Halton Region to obtain servicing allocation for the proposed draft plan of subdivision as part of the 2018 Allocation Program.

- We have reviewed the requirements of Section 52(24) of the Planning Act and conclude that the proposed development meets the criteria, represents good planning and is in the public interest.



# APPENDICES

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# A OMB MINUTES OF SETTLEMENT



**ONTARIO MUNICIPAL BOARD**

Trinison Management Corporation, Danigire Holding Incorporated, Star Oak Developments Limited et al. have appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the Town of Oakville to establish the North Oakville East Secondary Plan for the land in the general area bounded by Dundas Street, Sixteen Mile Creek, Highway 407 and 9<sup>th</sup> Line.

Approval Authority File No. 42.121.11

O.M.B. File No. O040214

**MINUTES OF SETTLEMENT**

Between:

**THE CORPORATION OF THE TOWN OF OAKVILLE**

(the "Town")

- and -

**THE HALTON REGION CONSERVATION AUTHORITY**

("HRCA")

- and -

**MATTAMY DEVELOPMENT CORPORATION  
BRESSA DEVELOPMENTS LIMITED,  
404072 ONTARIO LIMITED  
DUNOAK DEVELOPMENTS LTD.  
PENDENT DEVELOPMENT LIMITED  
1564984 ONTARIO LIMITED  
SHERBORNE LODGE DEVELOPMENTS LTD.  
GRAYDON BANNING LTD.  
HULME DEVELOPMENTS LIMITED  
LOWER FOURTH DEVELOPMENTS LIMITED  
ENO INVESTMENTS LIMITED  
GREEN GINGER DEVELOPMENTS INC.  
TRINISON MANAGEMENT CORP.  
TIMSIN HOLDING CORP.  
ARRASSA INVESTMENTS INC.  
TRIBADEN INVESTMENTS INC.  
SHIELDBAY DEVELOPMENTS INC.  
DOCASA GROUP LTD.  
DAVIS-MINARDI HOME CORP.  
DENBRIDGE DEVELOPMENTS INC.**

**THE BAR WEST REALTY CORP.  
ARGO (NORTH OAKVILLE 1) LTD.  
ARGO (NORTH OAKVILLE II) LTD.  
STAR OAK DEVELOPMENTS LIMITED  
MEL-OAK DEVELOPMENTS INC.  
OAKVILLE 23-2 INC.**

**(collectively, the "Landowners")**

**WHEREAS** the Landowners hereby warrant that they own or control lands in the Town of Oakville which are shown on the sketch attached as Schedule "A" to these Minutes of Settlement (the "Landowners' Lands"), and which are located generally within the area bounded by Dundas Street on the south, the western bank of Sixteen Mile Creek and the westerly limit of Lot 25, Concession 1, N.D.S. on the west, Highway 407 on the north and Highway 403 and Ninth line on the east ("North Oakville East");

**AND WHEREAS** the Landowners are, or are affiliate companies of, parties to Ontario Municipal Board hearing Case No. PL041188;

**AND WHEREAS** the Town, in response to the appeals before the OMB, will request that the OMB approve policy text, figures and appendices which will constitute a secondary plan for North Oakville East, and other related amendments to the Town's Official Plan, as a modification to the official plan amendments requested by the OMB appellants in this matter;

**AND WHEREAS** by Minutes of Settlement executed in June 2006, (the "June 2006 Minutes") by Bressa Developments Limited, 404072 Ontario Limited, Dunoak Developments Ltd., Pendent Development Limited, 1564984 Ontario Limited, Sherborne Lodge Developments Ltd., Graydon Banning Ltd., Hulme Developments Limited, Lower Fourth Developments Limited, Eno Investments Limited, Green Ginger Developments Inc. and the Town settled all matters amongst themselves except for matters identified in Schedule "C" to the June 2006 Minutes and further agreed to policy text, figures and appendices which were attached in Schedule "B" to the June 2006 Minutes except as they related to matters identified in Schedule "C" to the June 2006 Minutes;

**AND WHEREAS** by Minutes of Settlement executed in February 2007, (the "February 2007 Minutes") Trinison Management Corp. Timsin Holding Corp., Arrassa Investments Inc., Tribaden Investments Inc., Shieldbay Developments Inc., Docasa Group Ltd., Davis-Minardi Home Corp., Denbridge Developments Inc., The Bar West Realty Corp. and the Town settled all matters amongst themselves except for matters identified in Schedule "D" and Sections 7a – 7d inclusive of the February 2007 Minutes and further agreed to policy text, figures and appendices which were attached as Schedule "B" to the February 2007 Minutes except as they related to matters identified in Schedule "D" to the February 2007 Minutes;

**AND WHEREAS** the Landowners who are parties to the June 2006 Minutes subsequently agreed not to oppose the policy text and maps attached as Schedule "B" to the February 2007 Minutes;



**AND WHEREAS** through mediation before the OMB and through settlement discussions, the Landowners, the Town and the HRCA have agreed to revised policy text, figures and appendices which are attached as Schedule "B" to these Minutes of Settlement (the "Town Secondary Plan");

**AND WHEREAS** the Parties to these Minutes of Settlement wish to resolve the matters as provided for in these Minutes of Settlement;

**NOW THEREFORE** these Minutes of Settlement hereby witness that the parties hereto, in exchange for the mutual consideration in these Minutes and for other good and valuable consideration, each provided by each party to each other, agree as follows:

*Town Secondary Plan*

1. The Town and the Landowners agree to support the approval of the Town Secondary Plan at the hearing before the OMB (the "OMB Hearing") currently scheduled to commence on September 10, 2007. HRCA agrees to support approval of all aspects of the Town Secondary Plan which relate to the Natural Heritage System and water resources generally and HRCA agrees not to oppose approval of the remainder of the Town Secondary Plan.
2. The Landowners agree that all matters in Schedule "C" to the June 2006 Minutes and Schedule "D" and Sections 7a – 7d inclusive of the February 2007 Minutes have been resolved to the Landowners' satisfaction.

*Encroachments of Certain Storm Water Management Ponds*

3. The Town, HRCA and the Landowners acknowledge that the final size and configuration of all storm water management ponds, including storm water management ponds which encroach into Core Preserve Areas, Linkage Preserve Areas or Optional Linkage Preserve Areas (all as identified in the Town Secondary Plan) will be determined through the review and approval of Environmental Implementation Reports and Functional Servicing Studies in accordance with the directions established through the Town's North Oakville Creeks Subwatershed Study (the "Town's NOCSS").
4. The Town, HRCA and the Landowners agree that a storm water management pond or ponds, including any associated grading or disturbance ("SWM Ponds") shall only be permitted to encroach into the Linkage Preserve Areas or Optional Linkage Preserve Area associated with MOC-W2 and MOC-W3 as shown on Figure 6.3.13 of the Town's NOCSS on the following basis:
  - (a) The fisheries, fluvial and floodline factors established in accordance with the directions of the Town's NOCSS and as set out in Section 7.4.7.3(c)(v) of the Town Secondary Plan which otherwise apply to SWM Ponds associated with Medium Constraint Stream Corridors apply.
  - (b) In conjunction with the encroachment of SWM Pond 21 conceptually shown on Schedule "C" to these Minutes of Settlement, one Woodland Node (as herein defined), must be established in the Linkage Preserve Area or Optional Linkage

Preserve Area at a location just east of the eastern end of adjacent Core Preserve Area.

- (c) In conjunction with the encroachment of SWM Pond 19 shown conceptually on Schedule "C" to these Minutes of Settlement, one Woodland Node, must be established in the Linkage Preserve Area or Optional Linkage Preserve Area at a location between the southern limit of SWM Pond 19 and the northern limit of the adjacent Core Preserve Area to the south.
  - (d) Provided the Woodland Node associated with the SWM Pond as set out in Section 4 (b) and (c) above has been designed and secured at the cost of the applicant and to the satisfaction of the Town and HRCA, then the associated SWM Pond may encroach into the non-woodland portions of the Linkage Preserve Area and/or Optional Linkage Preserve Area, generally in the location shown in Schedule "C" to these Minutes of Settlement in accordance with the following:
    - (i) at a width which is the lesser of:
      - (A) the setbacks established in Section 4(a) above; and
      - (B) 50 metres.
    - (ii) at lengths which are no greater than the following:
      - (A) SWM Pond 19 – 275 metres;
      - (B) SWM Pond 21 – 150 metres.
5. The Town, HRCA and the Landowners agree that a SWM Pond shall only be permitted to encroach into the Linkage Preserve Area associated with MOC-W1 as shown on Figure 6.3.16 of the Town's NOCSS on the following basis:
- (a) The fisheries, fluvial and floodline factors established in accordance with the directions of the Town's NOCSS and as set out in Section 7.4.7.3(c)(v) of the Town Secondary Plan which otherwise apply to SWM Ponds associated with Medium Constraint Stream Corridors apply.
  - (b) In conjunction with the encroachment of SWM Pond 22a conceptually shown on Schedule "C" to these Minutes of Settlement, one Woodland Node must be established in the Linkage Preserve Area associated with MOC-W1 as shown on Figure 6.3.16 of the Town's NOCSS.
  - (c) Provided the Woodland Node associated with the SWM Pond as set out in Section 5(b) above has been designed and secured at the cost of the applicant and to the satisfaction of the Town and HRCA, then SWM Pond 22a may encroach into the non-woodland portions of the Linkage Preserve Area generally in the location shown in Schedule "C" to these Minutes of Settlement in accordance with the following:

- (i) at a width which is the lesser of:
    - (A) the setbacks established in Section 5(a) above; and
    - (B) 50 metres.
  - (ii) at a length which is no greater than 200 metres.
6. For the purposes of these Minutes of Settlement, a “Woodland Node” shall mean an area which is approximately 100 metres x 100 metres in size, which is to be planted with native plant material including tree species at a cost of \$100,000 for labour and material. Such costs are to be indexed from the date which is the later of 7 years following approval of the Town Secondary Plan and the date the first plan of subdivision is registered within North Oakville East until the date expended by a Landowner, in accordance with the Statistics Canada Consumer Price Index (all-items excluding food and energy – Ontario). The Town acknowledges that a Landowner may opt to pay such funds to the Town, in which case no indexing shall apply after the funds are paid, and in which case the Town will be responsible for providing the relevant Woodland Node.
7. The Town, HRCA and the Landowners agree that one SWM pond shall only be permitted to encroach generally in the location shown on Schedule “C” to these Minutes of Settlement into the Core Preserve Area located east of Trafalgar Road and south of Burnhamthorpe Road on the following basis:
- (a) The fisheries, fluvial and floodline factors established in accordance with the directions of the Town’s NOCSS and as set out in Section 7.4.7.3(c)(v) of the Town Secondary Plan which otherwise apply to SWM Ponds associated with Medium Constraint Stream Corridors apply; and
  - (b) The maximum extent of the encroachment of the SWM Pond shall be 1.0 ha, provided that reasonable efforts shall be made in the design of the SWM Pond to first utilize the floodplain outside the Core Preserve Area to reduce the amount of the encroachment.

*MNR*

8. The Town confirms that the Ministry of Natural Resources has advised the Town that it will:
- (a) remove the “provincially significant” designation from the wetlands identified by numbers 11, 60 and 74 on the mapping issued by the Ministry for the North Oakville provincially significant wetland complex (the “PSW Mapping”);
  - (b) remove the “provincially significant” designation from the wetlands identified by numbers 54 and 55 on the PSW Mapping, provided that the removal is justified as provided for in Section 2 of the Star Oak/Mel-Oak Minutes of Settlement referenced in Section 9(a)(iii) of these Minutes of Settlement (the “Star Oak Minutes”);

- (c) accept a limited driveway/parking area encroachment as provided for in Section 5 of the Star Oak Minutes into the setback for the provincially significant wetland identified by number 72 on the PSW Mapping; and
- (d) accept work to be undertaken, to the satisfaction of HRCA, within the provincially significant wetland identified by number 105 on the PSW Mapping related to the removal of an in stream barrier affecting fish passage associated with stormwater management facilities and related enhancements to the West Morrison Creek.

*Minutes Are Conditional*

9. The Parties agree that these Minutes of Settlement are conditional upon:

- (a) The execution by the Town and HRCA of the following related agreements duly executed by the appropriate Landowner(s):
  - (i) Supplementary Minutes of Settlement with Eno Investments Limited attached as Schedule "D" hereto;
  - (ii) Supplementary Minutes of Settlement with Pendent Development Limited attached as Schedule "E" hereto;
  - (iii) Minutes of Settlement with Star Oak Developments Limited and Mel-Oak Developments Inc. attached as Schedule "F" hereto;
  - (iv) Minutes of Settlement with Oakville 23-2 Inc. attached as Schedule G hereto; and
  - (v) Supplementary Minutes of Settlement with Green Ginger Developments Inc. attached as Schedule "H" hereto; and
- (b) The execution by the Town and the Landowners of the Master Parkland Agreement attached as Schedule "I" hereto;
- (c) Written confirmation by the Commissioner of Planning and Public Works for the Region of Halton, or his designate, that the Town Secondary Plan satisfies section 115.1 of the Region's Official Plan; and
- (d) Written confirmation by the Commissioner of Planning and Public Works for the Region of Halton, or his designate, that the proposed stormwater management ponds in the locations identified in the agreement on stormwater management ponds reached in the water resources mediation in this matter, and that are within the Regulatory Flood Plains as defined in the Region's Official Plan, are a permitted use pursuant to s.127 of the Region's Official Plan.

and these Minutes of Settlement and all of its provisions, and each of the documents referenced in clauses (a) to (d) of this Section, shall remain confidential by all parties

hereto, unless and until all of the documents referenced in clauses (a) to (d) of this Section have been fully executed and delivered.

*Comprehensive Settlement*

10. The Town and the Landowners agree that:

- (a) these Minutes of Settlement;
- (b) all of the documents referenced in Section 9 of these Minutes of Settlement;
- (c) the agreements documented through the OMB mediation in this matter;
- (d) the June 2006 Minutes;
- (e) the February 2007 Minutes;
- (f) the letter dated June 13, 2006 from HRCA to the Town as it relates to issues not otherwise addressed through the water resources mediation or subsequent Minutes of Settlement; and
- (g) the advice from the Ministry of Natural Resources as set out in Section 8 of these Minutes of Settlement;

together effect a full settlement of all issues in the OMB Hearing amongst the Town and the Landowners, and are all integral components of the settlement.

11. The Town and the Landowners acknowledge and agree that except in respect of the matters provided for herein, the June 2006 Minutes and the February 2007 Minutes remain in full force and effect.

*Parkland Agreement*

12. Notwithstanding Sections 10 and 11 of the June 2006 Minutes and Section 5 and 6 of the February 2007 Minutes the Town and the Landowners agree that the Master Parkland Agreement shall govern the Landowners' total obligation to convey land or park and public recreational purposes to the Town pursuant to Sections 42 and 51.1 of the Planning Act, and the Town will only seek conveyances of parkland in accordance with the Master Parkland Agreement and will not seek a conveyance of parkland in accordance with any alternative rate for parkland dedication that may be provided for in a by-law enacted pursuant to Sections 42(3) and/or 51.1(3) of the Planning Act.

*Further Modifications to the Town Secondary Plan*

13. The Town, HRCA and the Landowners agree that nothing in these Minutes of Settlement prevents the Town or HRCA from proposing to make any change to any policy, figure or appendix in the Town Secondary Plan before the OMB as may be required, in the Town's or HRCA's opinion, as the case may be, to settle or address issues raised by current parties to the OMB Hearing who are not Landowners, provided that such change or

changes do not apply to any Landowners' Lands (the "Proposed Changes"). The Landowners agree that they will not oppose the Proposed Changes provided that they do not affect the Landowners' Lands. The Town, the Landowners and the HRCA agree that if there is any dispute in respect of whether any Proposed Change affects any Landowners' Lands then the OMB may be requested, as a preliminary matter, to determine the matter, and the OMB's decision will be final.

*Participation in OMB Hearing Respecting Issues Raised by Other Parties*

14. The Town, HRCA and the Landowners agree that the Landowners and HRCA have the right to fully participate in the OMB Hearing respecting the Town Secondary Plan to protect their interests in respect of any matter which may be advanced by any party or participant in the hearing which has the potential to impact upon the Landowners' Lands or the interests of the HRCA provided that neither the Landowners nor HRCA may support, propose or advance any position at the OMB Hearing that is inconsistent with the Town Secondary Plan.

*Early Dedication of Natural Heritage System*

15. Where a Landowner has agreed, pursuant to paragraphs 4 and 5 of the June 2006 Minutes, paragraphs 14 and 15 of the February 2007 Minutes, or paragraphs 10 and 11 of the Star Oak/Mel-Oak Minutes (the "Minutes"), to convey to the Town the Landowner's Natural Heritage Lands (as defined in the applicable Minutes), the Town agrees that it will accept a conveyance of such Natural Heritage Lands, or a portion thereof, (an "NHS Parcel") at any time following the approval of the Town Secondary Plan, and prior to the date that such conveyance would be required pursuant to the applicable Minutes, provided that such NHS Parcel has frontage on an open public road or it is conveyed to the Town, or to a willing public agency designated by the Town, together with such rights of access or easements in favour of the Town, or to a public agency designated by the Town, satisfactory to and on such terms as are acceptable to the Town. The Town agrees that the subject Landowner may reserve in the conveyance of an NHS Parcel rights of access on or over such portions of the NHS Parcel as are acceptable to the Town in favour of the Landowner, its servants, agents, contractors, employees, workers and/or assignees to enter thereon with machinery, materials, vehicles and equipment in order to design, construct, maintain, inspect, monitor, restore and repair municipal services and infrastructure, including, without limitation, roads, watermains, storm sewers, sanitary sewers, stormwater management works, stream improvements including fisheries compensation works, utilities and related excavation, grading, filling and landscaping works ("Works"), in accordance with the directions of the Town's NOCSS, the policies of the Town Secondary Plan, the Minutes and any other Minutes of Settlement referred to in Section 8 of these Minutes of Settlement and any other applicable agreements between the Town and the Landowner ("Access Rights"). The Landowner agrees that such Access Rights shall be on such terms as are acceptable to the Town, and shall:
  - (a) only permit entry onto the NHS Parcel to undertake Works shown on plans and drawings approved by the Town, and in respect of matters under the jurisdiction of HRCA approved by HRCA, and in accordance with an Environmental



Implementation Report and Functional Servicing Study approved by the Town and HRCA;

- (b) only permit entry onto the NHS Parcel where the Landowner has entered into a subdivision or other development agreement with the Town in respect of such Works, and has provided such security in respect of the Works as is satisfactory to the Town; and
- (c) expire on the date that such NHS Parcel would otherwise be required to be conveyed to the Town pursuant to the Minutes.

The Landowners acknowledge and agree that nothing in this Section shall relieve the Landowners from conveying the entirety of their Natural Heritage Lands in accordance with the provisions of their respective Minutes. For greater certainty, the Landowners acknowledge and agree that nothing herein shall relieve any Landowners from its normal obligations to construct at its expense such services as are required to service its Landowner's Lands.

16. The Town and HRCA agree that in respect of Natural Heritage Lands within Core Preserve Areas and Linkage Preserve Areas that are conveyed to the Town or a willing public agency pursuant to Section 15, where the exterior boundary of the Core Preserve Area or Linkage Preserve Area is determined at the time of such conveyance to the satisfaction of the Town and HRCA, and such Natural Heritage Lands are conveyed to such exterior boundary, there shall be no readjustment of the boundary of such Core Preserve Area or Linkage Preserve at the time that the Environmental Implementation Report is prepared for the Landowner's Natural Heritage Lands, except where such Natural Heritage Lands contain a Stream Corridor. The Landowners acknowledge and agree that the final boundaries of Stream Corridors must be determined by an Environmental Implementation Report prepared in accordance with the directions established in the Town's NOCSS and the Town Secondary Plan to the satisfaction of the Town and HRCA, and where the boundary of any portion of the Landowner's Natural Heritage Lands are affected by the boundary of a Stream Corridor an adjustment to any Natural Heritage Lands conveyed pursuant to Section 15 will be required if determined by a subsequent Environmental Implementation Report.

#### *General Terms*

17. These Minutes of Settlement shall be binding upon and enure to the benefit of the Landowners, the Town, HRCA and their respective administrators, legal personal representatives, successors and assigns.
18. The Landowners acknowledge and agree that the Town and HRCA have the jurisdiction and authority to enter into these Minutes of Settlement. It is agreed and acknowledged by the parties hereto that each is satisfied as to the jurisdiction of the other to enter into these Minutes of Settlement. Each party covenants and agrees that it shall not question the jurisdiction of each other party hereto to enter into this Agreement, nor question the legality or enforceability of any portion thereof. The parties hereto, their successors and

assigns, are and shall be estopped from contending otherwise in any proceeding before a Court or any administrative tribunal.

19. If any Landowner or a subsidiary of a Landowner within the meaning of Section 1 of the OBCA acquires, directly or indirectly including through a partnership or joint venture, any legal or beneficial ownership of any lands within North Oakville East after the execution of these Minutes of Settlement, then such Landowner shall execute an agreement assuming the obligations of the Landowners in respect of such additional lands, or require its subsidiary corporation to execute an assumption agreement in respect of such additional lands, and to execute such other documents, do such things and/or give direction to such persons as may be required to make such additional lands subject to the provisions of these Minutes of Settlement.
20. The Landowners covenant and agree that they shall not transfer title to any person (other than the Town or a public agency designated by the Town) of:
  - (a) all or any part of its Natural Heritage Lands; or
  - (b) all or any part of the balance of its Lands, except Lands that are included in a registered plan of subdivision, plan of condominium or developed in accordance with site plan approval granted by the Town;

unless the transferee of such lands agrees to assume the rights and obligations of the Landowners pursuant to these Minutes of Settlement, provided that the Landowner's obligations pursuant to this paragraph will be at an end at such time as that Landowner has dedicated all of its Natural Heritage Lands in accordance with the provisions of these Minutes of Settlement.

21. The parties hereto covenant and agree that at all times and from time to time hereafter upon every reasonable written request so to do, they shall make, execute, deliver or cause to be made, done, executed and delivered, all such further acts, deeds, assurances and things, and execute such further agreements or documents, as may be required for more effectively implementing and carrying out the true intent and meaning of these Minutes of Settlement.
22. These Minutes of Settlement shall be governed by the laws of the Province of Ontario and the laws of Canada applicable therein.
23. Time is of the essence of these Minutes of Settlement and each of its provisions.
24. The following are the Schedules to and form part of these Minutes of Settlement:
  - Schedule "A" – Sketch of Landowners' Lands
  - Schedule "B" – Town Secondary Plan
  - Schedule "C" – SWM Pond Encroachments
  - Schedule "D" – Supplementary Minutes of Settlement with Eno Investments Limited

Schedule "E" – Supplementary Minutes of Settlement with Pendent Development Limited

Schedule "F" – Minutes of Settlement with Star Oak Developments Limited and Mel-Oak Developments Inc.

Schedule "G" - Minutes of Settlement with Oakville 23-2 Inc.

Schedule "H" - Supplementary Minutes of Settlement with Green Ginger Developments Inc.

Schedule "I" – Master Parkland Agreement

25. These Minutes of Settlement may be executed in counterpart, and where each party hereto has executed a copy of hereof, then all executed copies shall together form a single and binding agreement among the parties.

**IN WITNESS HEREOF**, the parties hereto have duly executed this Minutes of Settlement, this 13th day of August, 2007 by the hands of their authorized officers:

**THE CORPORATION OF THE TOWN OF OAKVILLE**

Per: \_\_\_\_\_

Mayor

*Rob Burton*

Per: \_\_\_\_\_

Clerk

*Kim Galiano*

I/We have the authority to bind the corporation

**THE HALTON REGION CONSERVATION  
AUTHORITY**

Per: \_\_\_\_\_

Name:

*Brian Penman*

Title:

*Chair*

Per: \_\_\_\_\_

Name:

*Robert Edmondson*

Title:

*Director, Watershed Management Services*

I/We have the authority to bind the corporation

**BRESSA DEVELOPMENTS LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**404072 ONTARIO LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**DUNOAK DEVELOPMENTS LTD.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**PENDENT DEVELOPMENT LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**1564984 ONTARIO LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**SHERBORNE LODGE DEVELOPMENTS LTD.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**GRAYDON BANNING LTD.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**HULME DEVELOPMENTS LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**LOWER FOURTH DEVELOPMENTS LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation



**MATTAMY DEVELOPMENT CORPORATION**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**ENO INVESTMENTS LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**OAKVILLE 23-2 INC.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**GREEN GINGER DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**TRINISON MANAGEMENT CORP.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**TIMSIN HOLDING CORP.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**ARRASSA INVESTMENTS INC.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**TRIBADEN INVESTMENTS INC.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**SHIELDBAY DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**DOCASA GROUP LTD.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**DAVIS-MINARDI HOME CORP.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**DENBRIDGE DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**THE BAR WEST REALTY CORP.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**ARGO (NORTH OAKVILLE I) LTD.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**ARGO (NORTH OAKVILLE II) LTD.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**STAR OAK DEVELOPMENTS LIMITED**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**MEL-OAK DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

Schedule "E" - Supplementary Minutes of Settlement with Pendent Development Limited

Schedule "F" - Minutes of Settlement with Star Oak Developments Limited and Mel-Oak Developments Inc.

Schedule "G" - Minutes of Settlement with Oakville 23-2 Inc.

Schedule "H" - Supplementary Minutes of Settlement with Green Ginger Developments Inc.

Schedule "I" - Master Parkland Agreement

25. These Minutes of Settlement may be executed in counterpart, and where each party hereto has executed a copy of hereof, then all executed copies shall together form a single and binding agreement among the parties.

IN WITNESS HEREOF, the parties hereto have duly executed this Minutes of Settlement, this 13th day of August, 2007 by the hands of their authorized officers:

**THE CORPORATION OF THE TOWN OF OAKVILLE**

Per: \_\_\_\_\_

Mayor

*Rob Burton*

Per: \_\_\_\_\_

A/Clerk

*Kim Galione*

I/We have the authority to bind the corporation

**THE HALTON REGION CONSERVATION  
AUTHORITY**

Per: \_\_\_\_\_

Name:

*Brian Penman*

Title:

*Chair*

Per: \_\_\_\_\_

Name:

*Robert Edrington*

Title:

*Director Watershed Management Services*

I/We have the authority to bind the corporation

**BRESSA DEVELOPMENTS LIMITED**

Per: \_\_\_\_\_

Name: GARY GREGORIS

Title: LAND VP

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**404072 ONTARIO LIMITED**

Per: \_\_\_\_\_

Name: GARY GREGORIS

Title: LAND VP

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**DUNOAK DEVELOPMENTS LTD.**

Per: \_\_\_\_\_

Name: GARY GREGORIS

Title: LAND VP

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation



**PENDENT DEVELOPMENT LIMITED**

Per: \_\_\_\_\_

Name: GARY GREGORIS  
Title: LAND VP

Per: \_\_\_\_\_

Name:  
Title:

I/We have the authority to bind the corporation

**1564984 ONTARIO LIMITED**

Per: \_\_\_\_\_

Name: GARY GREGORIS  
Title: LAND VP

Per: \_\_\_\_\_

Name:  
Title:

I/We have the authority to bind the corporation

**SHERBORNE LODGE DEVELOPMENTS LTD.**

Per: \_\_\_\_\_

Name: GARY GREGORIS  
Title: LAND VP

Per: \_\_\_\_\_

Name:  
Title:

I/We have the authority to bind the corporation

**GRAYDON BANNING LTD.**

Per: \_\_\_\_\_

Name: GARY GREGORIS  
Title: LAND VP

Per: \_\_\_\_\_

Name:  
Title:

I/We have the authority to bind the corporation

**HULME DEVELOPMENTS LIMITED**

Per: \_\_\_\_\_

Name: GARY GREGORIS  
Title: LAND VP

Per: \_\_\_\_\_

Name:  
Title:

I/We have the authority to bind the corporation

**LOWER FOURTH DEVELOPMENTS LIMITED**

Per: \_\_\_\_\_

Name: GARY GREGORIS  
Title: LAND VP

Per: \_\_\_\_\_

Name:  
Title:

I/We have the authority to bind the corporation

**MATTAMY DEVELOPMENT CORPORATION**

Per: \_\_\_\_\_

Name: GARY GREGORIS  
Title: LAND VP

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**ENO INVESTMENTS LIMITED**

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**OAKVILLE 23-2 INC.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**MATTAMY DEVELOPMENT CORPORATION**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**ENO INVESTMENTS LIMITED**

Per: \_\_\_\_\_

Name: RUDY BRATT

Title: A.S.O.

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**OAKVILLE 23-2 INC.**

Per: \_\_\_\_\_

Name: RUDY BRATT

Title: A.S.O.

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**GREEN GINGER DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**TRINISON MANAGEMENT CORP.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**TIMSIN HOLDING CORP.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**GREEN GINGER DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**TRINISON MANAGEMENT CORP.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**TIMSIN HOLDING CORP.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have the authority to bind the corporation

**ARRASSA INVESTMENTS INC.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**TRIBADEN INVESTMENTS INC.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**SHIELDBAY DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**DOCASA GROUP LTD.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**DAVIS-MINARDI HOME CORP.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**DENBRIDGE DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I/We have the authority to bind the corporation



**THE BAR WEST REALTY CORP.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**ARGO (NORTH OAKVILLE I) LTD.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**ARGO (NORTH OAKVILLE II) LTD.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**THE BAR WEST REALTY CORP.**

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**ARGO (NORTH OAKVILLE D) LTD.**

Per: \_\_\_\_\_

Name: *Grand Buck*  
Title: *PRESIDENT*

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**ARGO (NORTH OAKVILLE II) LTD.**

Per: \_\_\_\_\_

Name: *Grand Buck*  
Title: *PRESIDENT*

Per: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I/We have the authority to bind the corporation

**STAR OAK DEVELOPMENTS LIMITED**

Per: \_\_\_\_\_

Name: Silvio Guglietti  
Title: A.S.O.

Per: \_\_\_\_\_

Name: Giovanni Guglietti  
Title: A.S.O.

I/We have the authority to bind the corporation

**MEL-OAK DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name: Silvio Guglietti  
Title: A.S.O.

Per: \_\_\_\_\_

Name: Giovanni Guglietti  
Title: A.S.O.

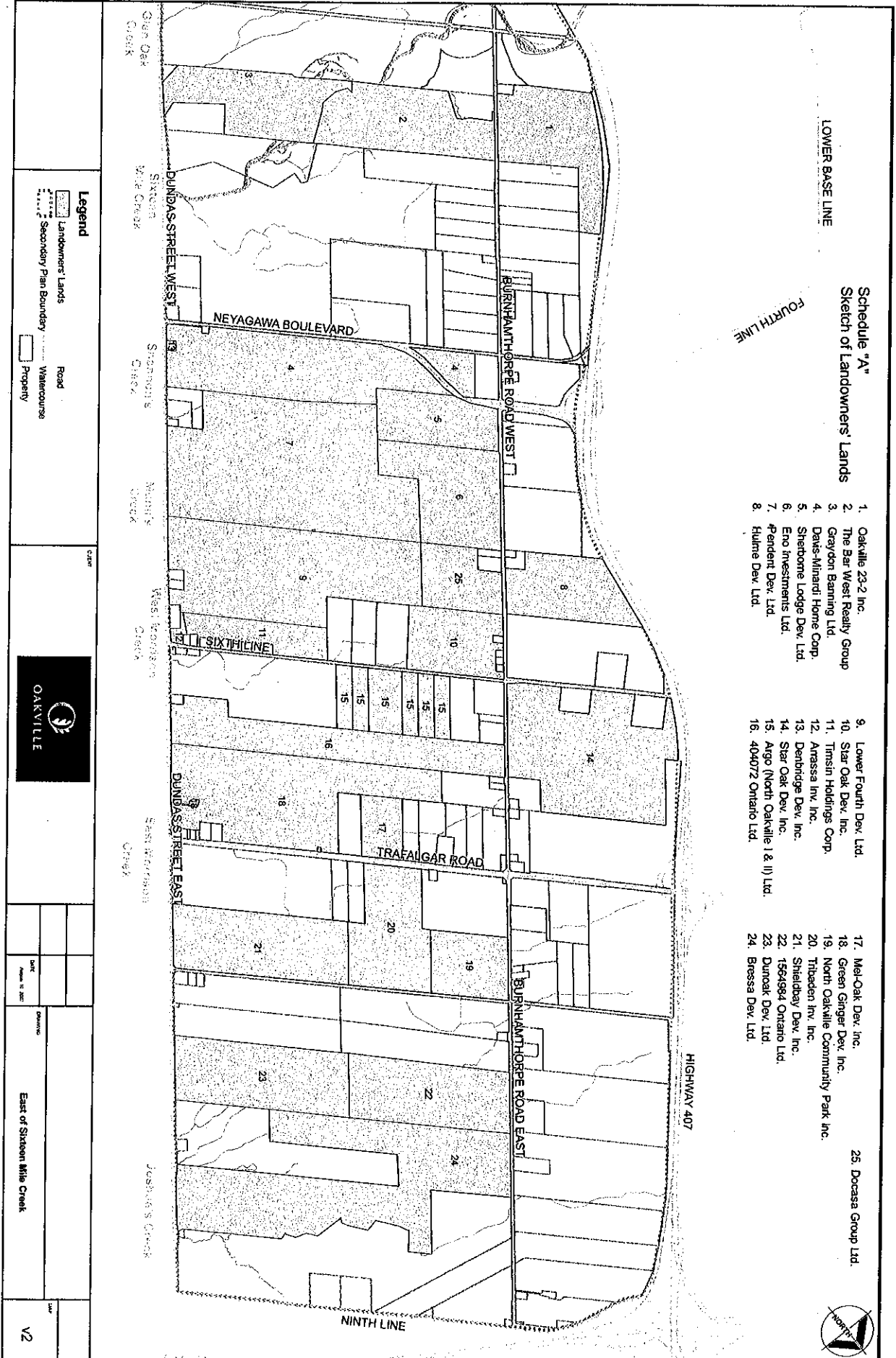
I/We have the authority to bind the corporation

LOWER BASE LINE

**Schedule "A"**  
**Sketch of Landowners' Lands**

FOURTH LINE

1. Oakville 23-2 Inc.
2. The Bar West Realty Group
3. Graydon Banning Ltd.
4. Davis-Minard Home Corp.
5. Sherborne Lodge Dev. Ltd.
6. Eno Investments Ltd.
7. Pendent Dev. Ltd.
8. Hulme Dev. Ltd.
9. Lower Fourth Dev. Ltd.
10. Star Oak Dev. Inc.
11. Timsin Holdings Corp.
12. Arassa Inv. Inc.
13. Denbridge Dev. Inc.
14. Star Oak Dev. Inc.
15. Argo (North Oakville 1 & II) Ltd.
16. 404072 Ontario Ltd.
17. Mel-Oak Dev. Inc.
18. Green Ginger Dev. Inc.
19. North Oakville Community Park Inc.
20. Tibbalds Inv. Inc.
21. Shieldbay Dev. Inc.
22. 1564984 Ontario Ltd.
23. Dunack Dev. Ltd.
24. Bressa Dev. Ltd.
25. Decassa Group Ltd.



ONTARIO MUNICIPAL BOARD

Trinison Management Corporation, Danigire Holding Incorporated, Star Oak Developments Limited *et al.* have appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the Town of Oakville to establish the North Oakville East Secondary Plan for the land in the general area bounded by Dundas Street, Sixteen Mile Creek, Highway 407 and 9th Line  
Approval Authority File No. 42.121.11  
OMB File No. O040214

MINUTES OF SETTLEMENT

B E T W E E N

THE CORPORATION OF THE TOWN OF OAKVILLE  
(the "Town")

- a n d -

THE HALTON REGION CONSERVATION AUTHORITY  
("CH")

- a n d -

GREEN GINGER DEVELOPMENTS INC.  
("Green Ginger")

(collectively the "Parties")

**WHEREAS:** Green Ginger and the Town entered into Minutes of Settlement (the "2006 Minutes") in this matter in which Green Ginger agreed to not oppose the Town's position before the Ontario Municipal Board (the "OMB"), except in respect of issues set out on Schedule "C" to the 2006 Minutes; and

**WHEREAS:** The issue of whether stormwater management facilities (which includes grading, side slopes and access roads ) ("SWM Ponds") would be allowed as permitted uses within linkage preserve and stream corridor areas and related policies was set out on Schedule "C" to the 2006 Minutes; and

**WHEREAS:** Green Ginger proposes to locate three SWM Ponds in a Linkage Preserve designation adjacent to Stream Corridors MOC-4 and MOC-5A on its property; and

**WHEREAS:** The Town, The Halton Region Conservation Authority (CH) and Green Ginger have agreed on the principles on which these three SWM Ponds may be located within the linkage preserve on its property;

**WHEREAS:** The Town and CH met with the Ministry of Natural Resources ("MNR") to obtain their consent and approval as it relates to the fisheries setback. Notwithstanding the consideration that the East Morrison Creek may be a potential for red side dace habitat, the MNR has consented to measure the fisheries setback as 30m from the bankfull width of Stream Reach MOC-4, which consent Green Ginger has relied on and forms an integral part of these Minutes.

**NOW THEREFORE** the Minutes of Settlement hereby witness that the Town, CH and Green Ginger, in exchange for the mutual consideration in these Minutes and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, each provided by each party to each other **AGREE AS FOLLOWS:**

1. The SWM Ponds shall be in the location conceptually shown on Schedule "A" and subject to an Environmental Implementation Report:
  - (a) The SWM Ponds must be located in accordance with the following factors which otherwise apply to SWM Ponds associated with Blue Streams or Red Streams (as the case may be):
    - (i) outside the 100 year floodline;
    - (ii) outside the meanderbelt allowance;
    - (iii) outside the erosion/access setback measured from the meander belt or stable top-of-bank, except that some overlap of the access required for the stormwater management facility and the erosion/access allowance may be permitted in accordance with the directions established in the North Oakville Creeks Subwatershed Study, and to the satisfaction of the Town and CH;
    - (iv) outside the confined valley; and
    - (v) where there is no loss of flood storage or conveyance.
  - (b) The fisheries setback for ponds 30 and 31 shall be established at a distance which is 30 metres from the bankfull width of Stream Reach MOC-4 as approved in consultation with the MNR. The fisheries setback for Pond 27 (as defined below) will be as established in the North Oakville Creeks Subwatershed Study.
2. No more than 3 SWM Ponds will be permitted within the Linkage Preserve Area designation on the Green Ginger Lands, located as follows:
  - (a) 1 on the west side of Stream Reach MOC-4 ("Pond 31");

- (b) 1 on the west side of Stream Reach MOC-5A ("Pond 27"); and
  - (c) 1 on the east side of MOC-4 ("Pond 30").
3. Each SWM Pond may encroach into this linkage at a width which is the lesser of:
- (a) The setbacks established as a result of the factors in paragraphs (1) (a) and (b) herein; and
  - (b) 50% of the total width of the Linkage Preserve Area.
4. The two westerly SWM Ponds may encroach into this linkage at lengths which are no greater than:
- (a) SWM Pond 27 – 300m
  - (b) SWM Pond 31 - a maximum of 300 metres, the exact encroachment to be established as set out in paragraph 7 below.
5. SWM Pond 30 should be oriented east west and may encroach into this linkage at a length which is no greater than 175 m.
6. In determining the final length of Pond 31, it is understood that the length shall be approximately (and in any event, no more than) 300 metres. The Parties confirm their intent is to ensure that Ponds 30 and 31 are located and sized in order to minimize any overlap between them to a length of no greater than 50% of the length of Pond 30.
7. Green Ginger agrees that it will incorporate the following in the design and construction of the SWM Ponds:
- (a) A minimum 30 m riparian zone will be maintained between the grading limit for the SWM Ponds and the bankfull width of MOC-4;
  - (b) A pond configuration adjacent to the creek will be implemented that minimizes large open water areas that cannot be shaded by vegetation. This will also serve to reduce and limit direct disturbance of the riparian zone by direct pedestrian access;
  - (c) Riparian planting plans will be prepared and implemented, as per Conservation Halton's "Guidelines for Stormwater Management Pond and Creek Realignment Planting Plans and Tree Preservation Plans", to the satisfaction of the Town and Conservation Halton. The planting plans will incorporate plantings along the shoreline fringes to shade the pond between storm events. This technique, in combination with the pond configuration, will be most effective when the pond reaches maturity;

- (d) Use of a reverse sloped outlet pipe to allow for bottom draw of outlet flows. The water temperature in the lower portions of the permanent pool (> 1m) can be several degrees cooler than the upper zone. The use of this feature will coincide with a deep zone (2-3 m) within the permanent pool of each facility;
  - (e) Cooling trenches will be designed to treat water leaving the stormwater facility. These features will transfer heat from the stormwater to a subsurface trench filled with clear stone. All flows from the facility, up to a rate limited by the conveyance capacity of the trench, will preferentially discharge to the subsurface cooling system;
  - (f) Naturalization of the portions of the pond adjacent to the riparian corridor will serve to provide habitat for insects that are food for some fish species in the nearby creek;
  - (g) The existing online pond will be removed, subject to the approval of the MNR and CH, and the associated fish barriers that impede seasonal fish passage into MOC-4 will also be removed and replaced with a natural channel design feature;
  - (h) As part of the development plan, the perched culvert above the online pond that impedes fish passage will be removed or rectified allowing fish movement throughout the system; and
  - (i) In the final SWM Pond design, regard will be had to ensuring that the Ponds will not negatively impact on the groundwater contribution to and baseflow in MOC-4.
- 8. The Town and Green Ginger agree that the house designated under Part IV of the Heritage Act located at 257 Dundas Street East may be relocated to a location which is mutually acceptable to the Town and Green Ginger
  - 9. The Parties agree that they will jointly request that the Board approve the policies attached as Schedule B, which address Issue 21 on Schedule C to the 2006 Minutes.
  - 10. Green Ginger confirms that these Minutes resolve Issue 1 and 21 on Schedule C to the 2006 Minutes, and its only remaining issues are 6 and 8.
  - 11. These Minutes of Settlement shall be binding upon and enure to the benefit of Green Ginger, the Town and CH and their respective heirs, executors, administrators, successors and assigns.
  - 12. These Minutes of Settlement shall be governed by the laws of Ontario and the laws of Canada applicable therein.
  - 13. These Minutes may be executed in counterpart, and where each party hereto has executed a copy hereof, then all executed copies shall together form a single and binding agreement among the Parties.



14. The Parties shall not seek any award of costs as against each other in the within Ontario Municipal Board hearing.

IN WITNESS HEREOF, the Parties hereto have duly executed these Minutes of Settlement by the hands of their authorized officers as of the \_\_\_\_\_ day of August, 2007:

**Green Ginger Developments Inc.**

By:

Kathleen Schofield  
Authorized Signatory

Dated:

**The Corporation of the Town of Oakville.**

By:

Rob Burton  
Authorized Signatory

Mayor

Dated:

September 10, 2007

By:

Kim Galiane  
Authorized Signatory

A/Clerk

Dated:

September 10, 2007

**The Halton Region Conservation Authority**

By:

Brian Penn  
Authorized Signatory : Chair

Dated:

September 10, 2007

By: Phil Schindler

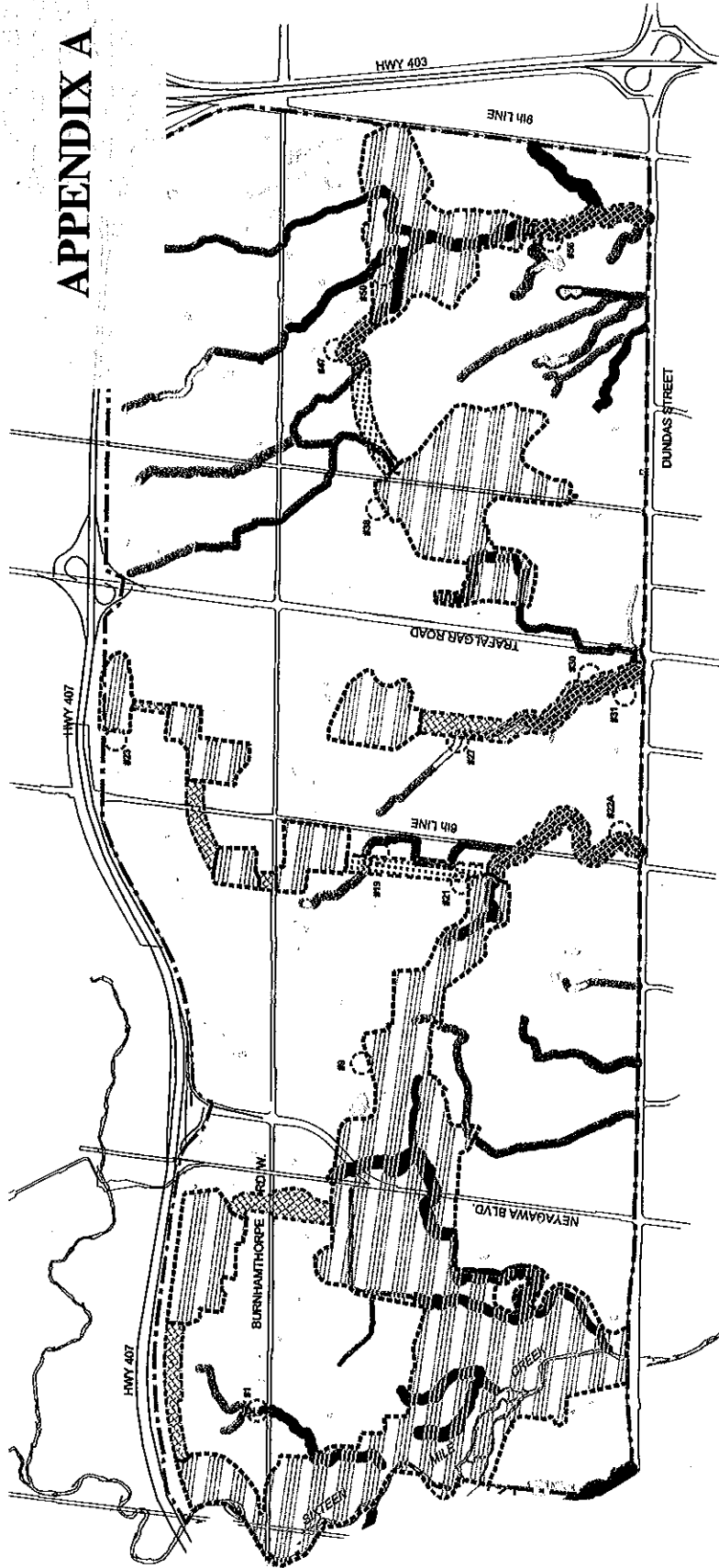
Authorized Signatory: Director  
Watershed Management Services

September 10, 2007

**APPENDIX 'A'**

**PERMITTED SWM POND LOCATIONS**

# APPENDIX A



## LEGEND

- SECONDARY PLAN AREA BOUNDARY
- ..... CORE PRESERVE AREA
- ..... CORE PRESERVE AREA
- ..... LINKAGE PRESERVE AREA
- ..... OPTIONAL LINKAGE PRESERVE AREA
- ..... HIGH CONSTRAINT STREAM CORRIDORS
- ..... MED. CONSTRAINT STREAM CORRIDORS

- OTHER HYDROLOGICAL FEATURES
- LOW CONSTRAINT STREAM CORRIDORS
- HYDROLOGIC FEATURES "A"
- HYDROLOGIC FEATURES "B"

- STORMWATER MANAGEMENT FACILITY
- CONCEPTUAL STORMWATER MANAGEMENT FACILITY
- LOCATIONS WHICH MAY ENCROACH IN NHS

## Town of Oakville

North Oakville East of Sixteen  
Mile Creek Secondary Plan

## FIGURE NOE 3

Natural Heritage Component of Natural  
Heritage and Open Space System  
including Other Hydrological Features  
August 2007



## **Appendix "B"**

### **Section 7.6.2.1 (iii)**

Institutional uses are considered key components of the development of the Trafalgar Urban Core Areas, particularly major regional uses. They will be encouraged to locate throughout the Urban Core Area, particularly on site fronting on Trafalgar Road.

### **Section 7.7.9 (b)**

The Town will encourage the development of a new hospital to serve all of Oakville in North Oakville. The hospital shall be located in a compact, transit supportive manner, which uses a minimal amount of land.

**B**

*TOWN OF OAKVILLE  
PLANNING STATISTICS  
SPREADSHEET*



Date Received: August 2016  
Application Name: Green Ginger Phase 2  
Application Address: c/o Great Gulf  
Legal Description: PT LTS 13 & 14, CON 1 TRAF NDS

File No.:  
Planner: Malone Given Parsons Ltd.  
Neighbourhood: Glenorchy

| PROPOSED USES                                 | No. of Residential Units | No. of Lots/Blocks (as labeled on plan) |        | Area in Hectares | Residential Density (Units per Hectare) | Parking Provided (total # of spaces) | Floor Space (metres squared) |
|---|--------------------------|---|--------|------------------|---|--------------------------------------|------------------------------|
|   |                          | Lots                                    | Blocks |                  |   |                                      |                              |
| GENERAL URBAN                                 |                          |   |        |                  |   |                                      |                              |
| Detached Dwelling with ≤ 9.75m of frontage    |                          |   |        |                  |   |                                      |                              |
| Detached Dwelling with ≥ 9.75m of frontage    |                          |   |        |                  |   |                                      |                              |
| Semi-detached Dwellings                       |                          |   |        |                  |   |                                      |                              |
| Row, Townhouse (Multiple Atatched) Dwellings  |                          |   |        |                  |   |                                      |                              |
| Other (Specify)                               |                          |   |        |                  |   |                                      |                              |
| Subtotal                                      | 0                        |   | 0      | 0                | 0.00                                    |                                      |                              |
| SUB-URBAN AREA                                |                          |   |        |                  |   |                                      |                              |
| Detached Dwelling with ≤ 9.75m of frontage    |                          |   |        |                  |   |                                      |                              |
| Detached Dwelling with ≥ 9.75m of frontage    |                          |   |        |                  |   |                                      |                              |
| Semi-detached Dwellings                       |                          |   |        |                  |   |                                      |                              |
| Subtotal                                      |                          |   |        |                  |   |                                      |                              |
| NEIGHBOURHOOD CENTRE                          |                          |   |        |                  |   |                                      |                              |
| Row, Townhouse (Multiple Atatched) Dwellings  |                          |   |        |                  |   |                                      |                              |
| Apartments Residential (less than 2 bedrooms) |                          |   |        |                  |   |                                      |                              |
| Apartments Residential (2 bedrooms or more)   |                          |   |        |                  |   |                                      |                              |
| Retail  |                          |   |        |                  |   |                                      |                              |
| Office  |                          |   |        |                  |   |                                      |                              |
| Other (Specify)                               |                          |   |        |                  |   |                                      |                              |
| Subtotal                                      | 0                        |   | 0      | 0.00             | 0.00                                    |                                      |                              |
| URBAN CORE AND/OR EMPLOYMENT                  |                          |   |        |                  |   |                                      |                              |
| Row, Townhouse (Multiple Atatched) Dwellings  | 723                      |   | 100    | 11.52            | 62.8                                    |                                      |                              |
| Medium Density Single Detached Dwellings      |                          |   |        |                  |   |                                      |                              |
| Apartments Residential                        |                          |   |        |                  |   |                                      |                              |
| Retail  |                          |   |        |                  |   |                                      |                              |
| Office  |                          |   |        |                  |   |                                      |                              |
| Employment                                    |                          |   |        |                  |   |                                      |                              |
| Other - Future Development                    |                          |   | 13     | 5.34             |   |                                      |                              |
| Subtotal                                      | 723                      |   | 113    | 16.86            | 62.8                                    |                                      |                              |
| OTHER USES                                    |                          |   |        |                  |   |                                      |                              |
| Community Park                                |                          |   |        |                  |   |                                      |                              |
| Neighbourhood Park                            |                          |   |        |                  |   |                                      |                              |
| Village Square                                |                          |   | 2      | 0.60             |   |                                      |                              |
| Urban Square                                  |                          |   |        |                  |   |                                      |                              |
| Natural Heritage System                       |                          |   | 1      | 8.99             |   |                                      |                              |
| Institutional - School                        |                          |   | 1      | 0.76             |   |                                      |                              |
| Road Allowances                               |                          |   |        | 9.69             |   |                                      |                              |
| Storm Management Pond                         |                          |   | 1      | 2.11             |   |                                      |                              |
| Other - 0.3m Reserves                         |                          |   | 4      | 0.01             |   |                                      |                              |
| Other - Channel                               |                          |   | 1      | 0.22             |   |                                      |                              |
| Other- Walkway                                |                          |   | 2      | 0.03             |   |                                      |                              |
| Other - Road Widening                         |                          |   | 2      | 0.37             |   |                                      |                              |
| Subtotal                                      |                          |   | 14     | 22.78            |   |                                      |                              |
| TOTAL   |                          |   | 127    | 39.64            | 62.8                                    |                                      |                              |





C

*DRAFT ZONING BY-LAW*



## **THE CORPORATION OF THE TOWN OF OAKVILLE**

### **BY-LAW NUMBER 2016-\*\*\***

A by-law to amend the Town of Oakville's North Oakville Zoning By-law 2009-189, as amended, to permit the development of lands described as  
Part of Lots 13 & 14, Con. 1  
(Green Ginger Development Inc.)  
File No.

#### **COUNCIL ENACTS AS FOLLOWS:**

1. This by-law applies to the lands north of Dundas Street West, west of Trafalgar Road, as identified on Schedule "A" to this by-law.
2. Map 8(5) of By-law 2009-189, as amended, is further amended by rezoning the Lands identified on Schedule 'A' from ED to TUC-\*, TUC-\*\*, TUC-18, I-\*\*\*, P, SMF, and NHS.
3. For the purpose of this By-law, the provisions of Section 3.0 Definitions of North Oakville Zoning By-law 2009-189 shall apply with the following changes:
  - a) Lot Frontage shall be the horizontal distance between the side lot lines of a lot measured parallel to and 6 metres back from the front lot line.
  - b) Lot Depth shall mean the straight-line distance from the mid-point of the front lot line to the mid-point of the rear lot line of the same lot.
  - c) In the case of a corner lot with a sight triangle, the exterior side lot line shall be deemed to extend to its hypothetical point of intersection with the extension of the front lot line for the purposes of calculating lot frontage and lot depth.
  - d) In the case of a corner lot with a sight triangle, the front lot line shall be deemed to extend to its hypothetical point of intersection with the extension of the side lot line for the purposes of calculating lot frontage and lot depth.
4. By-law 2009-189, as amended, is further amended by adding the following sections:

#### **Section 7.1.7.\*      Trafalgar Urban Core Performance (TUC-\*) Zone**

In addition to the permitted uses, buildings, and regulations of the Trafalgar Urban Core Zone (TUC), the following regulations shall apply:

- a) Uses permitted in the TUC-1 zone, subject to the regulations of Section 7.1.7.1.
- b) The regulations in Table 7.6.2 shall apply;

- c) The minimum front yard setback to a day lighting triangle is 0 metre;
- d) The minimum side yard setback to a day lighting triangle is 0 metre;
- e) A parking space in a private garage shall have an unobstructed area with a width of not less than 2.7 metres for a single car private garage;
- f) One step may encroach into the length and width of a parking space within a garage at the end of the parking space;
- g) Section 4.27 shall not apply for inset porches.
- h) Notwithstanding Section 3.27, a porch shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the main wall of the building or insect screening.

**Section 7.1.7.\*\*      Trafalgar Urban Core Performance (TUC-\*\*) Zone**

In addition to the permitted uses, buildings, and regulations of the Trafalgar Urban Core Zone (TUC), the following regulations shall apply:

- a) Uses permitted in the TUC-8 zone, subject to the following regulations:
  - i) The front lot line shall be deemed to be the lot line that separates the lot from Trafalgar Road. All other lot lines shall be deemed to be flankages;
  - ii) The maximum front yard setback shall be 10 metres for buildings fronting onto Trafalgar Road. The maximum front yard setback shall not be required for buildings fronting onto other streets;
  - iii) The maximum side yard setback to the flankage shall not be required;
- b) The regulations in Table 4.1A shall apply except for the following:
  - i) The maximum permitted parking spaces for any apartment buildings shall be 2 parking spaces per dwelling unit including parking spaces for visitors.
  - ii) The visitor parking spaces shall be permitted in a surface parking area.
- c) The accessory buildings and structures including an exit stair from a parking garage shall be permitted to be closer to the flankage than the main building.
- d) Stairs and air vents associated with an underground parking structure are permitted in any yard.

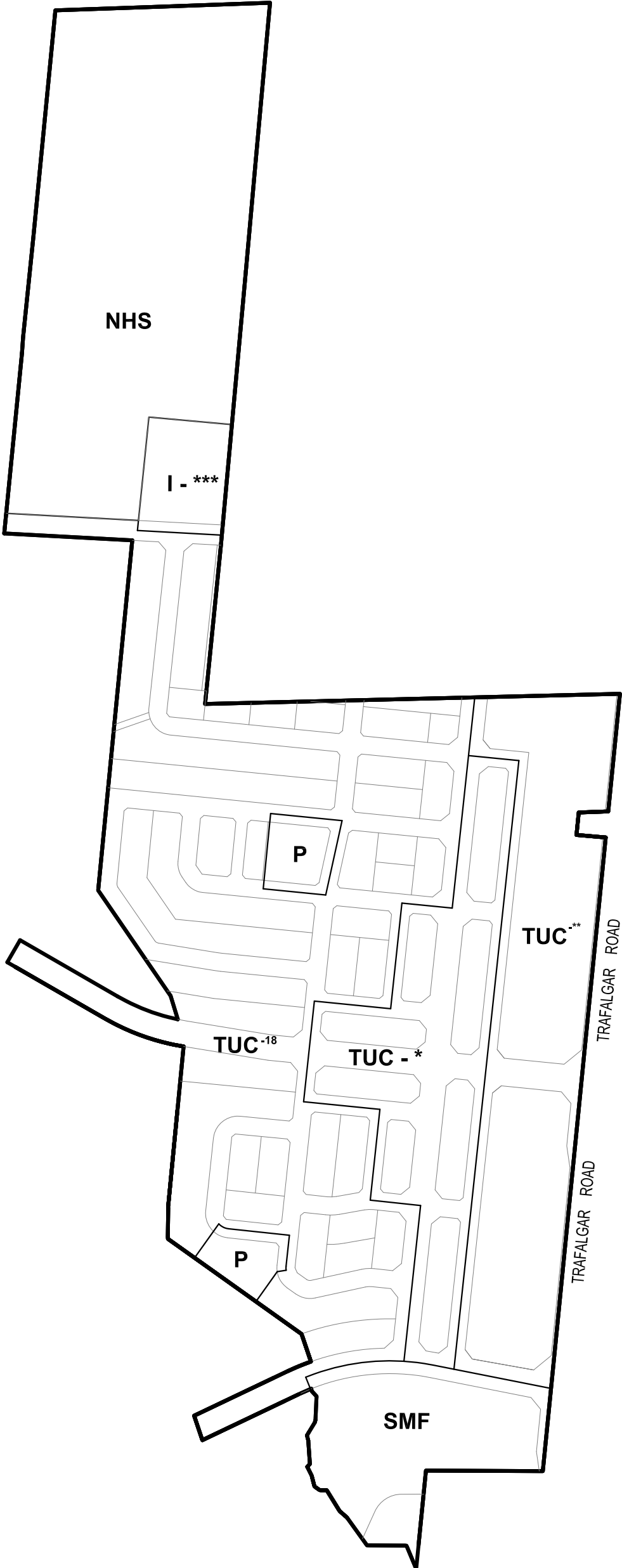
e) Established grade is defined as the finished floor elevation at grade.

f) Balconies and/or open-air terraces are permitted in any yard.

**Section 7.1.7.\*\*\* Institutional Performance (I-\*\*\*) Zone**

In addition to the permitted uses, buildings, and regulations of the Institutional Zone (I), the permitted uses, buildings , and regulations of the TUC-18 zone and TUC-\* zone shall also apply

5. Where the provisions of this By-law conflict with the provisions of the North Oakville By-law 2009-189, the provisions of this By-law shall take precedence.



NHS

I - \*\*\*

P

TUC -18

TUC - \*

TUC\*\*

TRAFALGAR ROAD

TRAFALGAR ROAD

P

SMF

**D**

*GREEN GINGER  
DEVELOPMENTS INC  
SERVICING ALLOCATION  
CORRESPONDENCE*





August 16, 2016

Mr. Ron Glenn  
Director of Planning Services and Chief Planning Official  
Legislative and Planning Services Department  
Halton Region  
1151 Bronte Road  
Oakville, ON L6M 3L1

Dear Mr. Glenn,

**RE:               Water and Wastewater Allocation  
                  2018 Allocation Program  
                  Green Ginger Developments Inc.**

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On behalf of Green Ginger Developments Inc., we are expressing our interest to obtain allocation for our phase 2 development lands on the west side of Trafalgar just north of Dundas St. in the North Oakville East Secondary Planning Area. This area is designated Trafalgar Urban Core and is unphased within the Town of Oakville Secondary Plan.

Our proposed draft plan for this development includes approximately 723 units of townhouses. In addition, two future development blocks of approximately 7 acres are included within our plan which could accommodate medium or high density residential. We would not at this time be seeking allocation for these blocks.

Great Gulf is committed to proceeding with Draft Plan approval in a timely manner. We look forward to review any information available pertaining to the 2018 Allocation Program.

Yours truly,

**GREEN GINGER DEVELOPMENTS INC.**

Eddy Chan  
Director, Land Development

