

## PLANNING JUSTIFICATION REPORT 70 OLD MILL ROAD



Prepared by Ruth Victor and Associates  
October 8, 2021

## TABLE OF CONTENTS

1.0 Introduction	Page 3
2.0 Project Description	Pages 3-5
3.0 Context	Page 5
4.0 Planning Policy	Pages 6-34
5.0 Public Participation	Page 34
6.0 Supporting Studies	Pages 34-39

## 1.0 Introduction

Ruth Victor and Associates are retained by 23117511 Ontario Inc., the owners of the property known as 70 Old Mill Road. The proposed redevelopment is marketed under the name Insignia and has a history dating back to 1994 (By-law 1994-144) when the property was owned by Genstar Development Company (Eastern) Limited. That zoning by-law amendment rezoned the property to permit residential apartment buildings and multiple family dwellings as well as a health club and certain local commercial uses. The by-law permitted 285 residential dwelling units in total for the entire parcel and 2300 m<sup>2</sup> of commercial uses. The by-law applied to the entire 1.75 ha property on which 40, 50 and 60 Old Mill Road are currently located, and the lands now known as 70 Old Mill Road which are currently vacant. Development had commenced at 70 Old Mill Road through a conditional site plan approval and a conditional building permit however since the permit did not include above grade works the construction ceased under the April 4, 2020, Provincial COVID order which curtailed construction until later in 2020. The conditions of site plan approval were not cleared namely the payment of the securities. The conditional SPA lapsed in late 2020.

By-law 2003-138 under the name of Oakridge Heights Limited increased the number of residential units to 307 units and provided for one superintendent suite in each of 40, 50 and 60 Old Mill Road which were in addition to the total unit count of 307 dwelling units. Building heights were established as follows:

- 40 Old Mill Road            12 storeys and 41 m above established grade excluding mechanical facilities
- 50 Old Mill Road            10 storeys and 35 m above established grade excluding mechanical facilities
- 60 Old Mill Road            10 storeys and 35 m above established grade excluding mechanical facilities with a maximum height of 8 m
- 70 Old Mill Road            3 storeys above established grade

The local commercial uses including a health club were maintained as a permitted use with a maximum floor area of 2300 m<sup>2</sup>. Parking was specified at 1.75 spaces per unit with 0.25 of those spaces specified as visitor parking. Twenty percent of the parking spaces could be in tandem.

By-law 2013-106 under the name 2317511 Ontario Inc. amended previous zoning by-laws providing for 29 residential dwelling units at 70 Old Mill Road. The height of the building at 70 Old Mill Road was set at 36 m excluding roof top mechanical facilities which could have a maximum height of 7 m. No maximum size applied to the residential units at 70 Old Mill Road. The permitted commercial floor area was reduced to 155 m<sup>2</sup>. Terracing of the proposed building was required through specified setbacks at the 4<sup>th</sup> storey and again at the 7<sup>th</sup> and 8<sup>th</sup> storeys. Any storeys above the 8<sup>th</sup> storey were to be setback a further 3.25 m.

Special Provision 191 of By-law 2014-014 continues with the provisions set out in By-law 2013-106.

## 2.0 Project Description

The owner of the subject lands seeks to amend the Official Plan to increase the permitted density at 70 Old Mill Road. The lands are designated High Density Residential on Figure L1 with a maximum density of 185 units per site hectare as per Part D of the Plan text. The proposed number of dwelling units is 154 yielding a density on the total lands of 264 units per site hectare.

A rendering of the previously approved building is provided below to provide a visual comparison with the proposed concept as shown on the cover page of this report. In summary, the proposal provides a similar footprint on the property with setbacks of 1.8 m from both Cornwall Road and Old Mill Road. The Gross Floor Area (GFA) under the approved concept is 7023; the GFA under the new concept is 13279 m<sup>2</sup>. This difference in GFA arises from an additional 3 storeys and the change in building design which adds floor space closer to Cornwall Road than under the previous concept which had a two-storey podium with the bulk of the building setback further from the street. The additional units further support transit and is supported by the the policies found in the Growth Plan and Regional and Local Official Plans and in particular the new policies on Major Transit Station Areas which speak to increased densities supportive of transit. The building design itself is more contemporary than the previous building which was a glass slab with a concrete mechanical room of 7 m in height at the top level. In the new proposal, the mechanical room is contained within the top two floors and the residential component reaches to the top of the building. Although additional storeys are included in the latest design, the increase in height is only 2 metres from the previously allowed height of 43 m.

Parking is discussed in detail in the Traffic Impact Study and the number of parking spaces to be provided in the 6 levels of below grade amounts to 166 spaces. There is a shared facility agreement in place with 40, 50 and 60 Old Mill Road which permits the use of visitor parking on the entire site for the building at 70 Old Mill Road. The amount of parking within the building and situated at grade and within the below grade parking structure at 40, 50 and 60 Old Mill Road meets town requirements for parking.





Figure 1, Previously Approved Building

In addition to the Official Plan Amendment, an Amendment to By-law 2014-014 SP 191 is required to amend the site-specific regulations.

15.191.3 Additional Zone Regulations for Block 2 Lands		
The following additional regulations apply to lands identified as Block 2 on Figure 15.191.1:		
a)	Minimum <i>front yard</i> (Cornwall Road)	1.8 m
b)	Minimum <i>flankage yard</i> (Old Mill Road)	1.8 m
c)	No part of a <i>building</i> or <i>structure</i> shall project beyond the limit of the angular plane as shown on Figure 15.191.2, below.	
d)	Maximum allowable projection for a <i>balcony</i>	Shall not apply
e)	Minimum <i>interior side yard</i> (limit of Part 26, 20R-13750)	1.5 m
f)	Minimum <i>yard</i> abutting a <i>railway corridor</i>	20.0 m
g)	Maximum number of <i>dwelling units</i>	29, plus one superintendent suite
h)	Maximum <i>net floor area</i> for non-residential <i>uses</i>	155.0 sq.m, and such uses shall be completely located within 33.0 metres of the lot line abutting Old Mill Road
i)	Maximum <i>height</i>	36.0 m
j)	Minimum <i>height</i>	22.0 m
k)	Minimum <i>number of storeys</i>	6
l)	Maximum height of <i>rooftop mechanical equipment</i> and a <i>mechanical penthouse</i>	7.0 m

Maximum height including the roof top mechanical equipment would be revised to 45 m above the established grade near Old Mill Road and the number of dwelling units would be revised to 154.

### 3.0 Context

The subject lands are located within a Growth Area identified in the Provincial Growth Plan and shown in the Livable Oakville Plan as Midtown Core. The Oakville GO Station is within a short walk and the Metrolinx parking lot is located on the opposite side of Old Mill Road. Located to the southwest of the proposed apartment building are the three residential buildings with municipal addresses of 40, 50 and 60 Old Mill Road. The Canadian National Railway right-of-way abuts the property on the west side.

Cornwall Road is adjacent to the property on the east side and Old Mill Road forms the north boundary of the property. The south limit of the property is formed by the ramp servicing the combined underground parking system for the three existing buildings. Included within this parking structure is visitor parking which is available to the subject property through a Shared Facilities Agreement which also includes the waste management structure.

Commercial facilities including the Whole Foods supermarket are located northeast of Trafalgar Road. A seniors building which includes a memory care facility is situated on the southeast side of Cornwall Road. The valley of the 16 Mile Creek is within walking distance of the site to the southwest.

## 4.0 Planning Policy

### 4.1 Provincial Policy Statement

The Provincial Policy Statement (PPS) passed under Section 3 of the *Planning Act* provides policy direction on matters of provincial interest related to land use planning and development. The current version came into effect May 1, 2020. Development applications must be consistent with policy contained in the PPS. Policy extracts are provided below in italics and an analysis of consistency of the proposed development applications is provided below each extract in standard text. Provincial plans such as the Growth Plan take precedence over the PPS in the event of any conflict.

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

*b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

The proposal is based on high density housing which can house empty nesters as well as young families by virtue of the mix of unit sizes. Employment uses are provided north of the rail right-of-way, shopping facilities are in the immediate area and as noted a long-term care facility is on the east side of Cornwall Road.

*e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

The proposed density of the project at 265 units per hectare based on the total 1.75 ha property consisting of 40, 50 and 60 Old Mill Road is transit supportive. Oakville Transit has a terminal associated with the GO Station and this can be accessed by a walkway under the rail right-of-way. Access to the entire Town of Oakville is available from this facility. Local services are available on Cornwall Road and old Mill Road and will be utilized for this development as per the Functional Servicing Report.

#### 1.1.3 Settlement Areas

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

The subject lands are located within a settlement area and have been designated in an Official Plan for development.

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

*b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

*e) support active transportation;*

*f) are transit-supportive, where transit is planned, exists or may be developed;*

The development of the lands will utilize existing infrastructure which can be upgraded as necessary. The building will contain bicycle storage areas to promote active transportation and most daily needs can be accessed by walking. Transit facilities are located within very close proximity to the site.

#### *1.2.6 Land Use Compatibility*

*1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise, and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures.*

A noise and vibration study prepared by Coulter and Associates has been prepared. Measures for mitigation of noise and vibration from the activities within the rail corridor are contained in that report and will be implemented in the construction of the building.

#### *1.3.2 Employment Areas*

*1.3.2.2 At the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the employment area.*

*Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas.*

The policies for the Midtown Core are currently under review by the municipality. There are no employment uses located south of the Canadian National right-of-way. The lands north of the railway are designated for mixed-use and will continue to be so designated under proposed policy.

#### *1.6 Infrastructure and Public Service Facilities*

##### *1.6.6 Sewage, Water and Stormwater*

*1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

Existing municipal systems including storm sewers will be utilized.

#### *2.1 Natural Heritage*

*2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where*

*possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

While located within proximity to the natural heritage features of the 16 Mile Creek, the subject lands are located outside of any area regulated by Conservation Halton as noted in correspondence related to a previous development application for this property.

## *2.6 Cultural Heritage and Archaeology*

*2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

*2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.*

*2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*

The subject lands are not designated under either Parts IV or V of the *Heritage Act* nor are they listed on the Town's Register. The lands are not adjacent to the Trafalgar Road Heritage Conservation District. The lands have been substantially disturbed over many years and the subject property has been excavated to bedrock to remove contaminated soils in accordance with Phase I and Phase II soils reports provided by Terraprobe.

## *3.1 Natural Hazards*

The policies contained within this section of the PPS are not applicable as the subject lands are not located within an area regulated by Conservation Halton.

## Conclusion

In conclusion, our review of the Provincial Policy Statement and the development plans indicates that the proposal is consistent with the PPS.

## 4.2 Growth Plan 2020

The current version of the Growth Plan entitled A Place To Grow, took effect on August 28, 2020. Under Section 1.2.2 all decisions of an approval authority on planning matters must conform with the policies contained in the Plan. The planning horizon for the current Plan is 2051. The policies represent minimum standards and decision makers are encouraged to go beyond these Plan standards.

### 2.2.1 Managing Growth

- 2. a) the vast majority of growth will be directed to settlement areas that:*
  - i. have a delineated built boundary;*
  - ii. have existing or planned municipal water and wastewater systems; and*



- iii. *can support the achievement of complete communities;*
  - c) *within settlement areas, growth will be focused in:*
    - i. *delineated built-up areas;*
    - ii. *strategic growth areas;*
    - iii. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
    - iv. *areas with existing or planned public service facilities;*
  - d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise.*
  - e) *development will be generally directed away from Hazardous lands*

The subject lands are located within a settlement area which has a delineated built boundary established through determination at the provincial, regional, and local levels. The property is located where higher order transit exists as it is adjacent to the Oakville GO Station. Police and fire protection are provided, and long-term care facilities are in the immediate neighbourhood.

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

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

The subject lands are located within the Midtown Core, a growth area identified by the Province in the Growth Plan.

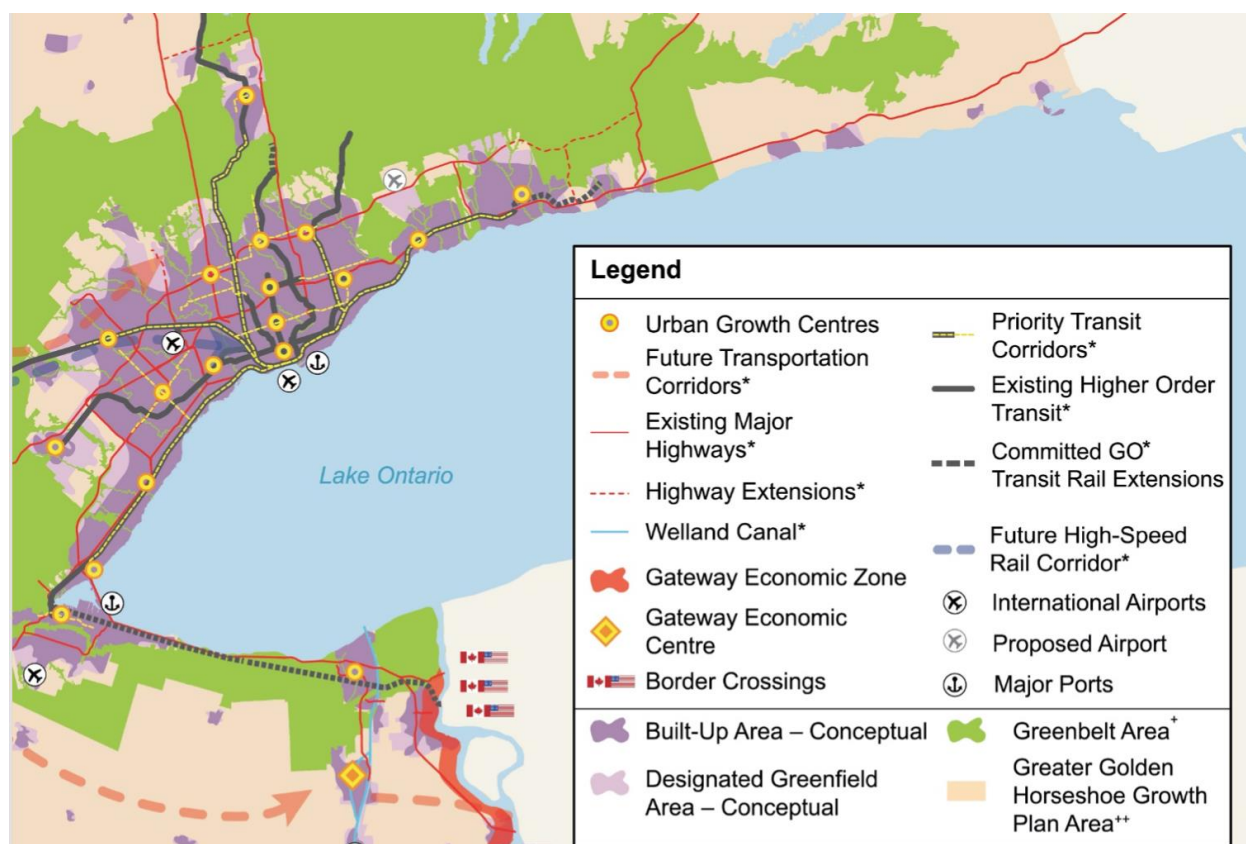


Figure 1, Extract from Growth Plan

This area is to provide a diverse mix of employment and residential uses. The subject proposal adds to the residential component. There is convenient access to stores including major grocery stores within walking distance. The increase in the number of units from the currently approved larger 29 units, many of which would target higher income purchasers because of size of the units, to 154 smaller units provides for additional and more economic housing in the neighbourhood. Transportation options are available through the Oakville Transit system and the Metrolinx system and active transportation is supported on local roads with connections to North Oakville along Lyons Lane and Sixth Line under the QEW/403 bridge over the 16 Mile Creek. Public Open Space is available at the intersection of Cornwall Road and Cross Avenue. The proposal is a compact built form with 154 units on 0.1589 ha of land.

### 2.2.2 Delineated Built-up Areas

*By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:*

- a) A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area; and*

As noted elsewhere the subject lands are located within a delineated built-up area in an approved official plan. Approval of the proposal will contribute to the achieving of the growth target of 50% of residential development within the built-up boundary.

### 2.2.3 Urban Growth Centres

1. *Urban growth centres will be planned:*

- a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;*
- b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;*
- c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and*
- d) to accommodate significant population and employment growth.*

2. *Urban growth centres will be planned to achieve, by 2031 or earlier, a minimum density target of:*

- b) 200 residents and jobs combined per hectare for each of the Downtown Brampton, Downtown Burlington, Downtown Hamilton, Downtown Milton, Markham Centre, Downtown Mississauga, Newmarket Centre, Midtown Oakville, Downtown Oshawa, Downtown Pickering, Richmond Hill Centre/Langstaff Gateway, Vaughan Metropolitan Centre, Downtown Kitchener, and Uptown Waterloo urban growth centres;*

Policies included in the draft Regional Official Plan Amendment 48 and the draft Midtown Core OPA are in conformity with the recommended densities. This application meets these minimum density targets.

### 2.2.4 Transit Corridors and Station Areas

1. *The priority transit corridors shown in Schedule 5 will be identified in official plans. Planning will be prioritized for major transit station areas on priority transit corridors, including zoning in a manner that implements the policies of this Plan.*
2. *For major transit station areas on priority transit corridors or subway lines, upper- and single-tier municipalities, in consultation with lower-tier municipalities, will delineate the boundaries of major transit station areas in a transit-supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station.*
3. *Major transit station areas on priority transit corridors or subway lines will be planned for a minimum density target of:*
  1. *a) 200 residents and jobs combined per hectare for those that are served by subways;*
  2. *b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or*
  3. *c) 150 residents and jobs combined per hectare for those that are served by the GO Transit rail network.*

Both the draft regional OPA 48 and the Draft Midtown Core OPA are in conformity with these policies. The subject lands are located within the Major Transit Station Area as identified by Halton Region in OPA 48.

9. *Within all major transit station areas, development will be supported, where appropriate, by:*

- a) planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels;*
- b) fostering collaboration between public and private sectors, such as joint development projects;*
- c) providing alternative development standards, such as reduced parking standards; and*
- d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.*

The current concept for development represents intensification of a previously approved application. One hundred and twenty-five more residential units are being provided on the site.

#### 2.2.6 Housing

*3. To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.*

The proposal is based on a mix of unit sizes comprised of one- and two-bedroom units.

#### 4.2.2 Natural Heritage System

*6. Beyond the Natural Heritage System for the Growth Plan, including within settlement areas, the municipality:*

- a) will continue to protect any other natural heritage features and areas in a manner that is consistent with the PPS; and*
- b) may continue to protect any other natural heritage system or identify new systems in a manner that is consistent with the PPS.*

The subject lands are near the hazard lands associated with the 16 Mile Creek. Through the processing of the earlier Site Plan Application for development of this property Conservation Halton advised that the lands were not located within their regulated area.

#### 4.2.7 Cultural Heritage Resources

*1. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.*

*3. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision- making.*

The subject lands are not located within a Heritage Conservation District and they are not designated under Part IV of the *Heritage Act*. The lands are not listed on the Town of Oakville Heritage Register. The



potential for archaeological finds is non-existent as the site has been excavated to bedrock under a previous site plan approval which has lapsed.

In conclusion the proposal to amend the Livable Oakville Plan and to amend By-Law 2014-014 is in conformity with the policies contained in the Growth Plan based on our analysis of the policies in that plan and the development plans.

#### 4.3 Regional Official Plan

The analysis below is based on the contents of the Office Consolidation dated June 19, 2018. The extracts from the Plan are in italics and the comments are in standard text below each policy extract.

Map 1 provides three land use designations in the immediate area. The Oakville GO Station is designated as a Mobility Hub; the 16 Mile Creek is designated as a Regional Natural Heritage System and the entire area between Cornwall Road, the QEW/403, Trafalgar Road and the limits of the Regional Natural Heritage System is designated as an Urban Growth Centre.

Map 1G shows the 16 Mile Creek area as a Key Feature. Map 3 depicts the Speers Cornwall Corridor as a Multi-Purpose Arterial; Trafalgar Road is shown as a Minor Arterial. The required right-of-way width for Speers Cornwall is 35 m. According to Map 5 the lands are located within an Urban Area with Phasing to 2021.

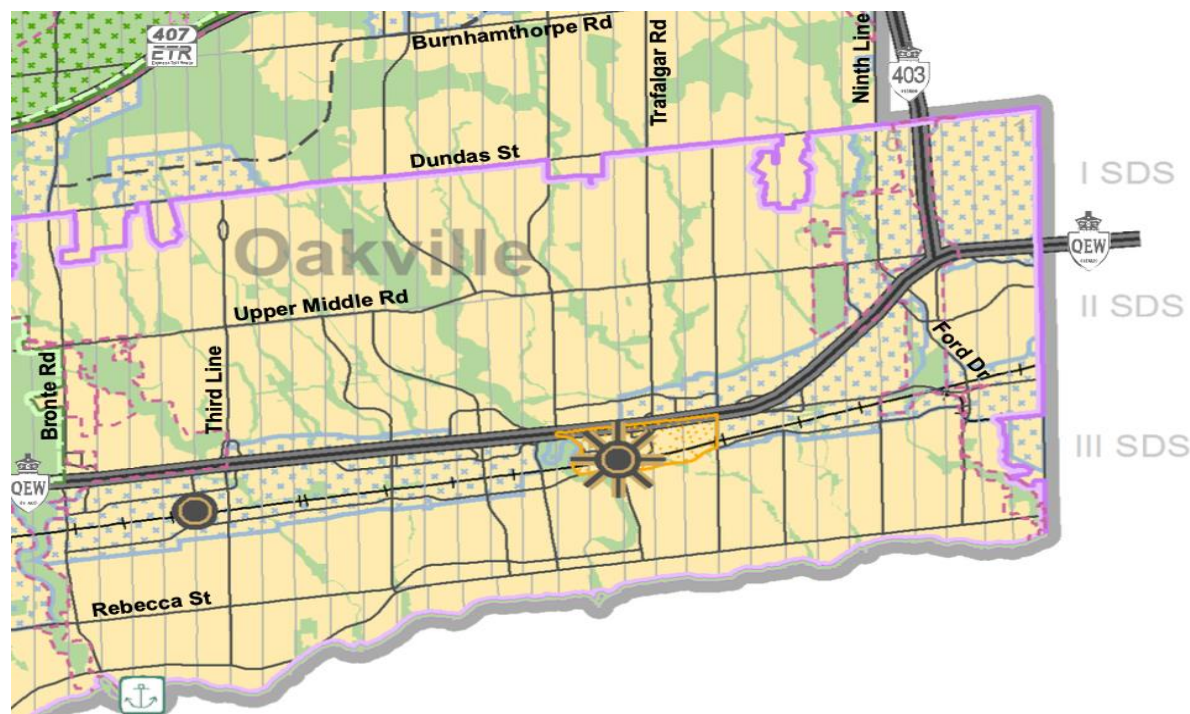


Figure 2, Extract from Map 1 of Approved ROP

*Policy 55. The Regional Structure is accompanied by a growth strategy for Halton based on the distribution of population and employment for the planning horizon year of 2031 as contained in Table 1, and in accordance with the regional phasing outlined on Map 5, as well as by other infrastructure elements such as transportation systems and urban services and other policies of this Plan.*



Table 1, extracted below shows the population numbers to 2031. The approval of this application will assist in achieving the required population figures.

**TABLE 1 POPULATION AND EMPLOYMENT DISTRIBUTION**

<b>Municipality</b>	<b>Population<sup>1</sup></b>		<b>Employment</b>	
	<b>2006</b>	<b>2031</b>	<b>2006</b>	<b>2031</b>
Burlington	171,000	193,000	88,000	106,000
Oakville	172,000	255,000	82,000	127,000
Milton	56,000	238,000	28,000	114,000
Halton Hills	58,000	94,000	20,000	43,000
Halton Region <sup>2</sup>	456,000	780,000	218,000	390,000

<sup>1</sup> Population numbers in this table are "total population" numbers including approximately 4% undercoverage from the official "Census population" numbers reported by Statistics Canada.

<sup>2</sup> Totals for the Region may not add up due to rounding.

Table 2 shows the intensification targets for the Built-Up Area between 2015 and 2031. Again, the approval of this application for Official Plan Amendment and Zoning By-law Amendment will assist in achieving these numbers.

**TABLE 2 INTENSIFICATION AND DENSITY TARGETS**

<b>Municipality</b>	<b>Minimum Number of New Housing Units to Be Added To the Built-Up Area Between 2015 and 2031</b>	<b>Minimum Overall Development Density in Designated Greenfield Area (Residents and Jobs Combined Per Gross Hectare)<sup>1</sup></b>
Burlington	8,300	45
Oakville	13,500	46
Milton	5,300	58
Halton Hills	5,100	39
Halton Region <sup>2</sup>	32,200 <sup>2</sup>	50

<sup>1</sup> In the measurement of these densities, the area of the Regional Natural Heritage System is excluded.

<sup>2</sup> This number represents 40 per cent of the new housing units occurring within Halton Region between 2015 and 2031.

*Policy 58. Uses are permitted as specified for each land use designation provided that:*

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

Soils reports along with a Record of Site Condition were provided for a previous application on this site. The reports are being updated to accord with legislation. The contaminated soils have been removed to bedrock. The existing water and wastewater facilities will be used and the required FSR has been provided. The subject applications will bring the project into conformity with the local official plan and zoning by-law once the applications have been approved.

*Policy 59. No building permits should be issued by a Local Municipality until Section 58 has been complied with.*

An application for a building permit will be submitted once the *Planning Act* applications have been dealt with as such an application is premature at this time.

*Policy 76. The range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to the policies of this Plan.*

An application for an Official Plan Amendment and Zoning By-law Amendment is the subject of this report.

*Policy 77 (15) Require the development industry to absorb its share of the cost of the provision of infrastructure and human services as permitted by applicable legislation and that any financial impact of new development or redevelopment on existing taxpayers be based on a financing plan communicated to the taxpayers and subsequently approved by Council. Such a financing plan may provide measures such as staging or contingent provisions to demonstrate that the provision of infrastructure and public service facilities under the Joint Infrastructure Staging Plan by Provincial and Federal Governments and other service providers are co-ordinated with those by the Region and Local Municipalities so that the health and well-being of the community is advanced in a fiscally responsible manner.*

Development Charges will be paid at the appropriate time.

*Policy 80. Intensification Areas are parts of the Urban Area and consist of:*

- (1) Urban Growth Centres, which are shown as an overlay on top of the Urban Area on Map 1, subject to specific policies in addition to those for Intensification Areas,*
- (2) Major Transit Station Areas (including Metrolinx-designated Mobility Hubs) as identified on Map 1 and Map 3 and/or in Local Official Plans, which generally consist of areas within 500 m of the Major Transit Station,*
- (3) Intensification Corridors as identified in Local Official Plans, which consists of areas along Higher Order Transit Corridors and selected Arterial Roads within Urban Areas, as shown on Map 3, and*

*(4) Mixed Use Nodes as identified in Local Official Plans, which have a concentration of residential and employment uses with development densities and patterns supportive of pedestrian traffic and public transit.*

The subject lands are located within the Urban Growth Centre as identified on Map 1 and within the Major Transit Station Area. The lands are close to the Higher Order Transit Corridor identified as Trafalgar Road.

*Policy 81. It is the policy of the Region to:*

*(1) Direct development with higher densities and mixed uses to Intensification Areas.*

The subject lands are located within an intensification area as identified in Policy 80 above.

Policy 81(7). Require the Local Municipalities to:

*a) include Official Plan policies and adopt Zoning By-laws to meet intensification and mixed-use objectives for Intensification Areas;*

If approved by the Town of Oakville the subject application(s) would meet this policy requirement.

*Policy 81(7.3) Ensure that Intensification Areas are development-ready by:*

*a) making available at the earliest opportunity water, wastewater and transportation service capacities to support the development densities prescribed for Intensification Areas; and*

The Functional Service Report indicates that water and wastewater capacities are available to support his redevelopment. The TIS shows that the Speers Cornwall corridor has adequate capacity for expected traffic volumes.

*Policy 81(8). Encourage the Local Municipalities to adopt parking standards and policies within Intensification Areas to promote the use of active transportation and public transit.*

The Parking justification Report which forms part of the TIS addresses these policy items.

*Policy 81.3 It is the policy of the Region to:*

*(1) Require Urban Growth Centres to achieve a minimum development density target of 200 residents and jobs combined per gross hectare by 2031 or earlier.*

The proposed density in this project exceeds the minimum requirement of the Regional Plan. The legal description for the parcel is part 126 of plan 20R-13750 which is comprised of an area of 1.75 ha. The proposed density is 265 units per hectare when the existing 307 units at 40, 50 and 60 Old Mill Road are factored in.

*Policy 86(6). Adopt the following housing targets:*

*a) that at least 50 per cent of new housing units produced annually in Halton be in the form of townhouses or multi-storey buildings; and*

Adoption of the OPA and approval of the ZBA would help to achieve this target.

*Policy 89(3) Require that approvals for all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.*

As noted in the Functional Servicing Report the subject lands will be serviced by municipal services including stormwater facilities.

*Policy 115.4. Included within the Regional Natural Heritage System are:*

*(1) Escarpment Natural Area and Escarpment Protection Area as identified in the Niagara Escarpment Plan, and*

*(2) Regulated Flood Plains as determined, mapped, and refined from time to time by the appropriate Conservation Authority.*

Conservation Halton in its review of a previous application for this property indicated that the lands are not located within a Regulated Flood plain. The land is not located in the Niagara Escarpment plan boundaries.

*Policy 118. It is the policy of the Region to:*

*(1) Require Local Official Plans and Zoning By-laws to recognize the Regional Natural Heritage System as identified in this Plan and include policies and maps to implement policies of this Plan and to incorporate any refinements made thereto through Section 116.1.*

The Regional NHS is recognized in Livable Oakville and By-law 2014-014. The subject lands are not located within the Local Natural Heritage System or within the area zoned N in the figure below.

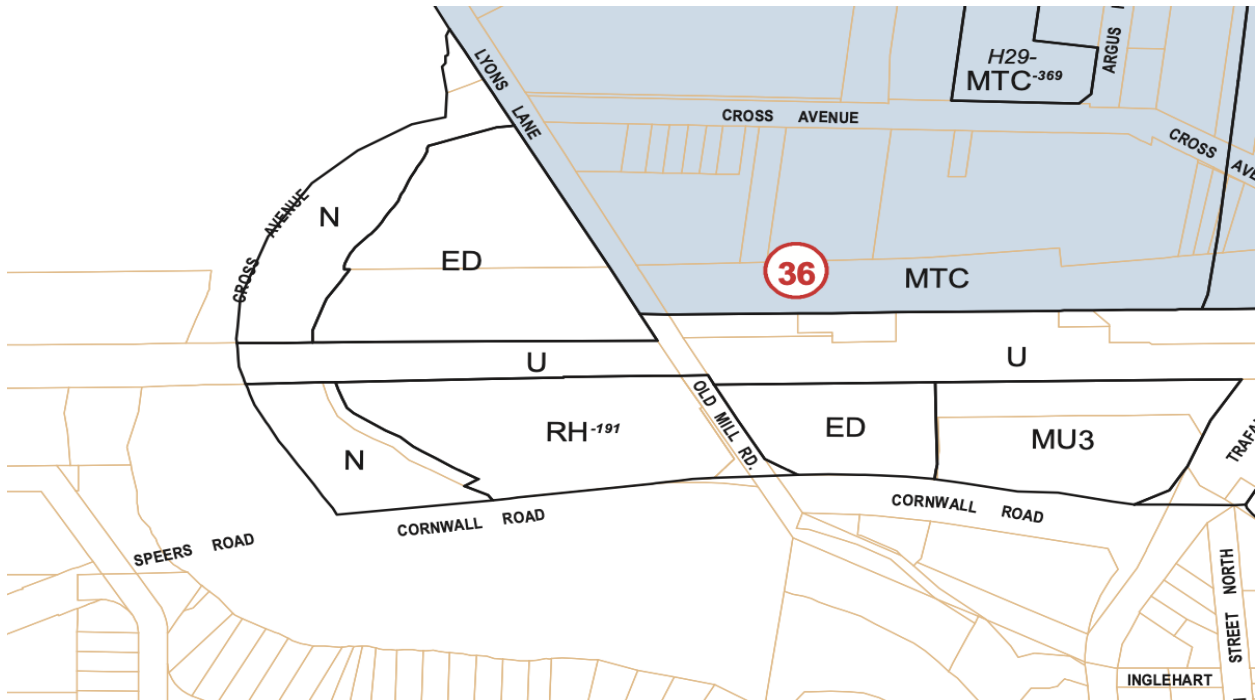


Figure 3, Existing Zoning

*Policy 118(3.1) Set the criteria for the requirement of an EIA for proposed developments and site alterations as follows:*

*c) all other developments or site alterations, including public works, that are located wholly or partially inside or within 120m of the Regional Natural Heritage System.*

The subject lands are not located within 120 metres of the top of bank as identified by Conservation Halton. An EIA has not been requested.

*Policy 143(9) Require proposed development adjacent or in proximity to railway lines or railway yards to undertake, prior to development approval, the following studies by qualified consultants in accordance with Provincial policies, to the satisfaction of the Region, the Local Municipality and the Ministry of the Environment, and in consultation with the appropriate railway agency, and to implement the study recommendations, as approved, including the restriction of new residential and other sensitive land uses:*

- a) noise studies, if the development is within 300m of a railway right-of-way or 1000m of a railway yard;*
- b) vibration studies, if the development is within 75m of a railway right-of-way or a railway yard; and*
- c) air quality studies, if the development contains sensitive land uses and is within 1,000m of a railway yard.*



A noise and Vibration Study has been prepared by J. E. Coulter and Associates. Appropriate recommendations regarding building design and warning clauses are included in the report. An Air Quality Report has not been requested.

*Policy 147 (5f) Require all development proposals to submit, at the time of initial application, an inventory of trees on site and a tree saving and planting plan unless the development will not result in the removal of any trees.*

The required Tree Canopy and Tree Preservation Plans have been prepared.

*Policy 147 (6b) Retain treescapes along major transportation corridors, replace trees cut down for public works and, wherever possible, develop new treescapes consistent with safe and aesthetically pleasing road or corridor design.*

A Tree Planting Plan which achieves the Town goal of 20% Canopy Coverage has been prepared.

*Policy 147(17) Require that, prior to the Region or Local Municipality considering any development proposals, the proponent undertake a process in accordance with the Region's Guidelines (Protocol) for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites and any applicable Provincial legislation, regulations and guidelines to determine whether there is any potential contamination on the site and the steps necessary to bring the site to a condition suitable for its intended use.*

The required studies were previously submitted and have been updated by Terraprobe to accord with provincial legislation.

*Policy 167(3) Require that development proposals on adjacent lands to protected Cultural Heritage Resources:*

- a) study and consider the preservation, relocation and/or adaptive re-use of historic buildings and structures based on both social and economic costs and benefits;*
- b) incorporate in any reconstruction or alterations, design features that are in harmony with the area's character and existing buildings in mass, height, setback and architectural details; and*
- c) express the Cultural Heritage Resources in some way, including: display of building fragments, marking the traces of former locations, exhibiting descriptions of former uses, and reflecting the former architecture and uses.*

The subject lands are not located adjacent to any lands which are designated under part IV or Part V of the *Heritage Act*.

*Policy 149(7) Develop, jointly with the Province, the Local Municipalities, and the development industry, and adopt guidelines for the design of communities and buildings that will facilitate source separation, collection, storage, and transportation of solid waste.*

A Solid Waste Management Plan for the building has been prepared.

*Policy 152(2) Require the Local Municipalities in their preparation of Area-Specific Plans or Official Plan policies related to intensification and proponents of major development in submitting their applications, to have regard for the Healthy Communities Guidelines.*

*Policy 167(6) Prior to development occurring in or near areas of archaeological potential, require assessment and mitigation activities in accordance with Provincial requirements and the Regional Archaeological Management Plan.*

The subject lands do not contain any archaeological potential as the site has been excavated to bedrock to remove contaminated soils resulting from a previous industrial use.

*Policy 173(22) Require the proponent of any development considered to have a transportation impact to carry out a detailed transportation study to assess the impact of the proposal and to recommend necessary improvements to the transportation network and services consistent with the goals, objectives and policies of this Plan.*

The required TIS had been prepared by GHD Transportation Engineers.

The analysis of the guideline is provided below.

#### *Healthy Communities Guidelines*

The guidelines prepared under the auspices of the approved regional Plan encourage attributes listed below:

- Built environment;
- Mobility;
- Natural environment and open space;
- Human services;
- Sustainable design;
- Economy;
- Community food supply.

#### Built Environment

The built environment can contribute to a healthy community through incorporation of walkable and connected communities, compact mixed-use development, a range of densities and housing opportunities, redevelopment/regeneration areas, welcoming pedestrian scaled environments and community infrastructure. While a number of these aspects are relative to development of more than one property the proposal can contribute to attaining these goals. The density proposed at approximately 265 units per hectare is transit supportive. Shopping is available in the immediate area within walking distance.

#### Mobility

Mobility contributes to a healthy community through encouraging physical activity, facilitating active transportation and public transit, providing access to services and amenities for vulnerable population groups including children, the elderly, persons with disabilities and low income individuals, providing safe, convenient and accessible environment for walking and cycling through Transportation Master Plans and Active Transportation Plans, reducing dependency on single occupant vehicles and improving access to

transit, promoting integration with transit systems inter-regionally, and providing connected street networks that are accessible to all modes of transportation.

The property is located on an active transportation route that connects Kerr Village with the Midtown Core. The Oakville GO Station located within walking distance provides connections to Toronto and Hamilton and municipalities in between on the Lakeshore GO line. Parking on site will be unbundled from the lease to encourage those who don't require a vehicle for shopping and work to reduce their dependency on single occupancy vehicles. Oakville Transit provides service through Route 4 on Cross Avenue and several other routes converge at Oakville GO Station to provide access to the entire Town of Oakville and portions of Burlington and Mississauga.

### Natural Environment and Open Space

The natural environment and open space contribute to a healthy community through preserving and enhancing the natural heritage system, supporting recreational and cultural opportunities, providing access to a range of open spaces, parks and recreational pathways and trails, and providing interconnected green space and urban forests within the urban boundary.

The open space in this community consists of the valley lands of the 16 Mile Creek. The updated Official Plan Amendment for the Midtown Core does speak to the issue of parkland and open space.

### Human Services

Human services contribute to a healthy community through integrating and co-locating social infrastructure to meet the needs of all residents, providing social, cultural, and recreational services such as Places of Worship, Community Centres, Libraries, social housing, long-term care homes and seniors centres and providing access to health care and ensuring public safety through design.

Several of the above noted human services facilities that would serve this community are in adjacent communities notably Downtown Oakville and Kerr Village. A senior s project is located at Cornwall Road and Trafalgar Road.

### Sustainable Design

Sustainable design can contribute to a healthy community through designing new buildings, communities, and neighbourhoods to reduce water, waste, and energy use, promoting energy conservation and alternative energy sources, implementing Low Impact Design Standards in both new developments and established areas, improving air quality through addressing the impact of climate change and encouraging the design and construction of energy efficient green buildings.

Low Impact Design standards will be utilized in the design and construction of the surface hardscapes including driveway areas. Green building construction will be used where financially feasible.

### Economy

The economy can contribute to a healthy community through providing a balance between employment and residential area, promoting a diversity of employment opportunities and densities at appropriate locations where transit is available and promoting the efficient movement of goods.

The Midtown Core is a mixed-use community providing employment uses in offices, retail uses and residential uses. Transit is available through Metrolinx and Oakville Transit.

#### Community Food Supply

Community food supply can contribute to a healthy community through providing accessibility to healthy food and promoting locally grown food and farmers markets. Farmers' markets are available in downtown Oakville and at Dorval Drive and the North Service Road.

#### Conclusion

In conclusion the proposed development at 70 Old Mill Road is in conformity with the Regional Official Plan.

#### 4.4 ROPA 48

The draft ROPA 48 was adopted by Regional Council on July 7, 2021, and it has been forwarded to the Ministry of Municipal Affairs and Housing for approval. Under the *Planning Act* that approval is final and not subject to appeal. This ROPA document contains important information regarding the Major Transit Station Areas. Policy is quoted in italics and a response is provided in standard text. The proposed amendment consists of 91 items not all of which have been quoted here as they are not relevant to the current application(s).

Map 1h, Regional Urban Structure identifies the Oakville GO Station and provides the proposed boundaries of the Major Transit Station Area (MTSA) associated with that station. Details of the proposed boundaries are shown on Map 6a. Map 3, Functional Plan of Major Transportation Facilities, depicts the rail line as a Priority Transit Corridor. Speers Cornwall is shown as a Multi-Purpose Arterial.



#### Figure 4, Extract from Map 1h of ROPA 48

*Policy 34. For certain physical elements of this Plan for which incremental decision-making is practical and desirable, e.g. population and employment forecasts and the supply of land within settlement areas the planning horizon is 2051*

The change is in conformity with the Growth Plan and is noted for purposes of the current application(s).

*55.3 The Regional Structure also sets out targets that apply to certain Strategic Growth areas as set out in Table 2b. This includes minimum density targets for Urban Growth Centres, and Major Transit Station Areas, as well as targets for the proportion of residents and jobs planned to be achieved within Strategic Growth Areas.*

Table 2b specifies the Minimum Density Target for Midtown Oakville/Oakville GO as 200 persons and jobs per hectare. The target proportion is 65% residents and 35% jobs. This is in conformity with the Growth Plan and approval of the application(s) will assist in attaining this target.

*79.1 Strategic Growth Areas are integral to the Regional Urban Structure within the Urban Area and consist of:*

*(1) Urban Growth Centres, which are delineated as an overlay on top of the urban Area on Map 1H and Map 6, subject to specific policies in Section 80.1 in addition to those for Strategic Growth Areas.*

*(2) Major Transit Station Areas as delineated on Map 1H and Map 6 and identified by symbol on Map 3, which generally consist of areas within 500 m to 800 m of the Major Transit Station, subject to specific policies in Section 81, in addition to those for Strategic Growth Areas.*

The subject lands are located within the area identified as an MTSA as they are within 500 to 800 metres from the Oakville GO Station.

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

*(1) Direct development with higher densities and mixed uses to Major Transit Station Areas in accordance with the hierarchy of Strategic Growth Areas identified in Section 79.2*

The subject proposal is a high-density residential project with a projected density more than the minimum targets sought by the Growth Plan and ROPA 48. The proposed density is 265 units per site hectare .

#### Conclusion

The proposed development is in conformity with the proposed policies in ROPA 48.

#### 4.5 Livable Oakville Plan

The subject lands are located within the Midtown Core Planning Area as shown on Figure L1 of the approved Official Plan. The lands are designated High Density Residential. The permitted density is a maximum of 185 units per hectare.



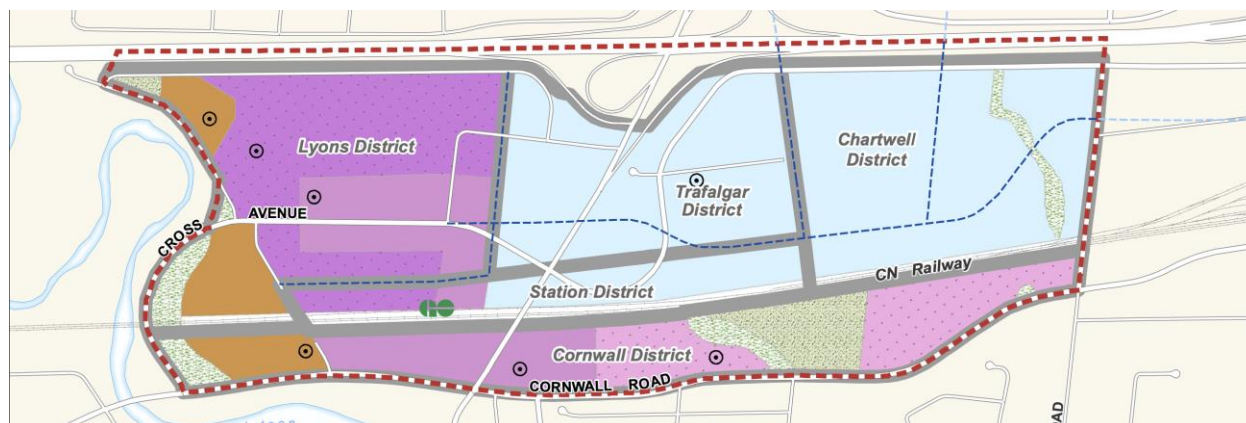


Figure 5, Midtown Core Land Use

The applicable policy extracts are provided below in italics with analysis and response regarding conformity provided in standard text.

#### 4.1 Growth Areas

*Midtown Oakville, the Uptown Core and Palermo Village are primary Growth Areas, which will accommodate the highest level of intensification. They are intended to be developed as mixed-use centres with transit-supportive development focused around major transit station areas and along corridors. These areas have been the subject of detailed, comprehensive land use studies or secondary planning exercises which have resulted in objectives and policies to provide for intensification opportunities.*

The application(s) are for Official Plan Amendment for an increase in density and a Zoning By-law Amendment for an increase in the number of permitted units and permitted height. The proposed density of 265 units per hectare on the overall property described as Parts 121-127 of Plan 20R-13750 is transit supportive and the property is located within walking distance of the Oakville GO Station and the Oakville Transit hub.

#### 4.2 Urban Growth Centre

*In addition to being a Growth Area, Midtown Oakville is an urban growth centre identified by the Growth Plan for the Greater Golden Horseshoe, 2006 (the Growth Plan). The greatest levels of height and density in the Town are planned for Midtown Oakville. It is to be a primary intensification area with employment, commercial and residential uses concentrated within the major transit station area.*

*Midtown Oakville is planned to achieve a minimum gross density of 200 jobs and residents combined per hectare by 2031, in accordance with the Growth Plan. Reductions in minimum heights or densities within Midtown Oakville will not be permitted.*

Approval of the applications for OPA and ZBA will assist in achieving the projected densities for the area.

#### 5.3 Heritage Conservation

*The Town should require a heritage impact assessment where development or redevelopment is proposed:*

- a) on, adjacent to, or in the immediate vicinity of, an individually designated heritage property;*
- b) within, adjacent to, or in the immediate vicinity of, the boundaries of a Heritage Conservation District;*
- c) within, adjacent to, or in the immediate vicinity of, a cultural heritage landscape; or,*
- d) on a property listed on the Oakville Register of Properties of Cultural Heritage Value or Interest.*

The subject lands are not adjacent to any of the properties listed above. Staff has not requested a heritage impact assessment through the preconsultation process.

#### *5.4 Archaeological Resources*

*5.4.2 Where a development may cause an impact to archaeological resources or areas of archaeological potential, an assessment by a qualified professional will be required in accordance with provincial standards and guidelines. Archaeological resources that are located on a proposed development site will be conserved in accordance with the recommendations of the approved assessment.*

As noted elsewhere in this report the site has been excavated to bedrock. There is no archaeological potential on this site.

#### *6.0 Urban Design*

##### *6.9 Built Form*

This section contains several criteria for development especially for corner lots. A detailed analysis of the Policy is provided in the Urban Design Brief and is not repeated here. Several meetings have been held with Urban Design staff and the resulting design reflects the discussions held with staff.

As noted in the introduction section of this report the building is a more contemporary design than the previously approved glass slab structure with concrete mechanical room superimposed. The residential sense of the building extends right to the top of the 45 metre height.

The paragraph below is excerpted from the urban design brief and provides a short description of the proposed building and its relationship to the GO Station and the existing apartment buildings to the south. A detailed description of the previous proposal is provided in the introduction section of this report

*“The building design creates a gateway to Oakville GO Station as approached from Old Mill Road. The building design uses neutral materials to blend with the environment rather than imitating the three existing buildings to the south contributing to a dynamic and distinctive built form in the area.”*

### 6.10 Landscaping

The proposal has been discussed in detail with Urban Design staff and the requirements for new landscaping and Canopy Coverage have been addressed.

### 6.11 Pedestrian Access and Circulation

*6.11.1 Access to pedestrian walkways should be barrier-free.*

*6.11.2 Developments should incorporate safe and direct access and circulation routes to and through the site that connect pedestrians to:*

*a) principal entrances of building(s), amenity areas and parking areas;*

*b) the public sidewalk and transit facilities; and,*

*c) adjacent developments, where appropriate.*

*6.11.3 In areas with high levels of pedestrian traffic, walkways should be extended from curb to building face and enhanced by appropriate landscaping treatments.*

*6.11.4 Transit stops should be located in close proximity to principal building entrances and connected by a pedestrian walkway.*

*6.11.5 Walkways should provide continuous routes across driveway entrances and drive aisles and through parking areas to promote safety and signify priority over driving surfaces.*

Pedestrian access has been considered and addressed by the Transportation Engineer in the TIS. The proposal includes conformity of access with properties to the west.

### 6.12 Vehicular Access and Circulation

*6.12.1 Developments should incorporate safe and direct vehicular access and circulation routes with defined internal driving aisles to direct traffic, establish on-site circulation, and frame parking areas.*

*6.12.2 Consolidated driveway accesses are encouraged to maximize the areas available for landscaping, minimize disruption of the public sidewalk, and minimize expanses of pavement.*

Access and circulation have been considered by the Transportation Engineer and the recommendations of the TIS incorporated into the site design.

### 6.14 Lighting

*6.14.4 Outdoor lighting fixtures shall direct light away from the night sky. Energy efficient outdoor lighting fixtures are encouraged.*

A Photometric Plan has been provided as requested at the preconsultation meeting. The fixture provided for this site are placed on the building and are night sky friendly.

### 6.16 Service, Loading and Storage Areas

*6.16.1 Service and loading areas should be:*

- a) located and oriented away from the general circulation of pedestrians and motor vehicles both on-site and in the public right-of-way;*
- b) accessible but not visible from the public realm; and,*
- c) separated and buffered from residential areas.*

*6.16.3 For all development in the Growth Areas and on lands adjacent to residential land uses, service and loading areas should be located internal to the building or appropriately screened from the public realm and, where required, from adjacent uses.*

*6.16.4 Site and building services and utilities such as waste storage facilities, air handling equipment, hydro transformers and telecommunications equipment should be located within the rear yard or away from or screened from public streets, adjacent residential areas and other sensitive land uses.*

Service and loading areas will be located within the building and face the railroad right-of-way. Waste storage facilities are within an existing waste facility owned by 40, 50 and 60 Old Mill Road and usage by 70 Old Mill Road is permitted under a Shared Facilities Agreement between parties. The waste facility will be enlarged to accommodate the proposed building. The hydro transformer is to be located inside the building. Vents for the garage will be screened.

## *8.2 Transportation Network*

*8.2.1 The major road networks existing and proposed for the Town are shown on Schedule C. This schedule, together with Table 4, Functional Classification of Roads, and Table 5, Road and Section Right-of-Way Widths, shall be the basis for the provision of roads, right-of-way widths, and access control within the Town.*

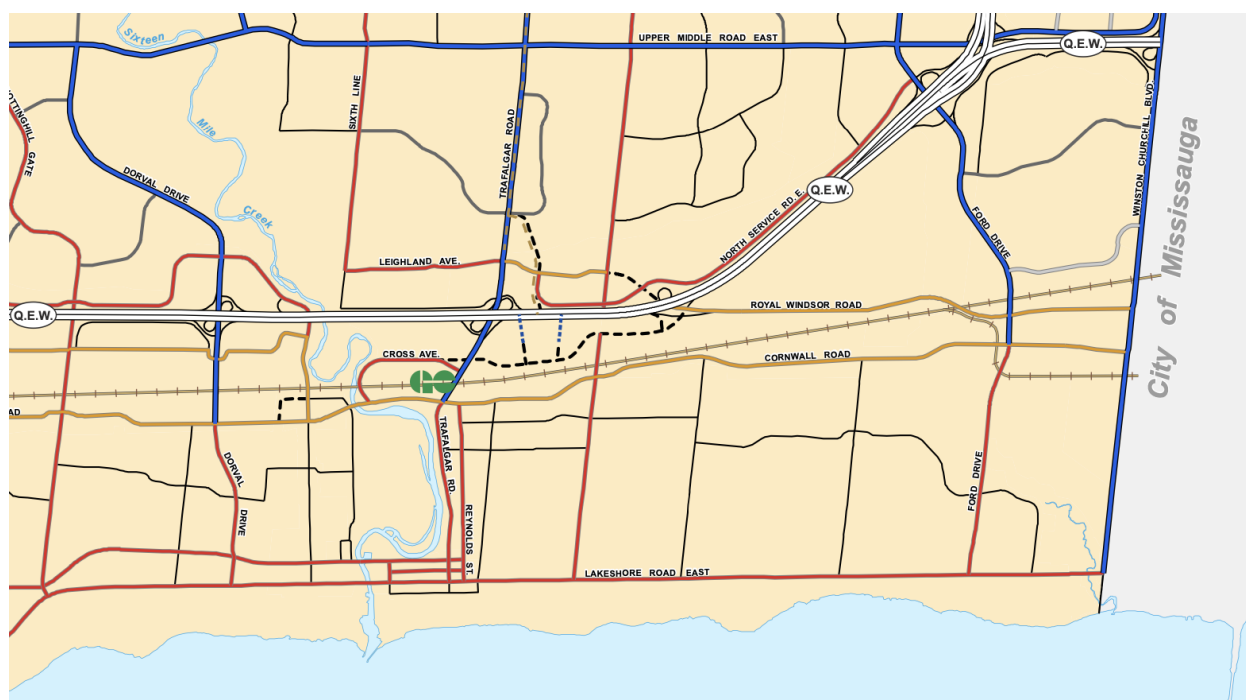


Figure 6, Transportation Network

Cornwall Road is a Multi-Purpose Arterial. Old Mill Road is a Local Road. As per Table 4, the required right-of-way width for Cornwall Road is 35 m. The required right-of-way for Old Mill Road is 20 metres. Based on the survey submitted with the application both of these roads have achieved the required rights-of-way.

#### 8.10 Active Transportation

8.10.3 The location of existing and proposed pedestrian and cycling facilities are designated on Schedule D. The location of pedestrian and cycling facilities should conform to the designations on Schedule D, recognizing that the alignments are diagrammatic, and an amendment to this Plan will not be required for changes in pedestrian and cycling facilities alignment provided that the general intent and purpose of this Plan are maintained.

As per Schedule D, a town trail is located on Cornwall Road.

#### 8.14 Transportation Demand Management

8.14.1 Through the development process, the Town will encourage opportunities for developing transportation demand management (TDM) measures to reduce single occupancy motor vehicle use, especially during peak travel periods. TDM measures include, but are not limited to, carpooling programs, preferential parking for carpool members, transit pass incentives, cycling initiatives, telecommuting, flex hours, provision of private shuttles, and walking programs.

The TIS prepared by GHD addresses these matters and proposes the following:

- Pedestrian connections to Oakville GO Station
- Bicycle parking



- Unbundled parking
- Information package for residents.

### 8.16 Noise and Vibration

*8.16.1 The Town shall require appropriate mitigation of adverse impacts on sensitive land uses from noise and vibration emanating from rail yards, railways, Provincial Highways, major, multi-purpose and minor arterials, and primary transit corridors.*

The study prepared by Coulter and Associates speaks to this policy. Mitigation measures are provided in the report.

## 9. Physical Services

### 9.1 General

*9.1.1 Development of all lands within the urban area shall be based on full urban water and sanitary sewers.*

The development is based on existing municipal services as per the Functional Serving Report prepared by WSP.

## 10.0 Sustainability

*The Town is committed to sustainable development in order to achieve environmental sustainability. This section provides objectives and policies to implement the principle of sustainability where the Town has jurisdiction.*

### 10.1.2 Policies

*b) The Town will encourage development which reflects the principle of sustainable development through a sustainable development checklist. The checklist will be used as a tool for assessing sustainable development features of applications, including those matters set out in this section or other initiatives.*

## 10.4 Energy Conservation

*10.4.1 The Town shall promote and encourage development which minimizes energy consumption when evaluating planning applications by:*

*a) seeking a compact urban form*

The proposed development is a dense residential development in close proximity to daily services and a major transportation hub.

### 10.1.3 Hazard Lands

*10.13.1 The delineation and regulation of hazard lands are administered by the Conservation Authorities. The general location of floodplain limits and shoreline hazard lands are conceptually shown on Schedule B. The limits of hazard lands on Schedule B may be updated without a Plan amendment.*

Conservation Halton has previously advised that the subject lands are not located with the regulated area for 16 Mile Creek.

*11.10.10 Special Policy Areas that are designated for residential uses are also described in Part E and are also subject to policies set out in Part E.*

The subject lands are located within a Growth area and are subject to policies in Part E. a fulsome review and discussion of those policies is provided elsewhere in this report.

*11.4.1 The High Density Residential land use designation may permit a range of high density housing types including multiple attached dwelling units, apartments, retirement homes and long-term care homes.*

*11.4.2 The density range is to be between 51 to 185 units per site hectare.*

The proposal requires an Official Plan Amendment as the density exceeds the maximum permitted under the land use designation.

*16.1.3 Schedule B, Natural Features and Hazard Lands, indicates the general locations of the known natural features which are located within the Natural Area designation. Schedule B may be updated by an Official Plan amendment as additional features are identified.*

The Natural Features designation abuts the lands west of 40 Old Mill Road. As noted elsewhere the subject lands are not impacted by policies pertaining to the Natural Areas designation.

## *20. Midtown Oakville*

*Midtown Oakville is one of 25 areas identified as an urban growth centre in the Province's Growth Plan for the Greater Golden Horseshoe: Places to Grow, 2006 (the Growth Plan). Urban growth centres are to be transit-supportive regional focal areas that accommodate a significant portion of future population and employment growth in the Greater Golden Horseshoe.*

*The size and location of the Midtown Oakville urban growth centre was defined by the province, in consultation with the Town. It is approximately 100 hectares in size and bounded by the QEW to the north, Chartwell Road to the east, Cornwall Road to the south and the Sixteen Mile Creek valley to the west.*

As per Schedule L1, the subject lands are in the southwest quadrant of the designated Growth Area.

### *20.3.5 Cornwall District*

*The Cornwall District shall include a mix of uses that define the southern edge of Midtown Oakville and are compatible with the residential neighbourhood south of Cornwall Road. Commercial areas and active parkland will serve the needs of residents and workers in Midtown Oakville and the surrounding area. Taller residential and mixed-use buildings shall be located in the vicinity of Sixteen Mile Creek and Trafalgar Road.*

As per the land use designation of High Density Residential, this is a development consisting of dwelling units only. The previous permission for commercial and office uses is no longer being sought and the zoning by-law will be amended to delete those permissions.

## *20.4 Functional Policies*

*f) Parking*

*i) Below grade parking and above-grade parking structures are preferred. Additional lot coverage for buildings may be considered in the implementing zoning if at least 75 percent of the required parking is provided below-grade or in an above-grade structure.*

Six levels of below grade parking are proposed. Existing above-grade parking located at 40, 50 and 60 Old Mill Road is available to this project through the Shared Facilities Agreement.

#### 20.4.2 Urban Design

*c) Detailed urban design and streetscape guidelines will be prepared for Midtown Oakville to establish standards for built form and the treatment of public and private realms.*

The design of the building relative to design guidelines is discussed through the urban design brief. The proposal has been discussed with Urban Design Staff on three occasions and the proposed design reflects those discussions with respect to building height and massing and in particular the balcony design which wraps around the building.

#### 20.4.3 Growth Targets

*a) Midtown Oakville shall provide for a minimum gross density of 200 residents and jobs combined per hectare by 2031 in accordance with the Growth Plan. This translates to approximately 20,000 residents and jobs. A mix of approximately 5,900 residential units and 186,000 – 279,000 square metres of commercial and employment space is accommodated to provide for an estimated 12,000 residents and 8,000 jobs.*

The proposed density of 265 units per site hectare on the entire parcel occupied by 40, 50 and 60 Old Mill Road if approved will assist with achieving the targets noted above.

#### 20.6 Midtown Oakville Exceptions – Schedules L1, L2 and L3

The following additional policies apply to certain lands on Schedule L1, Midtown Oakville Land Use, Schedule L2, Midtown Oakville Building Heights, and Schedule L3, Midtown Oakville Transportation Network.

*20.6.1 The lands designated High Density Residential at the northwest corner of Cornwall Road and Old Mill Road are subject to the following additional policies:*

*a) A neighbourhood shopping centre with a maximum of 930 square metres of gross leasable area may also be permitted.*

*b) A maximum of 2,300 square metres of non-retail service commercial area, including office and private recreational uses, may also be permitted.*

These provisions do not apply to this development.

### 20.7.2 Bonusing

*a) The Town may allow increases in building height in the areas of Midtown Oakville delineated on Schedule L2, without amendment to this Plan, in exchange for the provision of public benefits as listed in section 28.6.2, and with priority given to those public benefits in section 20.7.2 c).*

The proposed building is 45 metres in height including mechanical facilities and is within the number of storeys permitted under the Plan. There is requirement for bonusing.

### Conclusion

In conclusion we have determined that the proposed development would be in conformity with the policies contained in the approved official plan once the Official Plan Amendment for the increased density is approved.

## 4.6 Draft Midtown OPA

While not adopted at the time of submission of the applications for OPA and ZBA for the subject lands we have reviewed the draft policies as they might be adopted by Council in the 4<sup>th</sup> quarter of 2021.

### 20.3.6 Cornwall District

*The Cornwall District shall include a mix of uses that define the southern edged of midtown Oakville and are compatible with the residential neighbourhood south of Cornwall Road. Commercial areas and active parkland will serve the needs of area residents, employees, and visitors. High density residential and mixed-use buildings shall be located in the vicinity of the Oakville Station.*

The proposed building is a high-density residential building located within a two minute walk from the GO Station.

### 20.4.1 Population and Employment Density

*In accordance with the Growth Plan, Midtown Oakville has been planned to achieve a minimum gross density of 200 residents and jobs combined per hectare by 2031. Based on its gross area of 103 hectares, this translates to a minimum of 20,600 residents and jobs.*

The proposed total site density of 265 units per hectare will help to achieve this target.

### 20.4.3 Transportation

*a) Significant road, transit, and active transportation infrastructure, as shown on Schedules C, D, L3 and L4, is needed to accommodate the growth the Town is required to achieve in Midtown Oakville. Certain existing roads or road segments shall be abandoned, realigned, widened, extended or replaced in accordance with this Plan.*

We have determined in discussion with staff that Cornwall Road currently meets the required right-of-way width.

#### 20.4.4 Rail

*a) Development in proximity to the railway right-of-way or the railway freight yard east of Chartwell Road shall include measures to mitigate related safety, security noise, vibration, and trespass issues in consultation with the owners of the railway.*

A Noise and Vibration Study has been prepared by Coulter and Associates. Canadian National Rail will be consulted during the circulation process to determine if a safety berm is required. The setback of 30 metres from the nearest property line has been incorporated into the design of the building.

#### 20.5.3 Block Design

*a) Development blocks are formed by the planned transportation network and shall be designed comprehensively through property consolidation and coordinated development. Where properties cannot be consolidated, development on one parcel shall not preclude development on other parcels within the block*

The subject lands are within the block bounded by the railroad, Cornwall Road, Cross Avenue and Old Mill Road. This is the remnant parcel in the plan described as 20R-13750.

*f) Shared driveway access and sharing of service facility spaces internal to the block shall be proactively pursued through landowner agreements to facilitate the development objectives of the growth area.*

A Shared Facilities Agreement is in place for the subject property and 40, 50 and 60 Old Mill Road.

#### 20.5.4 Built Form

*b) Buildings should incorporate distinctive architecture, contribute to a sense of district identity, and be positioned on and oriented towards the street frontage(s) to provide interest and comfort at ground level for pedestrians.*

The building is oriented to the corner of Old Mill Road and Cornwall Road with minimal setbacks which provide for some landscaping.

#### 20.8.2 Block Design Plans

*a) as part of any development application in Midtown Oakville, a block design plan shall be submitted for the entirety of a block in which the subject lands are located, and all properties within 100 metres of the subject lands*

The subject lands comprise part of the entire block and are shown as part of the parcel having the legal description of part 121-127 of plan 20R-13750. The balance of the block has been developed. Lands within 100 metres of the subject lands are owned by Metrolinx and are used for surface parking for the GO Station. It is beyond the means of the property owner to design land use for the adjacent parcels.

#### 20.8.4 Landowners' Agreement(s) / Cost Sharing

This policy is not applicable as it doesn't pertain to the Cornwall District.



### Schedules

The proposed land use schedule L1 continues to designate the subject lands as High Density Residential. The building height on Schedule L2 is 6-12 storeys. The proposed building meets this requirement.

### Conclusion

The proposed development is in conformity with the draft policies contained in the Midtown Core Official Plan Amendment released for public comment earlier this year. We have previously provided comments to staff on the draft OPA and note that this proposal provides an Official Plan Amendment specific to density as the draft Midtown OPA does not contain any recommendation for an increase in density to implement the ROPA 48 or Growth Plan policy.

## 5.0 Public Participation

A virtual Public Information Meeting was held on September 9, 2021, on the Zoom platform. Nine persons actively participated in the question-and-answer portion of the meeting however given the nature of the platform the number of people watching the presentation is unknown. The meeting notes have been provided as an appendix to this report.

## 6.0 Supporting Studies

### 6.1 Noise and Vibration Study

This report was prepared by J. E. Coulter Associates Limited and is dated September 20, 2021. The analysis indicates the combined effect of the road and rail sources creates a moderately high noise impact on the site. The impact is dominated by the rail noise. Noise control measures including central air conditioning, upgraded exterior façades (windows and walls), and warning clauses have been recommended to deal with the noise excess.

Outdoor terraces were found to meet MECP's noise guideline without the need for additional noise control measures using a standard solid panel 1.1m high parapet railing.

The results of the vibration monitoring found that the ground-borne rail vibration levels are well below the level of perception. Vibration control measures are not required for this project.

### 6.2 Updated Phase I ESA

At the request of regional staff through the preconsultation process, the previous set of Phase One ESA, Phase Two ESA and Record of Site Condition was reviewed to ensure that no changes have happened at the property that could have affected the environmental conditions since the RSC was filed and entered in the Environmental Site Registry on January 3, 2019.

Historical information contained in previous reports was reviewed and a site inspection was carried out on September 23, 2021. No new PCAs or APECs were identified during the Phase One update assessment and the previously identified PCAs and APECs have been fully addressed in the previous reports and RSC. No further investigation is recommended at this time and the RSC approved for the property remains valid for the proposed development of the site.

### 6.3 Functional Servicing Report

A Functional Servicing Report has been prepared by WSP. The site will be serviced by new water wastewater and storm connections to the adjacent municipal mains located within Old Mill Road and Cornwall Road. Service connections will be designed as per Region of Halton and Town of Oakville Engineering Standards.

WSP has determined through consultation with regional staff that the site can be serviced from existing regional infrastructure without the need for increase in main sizes to ensure adequate capacity is available.

### 6.4 Waste Management Report

A private waste management firm will be retained to provide private waste pickup at this site. Under a Shared Facilities Agreement the existing waste storage facility utilized by 40, 50 and 60 Old Mill Road was to be enlarged by the owner of 70 Old Mill Road at his cost to consolidate all waste from the total site into one facility. The current proposal is for storage of waste generated at 70 Old Mill Road within the new building until the waste is picked up. A tri-sorter will be utilized to separate recyclable materials from solid waste.

### 6.5 Context Plan

A plan showing the relationship of the proposed building to the three existing buildings known as 40, 50, and 60 Old Mill Road has been prepared by Ava Janikowski Architect Inc. and is included in the submission package.

### 6.6 ESSQ

Contaminated soils were removed during excavation of the site for the previously approved high-density project containing 29 dwelling units. The ESSQ has been updated to reflect the removal of the contaminated soils.

### 6.7 Architectural Drawings

A full set of architectural drawings prepared by Ava Janikowski Architect inc., including parking level floor plans, residential floor plans with the mezzanine level, a roof plan, building elevations and renderings has been prepared and is provided with the application for OPA and ZBA.

### 6.8 Landscape Drawings

Strybos Barron King has prepared a set of Landscape Plans including a Tree Canopy Plan. The canopy coverage meets the Town's requirement for 20% canopy coverage on the site. Pedestrian circulation is addressed on the landscape plan.

### 6.9 Arborist Report

An Arborist Report has been prepared by Strybos Barron King. The internal portion of the site is void of any trees. The only trees located within proximity of the subject site are two Honey Locust trees located within the daylight triangle at the northwest intersection of Old Mill Road and Cornwall Road. These two

trees are in generally good overall health and condition. An existing, concrete retaining wall, immediately adjacent to these trees has resulted in the tree's slightly one-sided form. These two trees are located within the Municipal right of way and are to be preserved. Hoarding is to be installed prior to construction mobilization. If the root system or crown of the trees are exposed and/or damaged by construction work, they shall be pruned by a qualified arborist. Any exposed roots shall be backfilled with appropriate material to prevent desiccation.

### 6.10 Streetscape Plan

A streetscape plan showing the relationship between the proposed building and the public realm has been prepared by Ava Janikowski Architect Inc. with input from Strybos Barron King. The cross section depicts the proposed grading between the back of the existing sidewalk and the face of the building and shows the proposed vegetation.

### 6.11 Traffic Impact Study

A Traffic Impact Study which includes a Truck Turning Plan and Parking Justification Report has been prepared by GHD. The traffic counts are recent, and adjustments have been made to reflect that this work was undertaken during the COVID lockdown.

The proposed development consists of 154 residential apartment units.

As per the Town of Oakville's parking By-law No. 2014-014, dwelling units with less than 75.0 sq.m. net floor area require parking to be provided at a rate of 1.0 space per unit; all units greater than 75.0 sq.m. required parking to be provided at a rate of 1.5 spaces per unit. Of the total parking supply, 25% of the parking must be designated as visitor parking.

The required parking of the subject site as per the Bylaw is summarized in **Table 6** below.

**Table 6: Bylaw Parking Requirement**

Units	Town's By-Law Requirement	
	Required Parking Rate per unit	Required Parking Supply
110 units (<75 sq.m. NFA)	1.0	110
44 units (>75 sq.m. NFA)	1.5	66
<b>Total Parking Req</b>		<b>176</b>
<i>Resident Spaces</i>		132
<i>Visitor spaces (25% of total)</i>		44

The proposed site plan provides a total parking supply of 166 parking spaces located within the underground parking garage. An additional 20 parking spaces currently located on the adjacent property at 60 Old Mill also belong to the subject site consisting of 26 surface spaces and 6 located within the adjacent underground parking garage. In total, 186 parking spaces are proposed resulting in a surplus of 10 parking spaces for the site.

## 6.12 Urban Design Brief

An Urban Design Brief has been prepared by Ava Janikowski Architect Inc. and reviews the Tall Buildings criteria in the Livable by Design Manual.

### BUILDING FORM:

The 70 Old Mill Road Building's strategic location creates a gateway to Old Mill Station and contextually addresses two environments; the natural surroundings of the Sixteen Mile Creek as well as the 3 buildings already on site directly to the south.

The buildings design uses neutral materials to blend with the environment rather than to imitate the 3 existing buildings on site in turn contributing to the dynamic and distinct built form in this area.

The proposed built form on Cornwall and Old Mill Road accentuates the corner and its gateway location with undulating balcony waves paying homage to the Sixteen Mile Creek and natural context of the site. Whereas where it faces the existing buildings, the balconies become solid and rectangular respecting the exiting architectural context.

### BUILDING BASE:

The building base along Cornwall and Old Mill Road establishes the close relationship with the street by providing two building entrances at two different levels responding to naturally to the grade change along Old Mill Road. The base treatment is also enhanced by providing all amenity areas on the sides directly facing both main streets.

### GROUND FLOOR TREATMENT:

The building facade along the street edge is reinforced by two-storey windows for a lower amenity area on the P1 level along Cornwall. The ground floor facade at Cornwall and Old Mill Road is over 75% glazed, creating a direct visual connection between the interior of the building and the streetscape.

The ground floor parking level windows blend seamlessly with the mezzanine amenity areas on the level above creating a continuous facade treatment all along Old Mill Road.

### ENTRANCEWAYS:

Both entranceways incorporate unique architectural treatments worthy of the principal building entrances.

The main entrance responds to the local climate by being fully enclosed under the building in the form of the tall Porte-Cochere. The two-storey lobby/reception area are fully glazed and illuminated on the inside under the building and will create an inviting and highly visible feature from the public realm.

The secondary entrance at the corner of Cornwall and Old Mill Road is accentuated with the glass canopy above.

The principal entrance is accessible with the passenger loading areas fully protected from elements located to the side and rear of the building and the vehicular access entrances and exits to the parking areas are fully concealed under the proposed Porte-Cochere away from the public streets.

#### FRONTAGE AND SETBACK:

Being a corner lot, the design and mass of the building wraps around the corner and addresses both frontages with a consistent two storey base.

#### BUILDING MIDDLE

The building middle is distinguished by undulating 'wave' balconies. The way that the balconies move in and out of the building face minimizes the shadowing affects not only on units in the same building but on the streetscapes below while enhancing the skyline and providing a visual interest.

#### BUILDING TOP:

The upper penthouse floor is higher than the typical floor to create the attractive skyline with the mechanical penthouse completely concealed within the top floor. Unlike many buildings, the proposal is to sink the mechanical penthouse into the top floor and conceal it from view altogether.

#### TRANSITION TO ADJACENT SURROUNDINGS

70 Old Mill Road is situated so that the only residential neighbours are to south-west of the building along Cornwall with CN rail, parking and Oakville GO Station to the north, north-west, and Sixteen Mile Creek to the East. The building is designed to fit contextually and to minimize impacts of height, massing and shadow on its surrounding.

#### BUILDING DETAILING AND MATERIALS:

The street elevations of the built form are accentuated by the undulating glass balconies. The balconies cantilever and their shape changes between the floors to enable sun access to different living areas. The cladding materials such as stone, metal and glass, as well as in-situ architectural concrete are incorporated.

The building uses natural colors, frosted glass balconies and spandrel glass panels to blend into the environment.

#### AMENITY AREAS

70 Old Mill Road boasts an extensive amenity program, with the majority of the mezzanine level of the building dedicated to amenity programming which includes a theatre, meeting space, yoga and fitness studios, library, demo kitchen and party room. Each unit in the building also has access to their own outdoor space via private balcony.



### 6.13 Grading and Drainage Plan

WSP has prepared a Grading and Drainage Plan for the property, and this has been utilized in the preparation of the Landscape Plan given the elevation differences along the two street facades of the proposed building.

### 6.14 3-D Computer Model

The requested model has been provided in Sketch-up.

### 6.15 Sun Shadow Study

The study presents the following information:

1. There is adequate sunlight available for residential amenity spaces to maximize their use during spring, summer and fall afternoons and evenings.
2. The public sidewalks on Cornwall and Old Mill Roads receives at least 5 hours of continuous sunlight per day on April 21, June 21 and September 21. The Sixteen Mill Creek greenspace across the street on Cornwall Road receives at least 5 hours of continuous sunlight on April 21, June 21, and September 21.
3. The proposed development allows adequate sunlight on building faces and roofs of the adjacent buildings for the possibility of using solar energy by not exceeding two consecutive hourly test times on December 21.

## 7.0 Conclusion

In conclusion the subject applications represent good planning and are necessary for development of the neighbourhood to achieve consistency with the Provincial Policy Statement and conformity with the Growth Plan and Regional and Local Policy documents.

I trust that the information contained in this report meets your requirements for a Planning Justification Report.

**Prepared by,**

**David Nelson**

**Reviewed and Respectfully Submitted by,**

**Ruth Victor MCIP, RPP, MRTPI**

## Appendix One PIM Notes

70 Old Mill Road - Pre-submission public meeting -  
- Meeting Notes

Meeting Moderator: Glenn Poither

Panelists:       Malvinder Singh  
                      David Nelson  
                      Maya Janikowski  
                      Ava Janikowski  
                      Will Maria  
                      Tim Le Pas (SP?)  
                      Karl Reichert  
                      Len Radomski

Glenn explains the purpose of the meeting and the agenda and instructs those with further comments to email them to [len@rvassociates.ca](mailto:len@rvassociates.ca)

David Gives his presentation for approximately 15 minutes , then questions from the public begin.

### Public Questions

Q: Denise (Lastname?): Why did the proposal change from 154 Units?

A: Malvinder: Changes in the market.

Q: Denise (Lastname?): Traffic is a “friggin nightmare”

A: Will Maria (GHD): Traffic is being studied, will be less local traffic without proposed

A: Malvinder explains the existing legal easement agreements on parking and access

Q: Bob Maich: Comments: Building is 4.3 times as many units as previous proposal

Q: Bob Maich: Inquires about where height is measured from

A: David Nelson: speaks to how building is measured from grade: 12 stories above, 6 below

A: Malvinder explains the existing legal easement agreements on parking and access

Q:TRCA –Carolyn- Why build more “Dog Boxes”

A: Malvinder explains construction costs & market demands

Q: Alex Stinson : Where is 45m measured from

A: David answers about geodetic height in the zoning by-law

Q: Alex Stinson :Traffic Comment – Hard to manoeuvre around road closures

Q: Gloria Black: Not a traffic question, but how it will access Old Mill, what about construction access.

A: David Answers that materials will be delivered as needed, David shows site plan to explain

Q: Gloria Black: What does it look from the Old Mill side?

A: Maya shares the Old Mill Elevation to explain how it will look

Q: Gloria Black: Will driveway be blocked when there is garbage and moving?

A: David: Garbage and Moving rooms are internal to building

Q:Rino: Feels for Malvinder, has financed many similar building projects – Asks about 6 floors below grade, Recently lost wife, now his view is blocked

A:Malvinder explains the building and contrasts between prior proposal

Q: Vincent DePalma: “154 units is disastrous” How do future residents access their ramp

A: David explains how the building ramps are separate and internal, site plan is shown.

A: Malvinder explains the economics \$1100/SF

Q: Jane Borgmann: Is the parking increased for the proposed number of units

A: David explains yes

Q: Jane Borgmann: Comment, the design and colour is not compatible, how is it compatible?

Q: Can I have a copy of the slides?

A: David explains that the application materials will be available through the town.

Q: Jane Borgmann: Will the costs of maintenance be shared:

A: Malvinder: Cost sharing is being worked out with the condo boards

Q: Alex Stinson: What is the timing of the project?

A: David explains it will be a few years before completion if approved

Q: Jane Borgmann: Questions Exit and Entry

A: Will Maria explains studies and analysis

A: Maya shows larger site plan

A: Malvinder explains existing parking agreements

Q: Kat Rezayat: Resident of 50 Old Mill. Concerned view will be blocked, traffic will be heavy, Why is the building higher?

A: David speaks to the history the property and previous proposals, David explains the height

Q: Jane Borgmann: Traffic is poor in the entire area

A: David explains that the entire Mid-town has a traffic capacity issue

Question sent in advance:

Q: What will you be doing for Energy Efficiency?

David: Electrical Charging Stations in each parking spot, Green features will be addressed at Site Plan Approval Stage

A: Ava – Very valid question and appreciates it very much. This will be accounted for during the design process

Q: Garbage, Snow and Waste Removal: What happens?

A: Malvinder: We will not make use of shared use facility, costs

Q: Bob Maich: Depressed by reading this... He wants to make everyone aware that the height is measured at the Gate House, and not from the hole in the ground. He wants to obtain council and fight the proposal, and invites the residents to do the same.

Believes the traffic report is a foregone conclusion

A: Will Maria speaks to the process

Q: Kat Rezaya: Will the traffic counts/calcs be pre or post Covid?

A: Will Maria explains that it will be pre-Covid

Glenn wraps the meeting and thanks the group for participating.

Meeting ends at 9:04pm