

Planning Justification Report

50 Sherwood Heights Drive, Oakville

Infrastructure Ontario

Town of Oakville

Official Plan Amendment

March 2022



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1. Introduction

1.1 Background and Context

GSP Group is the planning consultant to Infrastructure Ontario (“IO”), agent to the landowner, Ministry of Government and Consumer Services (“MGCS”), of the lands to the northeast of Highway 403 and Ford Drive interchange, west of the Kingsford Gardens and north of Kingsway Drive in the Town of Oakville (the “Site”). Our Client is proposing an Official Plan amendment to redesignate the Site from “Parkway Belt” to “Business Employment”. to permit future light industrial and office uses, presented through an illustrative concept (“Illustrative Concept/Concept”). The Concept is not being submitted for approval. The development of the land for this use will require an Official Plan Amendment (“OPA”).

Prior to the work on this OPA application commencing, Infrastructure Ontario worked with the Ministry of Transportation (“MTO”) to determine their property requirements and transferred several strips of land abutting Ford Drive to MTO. The remainder of the Site, that which is subject to this OPA Application, was then declared surplus by IO and the Ministry of Government and Consumer Services. It has been circulated to provincial ministries and agencies, the federal government, municipalities, registered eligible not-for-profit corporations, public colleges and universities, school boards and eligible Indigenous communities as per IO’s well-defined process for the disposal of government-owned properties. No expression of interest in acquiring the Site from IO for the purposes of other government uses, parkland or open space protection was received from the above noted stakeholders. It is therefore Infrastructure Ontario’s intent to sell the Site on the open market following approval of this OPA Application.

Based on the formal pre-consultation comments from October 6, 2021, it is understood that a planning justification report is necessary as part of the OPA application.

1.2 Subject Application

The purpose of the OPA on the Site is technical in nature to revise the land use designation to reflect the March 2022 approval from the Ministry of Municipal Affairs and Housing (Ministry File No. 24-PBW-205873) that removed the Site from the Parkway Belt West Plan Area (“PBWP”).

Based on this understanding, an OPA is necessary to redesignate the Site to an active land use designation that would permit the proposed employment uses. This technical OPA will

bring into conformance the Town's Official Plan policies with the higher order Provincial direction. The details of the Subject Application are provided in Section 7 of this Report.

Under the Town of Oakville Zoning By-law 2014-014, the Site is zoned Utility (U). A Zoning By-law Amendment and Site Plan Approval applications will be required to facilitate the future development of the Site and will be filed by the future owner of the Site.

1.3 Purpose and Scope

This Report has been prepared in support of the Subject Application and will provide planning justification for the change in land use designation from Parkway Belt to Business Employment. GSP has prepared an Illustrative Concept in support of the OPA application only to indicate development potential and how a future purchaser could configure the Business Employment uses on the Site. This Illustrative Concept is not being submitted for Zoning or Site Plan review and approval and is for demonstrative purposes only.

The objectives of this Report are as follows:

- To provide an overview of the Site, including site description and surrounding uses;
- To provide an overview of the Illustrative Concept;
- To provide a brief summary of the Subject Application;
- To provide a summary of existing planning policies and regulations that apply to the Site; and,
- To provide a planning justification for the Subject Application.

2. Site Location and Context

2.1 Site Description

The Site is located at 50 Sherwood Heights Drive, located southeast of the Highway 403/Queen Elizabeth Parkway (“QEW”) junction in the Town of Oakville. The Site is approximately 7.4 ha (18.3 acres) in area (see **Figures 1 and 2**). The Site is irregularly shaped and is approximately 665 metres wide and varies in depth from 35 to 165 metres. The primary frontage is along Sherwood Heights Drive, with a smaller frontage along Kingsway Drive.

The Site is currently vacant with remnants of an approximately 30 car parking lot at its southern end. The Site topography and drainage patterns have been altered through works in the area. Drainage is generally from the northwest to southeast, with an intermittent drainage feature collecting flows from the northwest portion of the Site conveying flow east and south, through a roadside ditch before discharging through a culvert under Kingsway Drive.

The Site is generally a grassy open area with small areas of thickets and two small wetland pockets in the central area of the Site, which are not regulated wetlands, and are dominated by invasive non-native vegetation (Phragmites).

2.2 Surrounding Uses

Figure 3 illustrates the uses surrounding the Site. To the east, on the opposite side of Sherwood Heights Drive is Kingsford Gardens Park, a public park with gardening areas, sports fields and a leash-free dog area. Beyond this park is a low-density residential neighbourhood.

To the north of the Site along Sherwood Heights Drive are further vacant lands designated for employment uses, as well as a collection of built non-residential uses. To the north across the Queen Elizabeth Way is one of the largest employment nodes in the Town, along Bristol Circle and Winston Park Drive.

The Highway 403 and Queen Elizabeth Way junction is adjacent to the west of the Site, providing a large built boundary. To the south of the Site is the Ford Assembly Complex, a significant employment use in the Town and Region.

2.3 Transportation Context

The Site has frontage on three roads, Sherwood Heights Drive, Kingsway Drive and Ford Drive. These roads are designated respectively as Major Arterial, Major Collector and Minor

Collector roadways in the Official Plan (see **Figure 4**). These roadways are anticipated to accommodate higher levels of vehicle traffic and would not be overwhelmed by the development of the Site.

Bicycle lanes are also present along Kingsway Drive, providing an active transportation route and connection to the greater active transportation network.

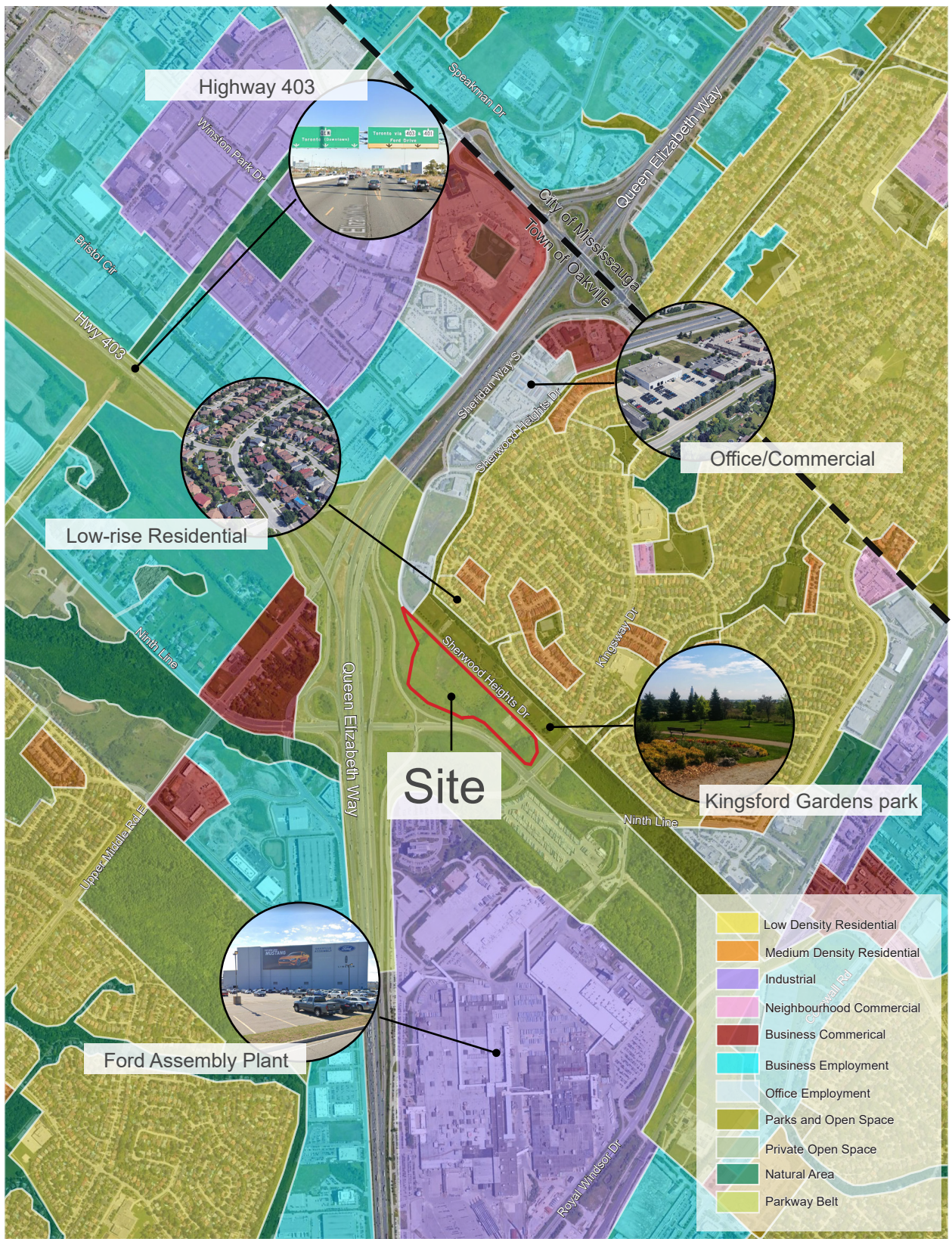
The Site is serviced by the Oakville Transit Route 12 bus, which has a stop located a short distance to the east of the Site along Kingsway drive. This route also services the employment area on the northern side of the Highway 403, travelling to the Clarkson GO in Mississauga, providing several inter and intra-regional transit options.

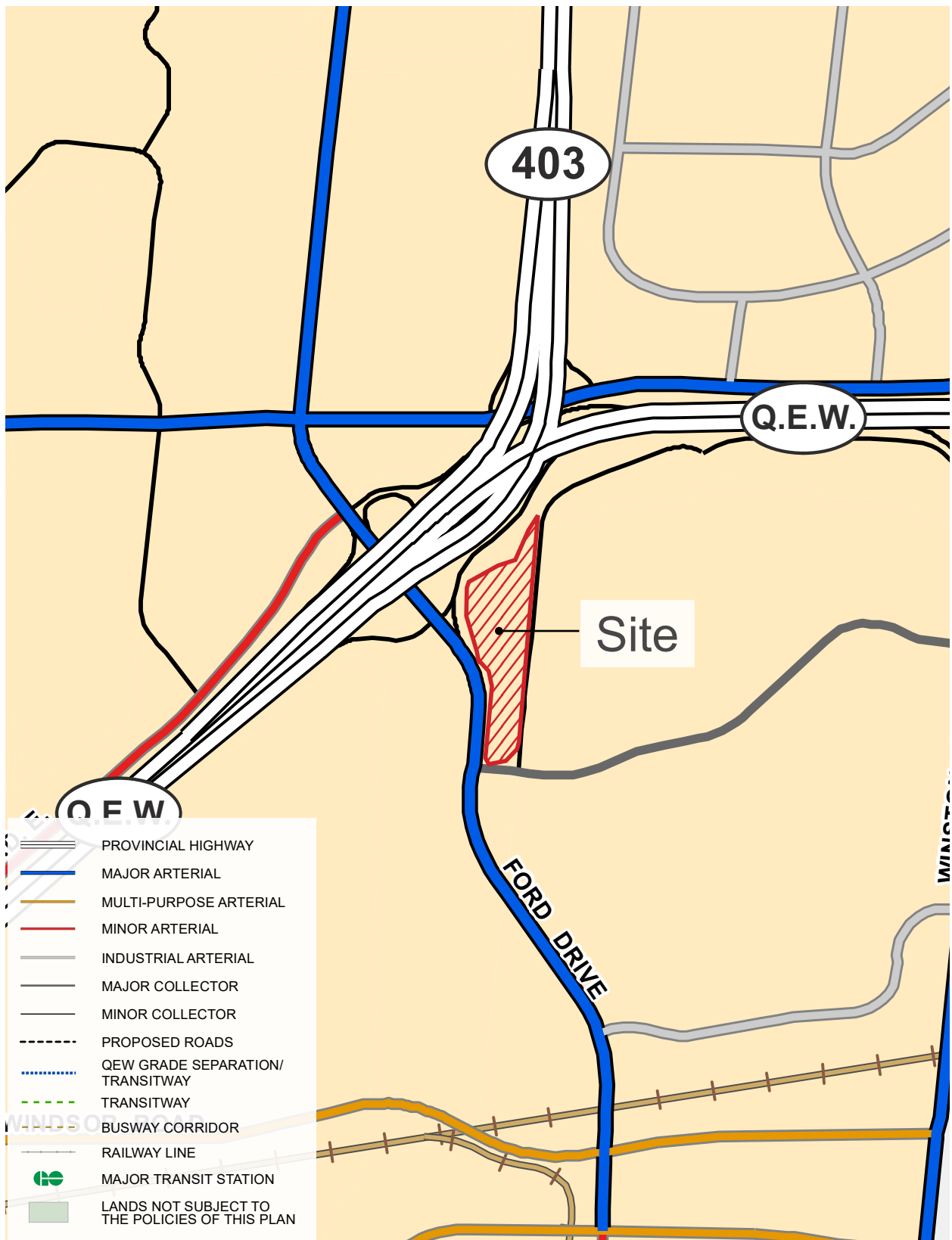


Location Map
Source: Google Earth (2018)

Figure
1







Transportation Plan
 Source: Town of Oakville Official Plan (Livable Oakville) Schedule C Transportation Plan (2018)

Figure
4

3. Illustrative Concept

An Illustrative Concept has been prepared to demonstrate the development potential of the Site and inform the technical requirement of the Site’s future development (see **Figure 5**). The concept is comprised of employment uses, in a mix of light industrial and office uses. The Illustrative Concept is not being submitted for Approval.

A required 14 metre MTO setback has been accommodated along Ford Drive and the Queen Elizabeth Highway on-ramp. Site access and egress points are logically aligned with the existing parking lot locations for the Kingsford Gardens. A small wetland is illustrated on the northern portion of the Concept Plan to compensate for the removal of the two non-significant wetland pockets on the Site. Two stormwater management facilities are proposed (0.54 and 0.36 hectares), both of which are located towards Ford Drive. The watercourse present along the edge of the Site is being re-routed along Sherwood Heights Drive with a 15 metre buffer included to give appropriate distance to the proposed building locations. This re-channelization is supported by the Environmental Impact Study, as summarized in Section 5.1 of this Report.

The Concept illustrates the development of the Site as a mix of office and light industrial uses through the introduction of four buildings, ranging in size and scale. Three of these buildings are single storey, light industrial buildings and are oriented along Sherwood Heights Drive. The remaining building is for office uses and is two storeys in height. This building is located towards the intersection of Sherwood Heights Drive and Kingsway Drive, framing the intersection. Buildings A, B and C are oriented towards Sherwood Heights Drive, to provide an attractive interface to Sherwood Heights Drive and the Kingsford Gardens Park on the opposite side of the street.

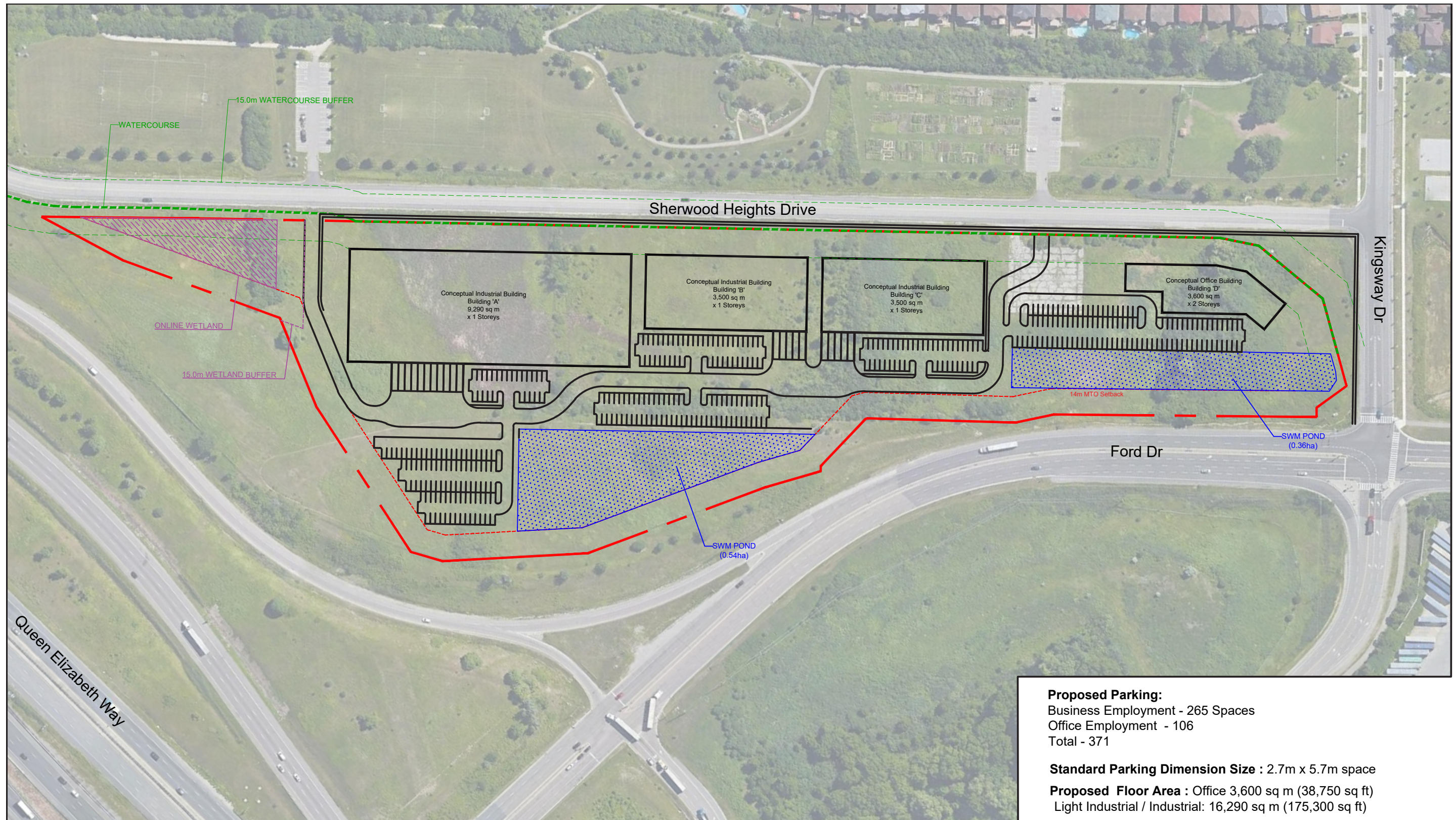
A breakdown of the proposed buildings in the concept are as follows:

	Use	Storeys	Floor Area (m²)
Building A	Light Industrial	1	9,290
Building B	Light Industrial	1	3,500
Building C	Light Industrial	1	3,500
Building D	Office	2	3,600
Total			19,890

Parking is proposed in surface parking lots, which are generally located at the rear of the buildings, towards the interior of the Site. A total of 371 parking spaces are shown, which

exceeds the Zoning By-law minimum parking requirements for the respective office and warehouse/manufacturing buildings.

* For Demonstration Purposes Only - Not Submitted For Approval



4. Planning and Regulatory Overview

4.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), issued under the Planning Act with the latest version coming into effect on May 1, 2020, provides direction on matters of provincial significance related to land use planning. The Planning Act requires that, “*decisions affecting planning matters shall be consistent with*” the PPS. The overriding vision of the PPS states that “*the long-term prosperity and social well-being of Ontarians depends on maintaining strong communities, a clean and healthy environment and a strong economy.*” The PPS has been considered in its entirety. The following PPS policies are relevant to the future development of the Site.

Community Design

Section 1.1.1 of the PPS seeks the establishment of “*healthy, livable, and safe communities*” through:

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- 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;*
- h) *promoting development and land use patterns that conserve biodiversity;*

Response: The Concept proposes the introduction of several buildings to the Site, demonstrating efficient and effective organization. The office buildings are representative of compact development, and the light industrial buildings are a suitable scale for the location, resulting in an overall desirable built form pattern. The Concept accommodates a mix of employment uses, including office and light industrial, and will not impact the public enjoyment and safe use of the adjacent Kingsford Gardens. The incorporation of the existing watercourse mitigates environmental impact.

Settlement Area Land Use Patterns

Section 1.1.3.2 of the PPS directs that land use patterns in settlement areas are to be based on densities and a mix of land uses which:

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

Response: The Site is currently vacant and is an underutilized parcel in an ideal location for development, particularly for an employment use due to the proximity to the 400-series highways. The proposed use of the Site will have a limited impact on air quality, as noted in the submitted - Land Use Compatibility Assessment. The layout of the Site retains the existing wetland area, minimizing environmental impact and is nearby active transportation and transit networks.

Intensification and Compact Form

Section 1.1.3.4 of the PPS promotes development standards that “*facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety*”. Further, Section 1.1.3.6 identifies that new development in designated growth areas “*should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities*”.

Response: The Concept implements the above policies by developing the currently vacant Site in a compact form and is considerate of public health and safety through the Site layout. The Site is in the urban area of Halton Region and is directed to be an area of development. The Concept is compact, provides a mix of employment uses and densities, efficiently using the Site.

Employment

Section 1.3.1 of the PPS outlines the policies regarding employment uses. Policy 1.3.1 states that planning authorities “*shall promote economic development and competitiveness by:*

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

Further policy 1.3.2.3 states that *“Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.*

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.”

Response: The Illustrative Concept Plan, used to inform the proposed Official Plan Amendment, is supportive of the above noted policies. The Concept proposes a mix of employment uses, as both office and light industrial uses are incorporated into the development. These uses are capable of supporting a wide range of potential employers, contributing to needs of existing and future businesses. The Site is located in close proximity to both the Highway 403 and Queen Elizabeth Way, making it a logical and strategic location for employment uses. It is our understanding that the necessary infrastructure exists in neighbouring road right-of-ways to accommodate the development of this property.

Policy 1.3.2.3 notes that areas planned for industrial or manufacturing uses include an appropriate transition to adjacent non-employment areas. A residential subdivision is present to the east of the Site, representing a sensitive land use. Between the Site and subdivision is the Kingsford Gardens, providing a buffer between the two. The Kingsford Gardens Park is nearly 100 metres wide and is a significant buffer between the sensitive uses and light industrial uses of the Site.

4.2 Growth Plan for the Greater Golden Horseshoe, 2019

The Growth Plan for the Greater Horseshoe (the “Growth Plan”) builds on the policy directions contained in the PPS and in this regard, is intended to function as a policy framework for achieving strong and prosperous communities by managing growth in the Greater Golden Horseshoe (GGH) Region. The policies contained in the Growth Plan guide land uses, transportation and infrastructure with the goal of enhancing the quality of life of residents. All decisions made within the GGH that affects planning matters are to conform to the policies in the Growth Plan.

Growth Management

Section 2.2.1 of the Growth Plan outlines the growth management policies for Ontario. Section 2.2.1.2 a) states that most growth will be directed to settlement areas that have delineated boundaries, have existing or planned water and wastewater systems, and can support achieving complete communities. Within Settlement Areas, Section 2.2.1.2c) directs that growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit (prioritizing those existing or planned “higher order transit”), and areas with existing or planned public service facilities. Section 2.2.1.4 identifies the Growth Plan policies are meant to 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; provide for a more compact built form and a vibrant public realm, including public open spaces;*
- e) *mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and,*
- f) *integrate green infrastructure and appropriate low impact development.*

Response: The Site is located within the Town of Oakville’s delineated built boundary and is adjacent to existing municipal water and wastewater systems as well as both the Highway 400 and Queen Elizabeth Way. As such, the Site is a suitable location for development. As noted, the Concept provides a mix of employment uses, contributing positively to the well-being and economic prosperity of the Town. Environmental impacts are mitigated through the design of the Concept.

Employment

Section 2.2.5 of the Growth Plan provides the policies regarding employment. Policy 2.2.5.1 states: “*Economic development and competitiveness in the GGH will be promoted by:*

- a) making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;*
- b) ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;*
- c) planning to better connect areas with high employment densities to transit; and*
- d) integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.”*

Response: The Site is currently vacant and as such is greatly underutilized in its urban context. The buildings and uses proposed in the Concept are at a variety of scales, catering to a variety of businesses. The redesignation of the Site contributes to the availability of sufficiency lands for employment uses to meet the anticipated employment growth forecast by the Growth Plan. A bus route operates nearby the Site, with stops proximate to the Kingsway and Winterbourne Drive intersection, offering a connection between the employment uses and the transit network as contemplated in above policy c). The variety of buildings and scales provided by the Concept is conducive to the attraction and retention of economic investment and employers.

4.3 Parkway Belt West Plan, 1978

The Site was previously part of the Parkway Belt West Plan (“PBWP”), which was implemented in 1978 for the purposes of reserving land for infrastructure, separate urban areas and connecting open spaces in Halton, Peel, York, Hamilton and Toronto. Since 1978, over 160 amendments have been made to the PBWP including several adjacent properties:

- Amendment #5 removed lands to the west of the Site
- Amendment #114 removed lands to the southeast of the Site
- Amendment #128.2 removed lands to the west of the Site

Response: Today, the PBWP primarily designates and protects land needed for large-scale infrastructure corridors such as transit, hydro, electric power facilities. As indicated in the Application Section of this Report, the Site was deemed surplus by MTO as it was no longer required for Infrastructure purposes. Following this determination, an application was submitted in July 2020 by IO to MMAH to remove the Site from the PBWP, on the basis that the lands are no longer required for the purposes of the Plan. The MMAH advertised the Notice of the Application in the Oakville Beaver in April 2021. The application was approved by MMAH on March 22, 2022 (Ministry File No. 24-PBW-205873) resulting in the PBWP policies no longer being applicable to the Site.

4.4 Halton Region Official Plan, 2021

The Regional Official Plan (“ROP”) is adopted by the Council of the Regional Municipality of Halton to solidify decisions taken in the past and to give clear direction as to how physical development should take place in Halton to meet the current and future needs of its people. The ROP outlines a long term vision for Halton's physical form and community character.

Land Use Designations

Map 1 of the ROP (**Figure 6**) divides the Region into mutually exclusive land use designations, with the Site being designated as Urban Area. Section 72 of the ROP outlines the objectives of the Urban Area:

- 1. To accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently.*
- 2. To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy.*
- 3. To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure.*
- 4. To ensure that growth takes place commensurately both within and outside the Built Boundary.*
- 5. To establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages complete communities, and is consistent with the policies of this Plan.*

6. *To identify a Regional Urban Structure that directs growth to Strategic Growth Areas and protects Regional Employment Areas.*
7. *To plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation.*
8. *To promote the adaptive re-use of brownfield and greyfield sites.*
9. *To facilitate and promote intensification and increased densities.*
10. *To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.*
 - 10.1. *To direct where employment uses should be located and to protect areas designated for such uses.*

Further to the objectives outlined in Section 72, Section 74 states “*the Urban Area consists of areas so designated on Map 1 where urban services are or will be made available to accommodate existing and future urban development and amenities.*”

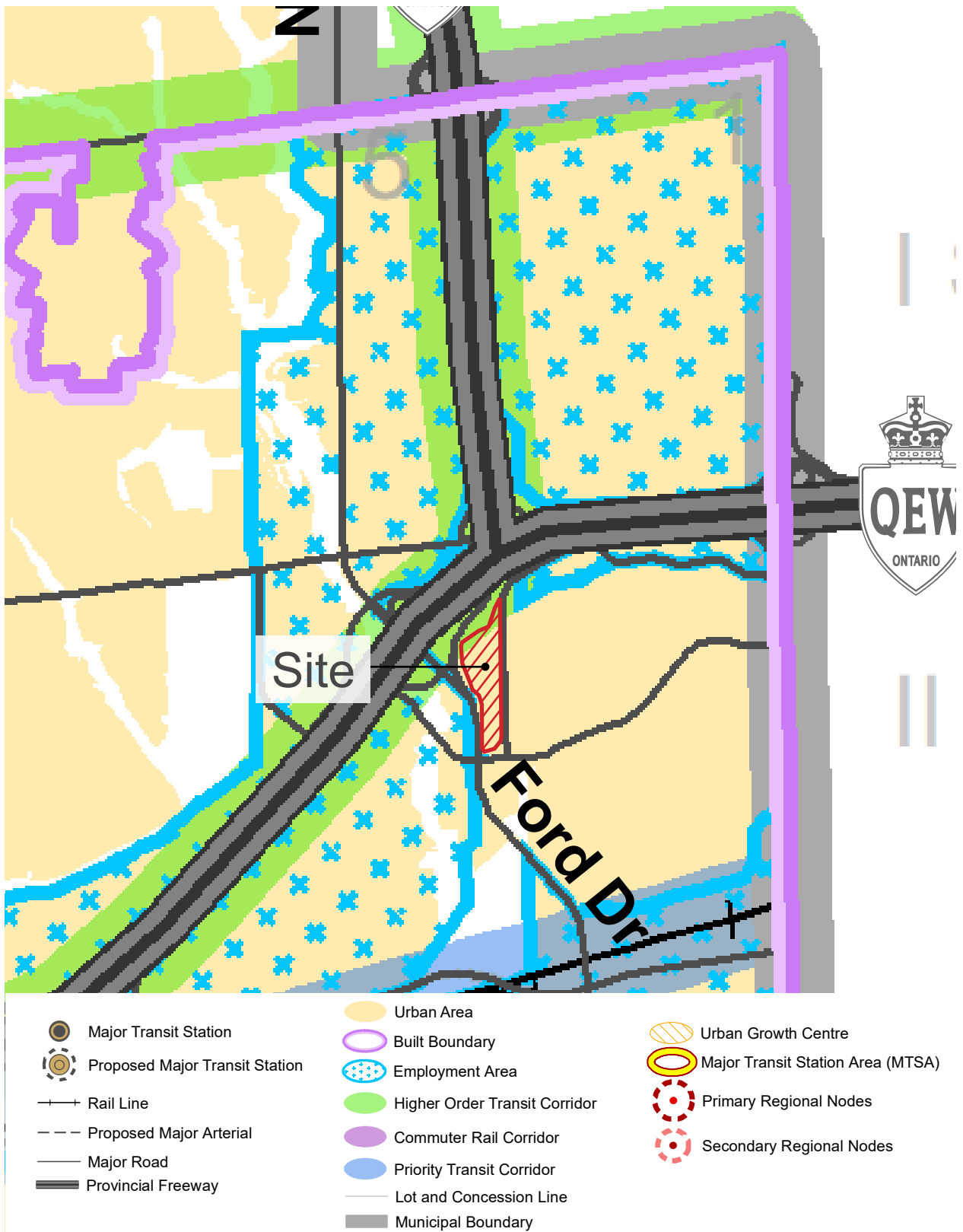
Response: The Site is within the Urban Area, as noted on **Figures 6 & 7**. The Concept works towards the objectives of the Urban Area, contributing towards a complete community and providing easy access to a variety of jobs. In its current state, the Site is vacant and underutilized. The development of the Site aligns with the objectives of the area, maximizing the choices of jobs, reducing commute times, and supporting transit. Additionally, the Site is noted as being adjacent to the Employment Area overlay, as illustrated on **Figure 7**, and would provide a logical extension of this existing designation.

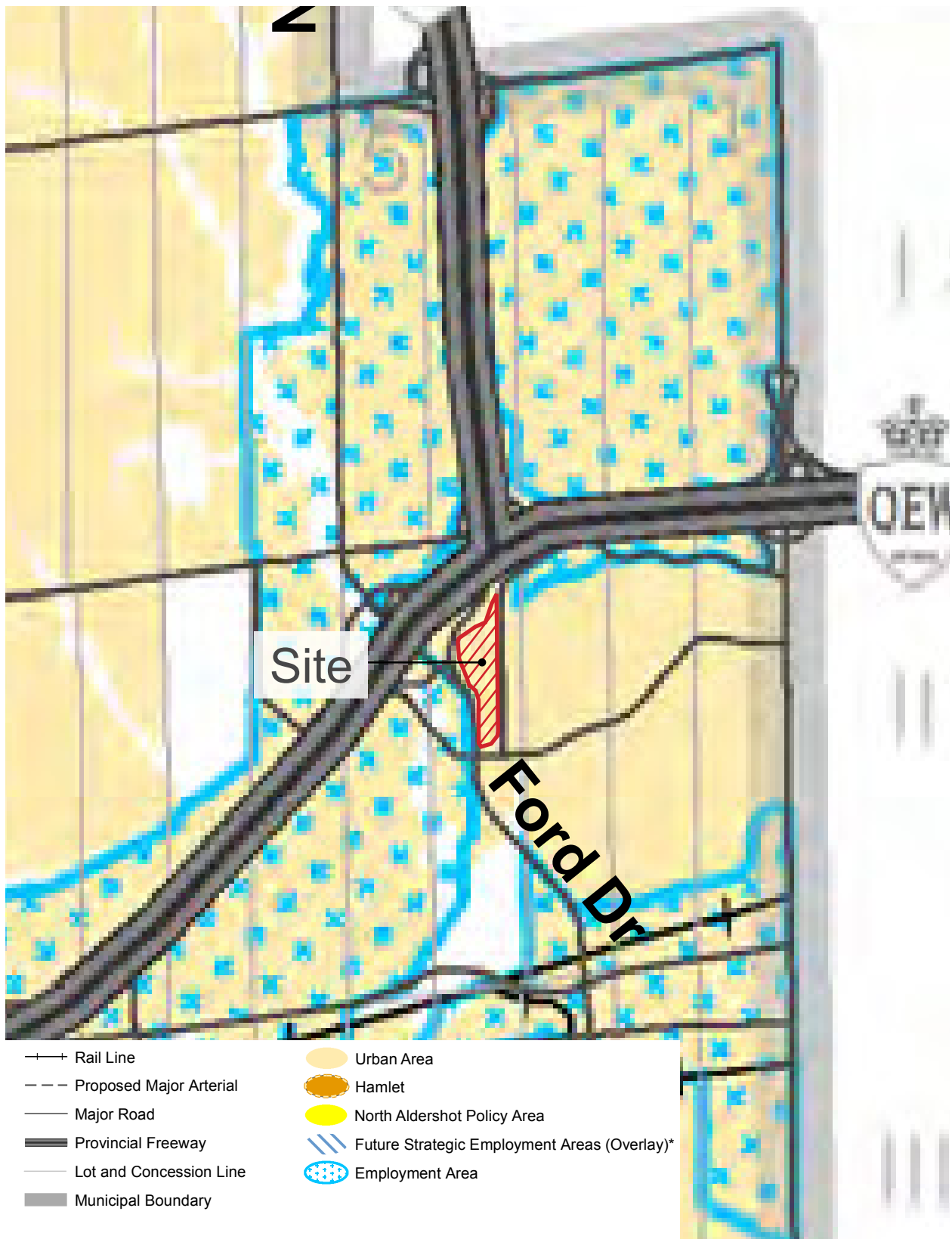
Employment

The OPA proposes to redesignate the Site as an employment use, and as such the ROP policies related to this designation are analyzed. Policy 83 of the ROP outlines the objectives of Employment Areas in the Region, which are:

- 1) *To ensure the availability of sufficient land for employment to accommodate forecasted growth to support Halton’s and its Local Municipalities’ economic competitiveness.*
- 2) *To provide, in conjunction with those employment uses within the residential and mixed use areas of the communities, opportunities for a fully-diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.*
- 3) *To locate Employment Areas in the vicinity of existing major highway interchanges and rail yards, where appropriate, within the Urban Area.*

Response: The development of the Site for employment uses ensures the availability of sufficient land for this type of use, supporting the Town's economic competitiveness. The Site is nearby a residential area as well as further employment uses, contributing to the mix of uses found in this area of the Town. Policy 3) above notes that employment uses should be located near major highway interchanges, which is met by the location of the Site.





4.5 Town of Oakville Official Plan, 2009

The Town of Oakville Official Plan (or Livable Oakville Plan, or “OP”) establishes the desired land use pattern for lands within the Town, coordinates land use and infrastructure requirements to ensure that the anticipated growth can be accommodated, and establishes a framework and policy context for decision making that provides certainty for the planning process.

The Site is identified as Parkway Belt on both Schedule A1 Urban Structure and Schedule J East Land Use Plan, of the Livable Oakville Official Plan (see **Figures 8 and 9**).

Employment Areas

Section 3.7 of the OP provides policy direction for Employment Areas. This section states: *“Employment Areas provide for a mix of employment uses including industrial, manufacturing, warehousing, offices, and associated retail and ancillary facilities. The Employment Areas are generally located along the Provincial Highways including the QEW, the 403 and the 407”*.

Response: The Application seeks to align and bring into compliance the Town's land use designation with the approval to remove the Site from the PBWP. The Site is ideally located adjacent to both the QEW and 403, and can provide a mix of warehouse, manufacturing, and office uses, aligning with the policy direction of the OP.

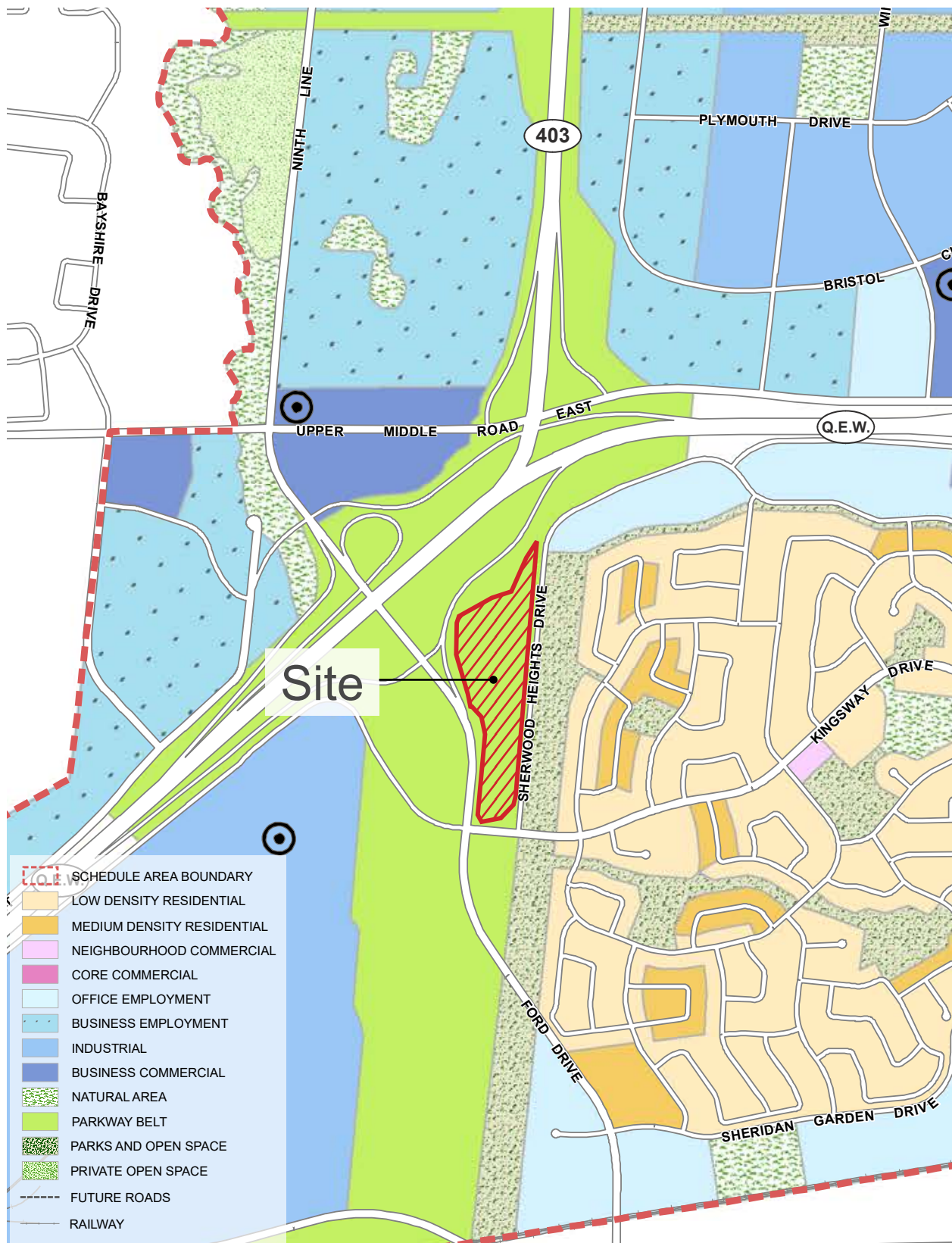
Managing Growth and Change

Section 4 of the OP provides the policies relating to the management of growth and change and are reflective of the principles of the Provincial policies and plans to shift to compact built forms and intensification within the built-up area.

The OP notes that employment growth will rise to 127,000 by 2031. Further growth is anticipated beyond this horizon as the Provincial policies are updated to the 2041 horizon. This growth, as noted above, is to be accommodated within the built-up area of the Town, noting that employment areas are to be protected and preserved.

Response: The Subject Application is supportive of the principles of Managing Growth and Change, intensifying an underutilized site within the built-up area that is currently unavailable for development. Based on the Town of Oakville Development Charge Background Study (Watson & Associates, 2017), approximately 243 jobs (111.5 m² per industrial job, 37.2 m² per commercial job) will be created, assisting in the achievement of the growth targets.





Source: Town of Oakville Official Plan (Livable Oakville) Schedule J Land Use (2018)

Land Use

Figure

9

Urban Design

Section 6 of the OP provides urban design policy direction. The general objectives for urban design are to provide for:

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

Response: The Illustrative Concept is supportive of the urban design objectives of the OP. The orientation of the buildings along Sherwood Heights Drive will assist in ensuring attractive building facades orientated towards the street and the roadway is framed providing a more active and inviting public realm. Large setbacks are provided along Sherwood Heights Drive to ensure the transition to the abutting public park space and accommodating a realigned drain way. The buildings are at a height to not impact the nearby residential neighbourhood. These elements contribute to the compatibility with the public open space and neighbourhood, as desired by the OP.

Internal to the Site, walkways and parking space crossings can be provided to ensure safe pedestrian circulation. This is extended to the locations of the Site access and egress points, which are located opposite existing driveway intersections. The Site will be built to demonstrate excellence in architecture, as implemented through future Site Plan Approval applications.

The Livable by Design – Urban Design Manual (LBDM) provides further urban design policies, with specific regard to low-rise non-residential buildings. Specific regard is given to building placement, height and massing, facades, entranceways, building detailing and materials, roof and rooftop elements, and compatibility with adjacent surroundings. While several of these aspects are controlled through the Site Plan Approval process, the Illustrative Concept meets the intent of these sections, demonstrating a concept that locates buildings to foster a more active pedestrian environment through building placement, and contribute compatible building heights and built form to the surrounding area.

Land Use Designations

The Site is identified as “Parkway Belt” on both “Schedule 1A: Urban Structure” and “Schedule J: East Land Use” (see **Figures 8 and 9**, respectively) of the OP. The lands within the PBWP are governed by the policies of the PBWP and Part D, Section 19 of the OP. OP Policy 19.1.3 states that the Town will encourage the Province to continue to remove lands subject to the PBWP from its jurisdiction. Any such lands will then be under the jurisdiction of the Town and the OP.

Section 14.4 of the OP establishes the Business Employment designation policies. The preamble of this section states: “*Business Employment areas are intended to provide for a wide range of business and industrial uses. The uses in the Business Employment areas are intended to be predominantly within enclosed buildings and provide for office uses and light and service industrial operations with minimal impacts on the surrounding areas.*” Permitted uses in this designation include “*offices and light industrial uses such as manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling. Hotels, public halls, indoor sports facilities, and training facilities and commercial schools may also be permitted.*”

Response: The uses proposed for the Site are supportive of the policies of the Business Employment designation, offering a range of office and light industrial uses.

An application was submitted in July 2020 by IO to the Ministry of Municipal Affairs and Housing (“MMAH”) to remove the Site from the PBWP, and was approved on March 22, 2022. With the lands having been removed from the PBWP, an OPA is necessary to redesignate the Site, and permit the future development of this property within the urban area.

4.6 Town of Oakville Zoning By-law 2014-014

Under the Town of Oakville Zoning By-law 2014-014, the Site is zoned Utility (U) (see **Figure 10**). As such, a Zoning By-law Amendment will be required to facilitate the Concept. This application will be made in the future by a future owner.



Town of Oakville Zoning By-Law 2014-014

Source: Town of Oakville open data (2021)

Figure

10

5. Technical Report Summaries

5.1 Environmental Impact Study

Natural Resource Solutions Inc. (NRSI) prepared an Environmental Impact Study (EIS) to determine if the development of the Site can proceed without negatively impacting natural heritage features and systems.

The EIS determined that:

- The Site had been disturbed in the past due to the construction of the Queen Elizabeth Way and other roads and developments in the area.
- The Site is predominantly cultural meadow and thicket, and does not contain any significant natural features or species or their habitats which would pose a constraint to development.
- Two small marsh wetland pockets and a drainage channel are found on-site. These are not regulated features and not part of the Region of Halton's Natural Heritage System.
- Measures can be put in place to avoid and mitigate impacts to natural features such as nesting birds and downstream habitats.

The EIS concludes that *“the re-aligned channel, stormwater management ponds and created wetland are all opportunities to enhance and provide naturalized habitats while removing the non-native and invasive plant species from the site.”* Additionally, the EIS concludes that *“the development concept has the ability to mitigate the loss in groundwater recharge resulting from the development of the site, and no impacts to water balance will occur”*.

5.2 Stormwater Management Feasibility Report

WalterFedy prepared a Stormwater Management Report (SWM Report) to assess the Illustrative Concept Plan and present a potential stormwater management solution to support the development concept. The Stormwater Management Report assessed the Illustrative Concept for the following objectives:

1. Water quality
2. Water quantity
3. Peak flow control.

The Site appears to have a single outlet at the southeastern end to a culvert which crosses under Kingsway Drive and outlets to a dry pond.

The proposed stormwater management approach takes into consideration the amount of fall across the Site and utilizes two ponds tiered at different levels across the Site. Combined, the ponds provide flow control to attenuate the 100-year, post-development peak flow to less than the pre-development 5-year peak flow. Adequate storage is provided to achieve a 24-hour drawdown time in the ponds prior to discharge from the Site. The combined volume of the ponds would feature approximately 3,000 m³ of active storage volume with an appropriate permanent pool to meet MECP guidelines for Enhanced Water Quality treatment.

The SWM Report also identifies opportunities for infiltration galleries to capture rooftop runoff. It is recommended that detailed design, associated with future development applications take these opportunities into consideration as the Town has requested that infiltration be included as part of the strategy to provide stormwater management on Site to maintain water balance.

The report concludes that stormwater management for the Illustrative Concept can be readily achieved to meet municipal and Conservation Authority requirements and outlet to the storm sewer on Ford Drive.

5.3 Land Use Compatibility Assessment

SLR Consulting has prepared a Land Use Compatibility Assessment, assessing the potential air quality, dust, odour, noise, and vibration impacts of the proposed amendment on the surrounding area. The Study provides conclusion on each of these matters as follows:

- *The potential air quality emissions from the Project site, including dust and odour, have been assessed. Based on the review completed, the Project site is anticipated to be compatible with the surrounding land uses from an air quality perspective.*
- *Based on the setback distance of the Project to noise-sensitive points of reception, a high ambient sound level in the area due to traffic on the surrounding roadways, and procedures in place to develop the site in compliance with MECP/Halton Region guidelines prior to construction and operation of any potential industrial facilities, the Project is anticipated to be compatible with existing and future surrounding land uses.*
- *The Project is not anticipated to contain any significant industrial vibration sources, such as large stamping presses or forges, and is more than 100 m to the closest residence. Under applicable MECP guidelines, a detailed vibration assessment is*

not required. Adverse impacts from industrial vibration from the proposed development are not anticipated.

Based on the review completed by SLR, they conclude that adverse impacts are not anticipated, and the development of the Site, as illustrated in the Illustrative Concept Plan is anticipated to be compatible with the surrounding land uses from an air quality, noise and vibration perspective.

6. Public Consultation Plan

As part of the application package, the Planning Act requires a Public Consultation Strategy to outline opportunities for members of the public to be involved in the processing of the Subject Application. In addition to the public process provided in the *Planning Act*, a Public Information Meeting was held by GSP Group prior to the OPA application submission.

The Public Information Meeting was held on March 23, 2022, with members of the nearby residential neighbourhood. A mailing list was provided by the Town of Oakville, which was used to provide an invitation letter detailing the steps for residents to register for and join the meeting. During this meeting, an overview of the Site and area, as well as details of the PBWP application and OPA were provided. The meeting had 20 attendees, which included two Town Councilors.

In addition to the Public Information Meeting, the OPA will undergo a statutory public meeting, as required by the *Planning Act*. In accordance with Sections 17(15), 17(17), 17(19), 17(21), 34(12) and 34 (13) of the Planning Act, the Town of Oakville provides public notice of the applications in the prescribed manner and holds a Statutory Public Meeting as part of a regularly scheduled Council Meeting. Any individuals or property owners that request further notification regarding the applications would be formally notified by the Municipality as to the time and location when the Town of Oakville Council will be considering the application.

The comments and questions received from members of the public at the March 23, 2022, Public Information Meeting can generally be categorized into seven “themes”:

1. Further Opportunities for Public Review and Comment

The community was curious to learn more about how they will be involved and consulted in the future. This initial Public Information Meeting was to introduce the application and receive preliminary feedback prior to its submission. It was relayed that further opportunities will be available, namely the statutory public meeting that will be held for this OPA. All technical studies will be available for review on the Town of Oakville website. As per general practice of the application review process, a Town planner will be assigned to the file to be the main point of contact for comments and engagement opportunities. Application details will be included on a notice sign that will be posted on the Site in advance of the statutory public meeting. Additional consultation will also occur during the Zoning By-law Amendment application made by the future owner of the Site.

2. Appropriate Contacts for the Project

Coinciding with comments about further consultation, residents were curious who should be contacted as the project moves forward. While they wanted a direct contact for someone at IO, a landowner/agent contact is not typically provided for development applications and communications about the application will be through the appropriate contact at the Town of Oakville. As per general practice of the application review process, a Town planner will be assigned to the file to be the main point of contact for comments and engagement opportunities. Application details will be included on a notice sign that will be posted on the Site, which will be posted in advance of the statutory public meeting.

3. Impact on Kingsford Gardens

As the Site is across the street from Kingsford Gardens Park, residents were concerned if there would be an impact on the park space. There are no anticipated adverse impacts to the Gardens. The Illustrative Concept Plan re-aligns a watercourse along the Sherwood Heights Drive frontage providing a 15 metre setback for buildings and providing an attractive interface to Sherwood Heights Drive and Kingsford Gardens Park.

The Illustrative Concept proposes a mix of office and light industrial uses, ranging in size and scale. The office building is proposed to be two-storeys and the industrial uses are typically one-storey buildings. This scale is appropriate for the context. Light industrial uses are categorized as having a minimal impact on residents and businesses in the surrounding area. It is not anticipated that there would be audible noise off-property, with infrequent and not intense outputs of dust and odour (MECP D-Series Guidelines), which is consistent with the prepared land use compatibility study included as part of this submission. While an illustrative concept was prepared to support the OPA Application, the ultimate design of the buildings, floor spaces, parking, setbacks, and more would be determined through future Zoning By-law and Site Plan Approval applications undertaken by a future owner.

4. The Process to Remove the Site from the PBWP

Although the naming convention may imply that the lands in the *Parkway Belt West Plan* are being reserved for park space, the PBWP generally reserves land for utility corridors and road extensions. Several questions were asked regarding the process that was undertaken to remove the Site from the PBWP. The process began in 2019 with Infrastructure Ontario working with the MTO to determine their property requirements and transferring several strips of land abutting Ford Drive to MTO. The remainder of the Site, that which is subject to this OPA Application, was deemed surplus to MTO's needs. An Application was submitted to the Ministry of Municipal Affairs and Housing ("MMAH") in July 2020 to remove the Site from the PBWP. MMAH advertised Notice of the Application in the Oakville Beaver in April 2021. The Application to remove the Site from the Parkway Belt was approved by MMAH on March 22, 2022 (Ministry File No. 24-PBW-205873).

5. Long Term Vision for the Site

Several questions were asked about the long term vision and proposed use of the Site, including why the proposal is for an employment designation rather than residential. An analysis of the surrounding area, including proximity to Highways and other employment uses lends itself well to an employment use as the highest and best use for the property and offers the opportunity for economic development in the area. The Site forms a continuation of the employment corridor along Highway 403, as noted by Ford Assembly Complex a short distance to the southwest, and a transition from these heavier industrial land uses to illustrative light industrial uses on the Site. Additionally, the proximity to two highways makes the Site a suitable location for non-sensitive land uses such as light industrial and office.

It was indicated that while an illustrative concept was prepared, the design of the buildings, floor spaces, parking, setbacks, and more would be determined through future Zoning By-law and Site Plan Approval applications undertaken by a future owner. The Site has been circulated to provincial ministries and agencies, the federal government, municipalities, registered eligible not-for-profit corporations, public colleges and universities, school boards and eligible Indigenous communities as per IO's well-defined process for the disposal of government-owned properties. No expression of interest in acquiring the Site from IO for other government programming or for open space/parkland protection was received from the above noted stakeholders. It is Infrastructure Ontario's intent to sell the Site on the open market following approval of the OPA Application.

6. Completion of an Environmental Site Assessment

Concerns were raised regarding the potential of the Site featuring contaminants and if a Record of Site Condition ("RSC") would be prepared for the Site. A Phase One Environmental Site Assessment ("ESA") was prepared by GHD in December 2021, finding that fill materials have been dumped on the Site, and other factors such as the application of road salt and pesticides, may have impacted the Site. This Phase One ESA, which has been submitted as part of this OPA application, concluded that a Phase Two ESA will be required before an RSC can be filed with MECP. As the Site is proposed to be redesignated for employment uses rather than a sensitive land use, such as residential uses, a RSC is not required. A Phase Two ESA is anticipated to be undertaken as the project proceeds, although it was not identified as a requirement of the OPA application. Infrastructure Ontario anticipates the Phase Two ESA will be complete by Fall 2022.

7. Completion of an Environmental Impact Assessment

As indicated in the technical report summaries provided in Section 5 of this Report, an Environmental Impact Assessment was prepared by NRSI. This EIS determined that the Site had been disturbed in the past due to the construction of the Queen Elizabeth Way and other roads and developments in the area, and does not contain any significant natural features or species or their habitats which would pose a constraint to development. While two small marsh wetland pockets and a drainage channel are found on-site, they are not regulated features and not part of the Region of Halton's Natural Heritage System. During the pre-application consultation stage of the application process, it was confirmed by Conservation Halton that the features did not meet the criteria to be added into the Natural Heritage System. The EIS also noted that measures can be put in place to avoid and mitigate impacts to natural features such as nesting birds and downstream habitats.

The EIS concludes that *“the re-aligned channel, stormwater management ponds and created wetland are all opportunities to enhance and provide naturalized habitats while removing the non-native and invasive plant species from the site.”*

7. Subject Application and Planning Justification

7.1 Official Plan Amendment Application

The Official Plan Amendment (“OPA”) proposes to redesignate the land use designation of the Site from Parkway Belt to Business Employment. Further planning applications will be required (i.e. Zoning By-law Amendment and Site Plan Approval) to implement the OPA. As Infrastructure Ontario intends to sell the Site on the open market following approval of the Official Plan Amendment Application, any further planning applications will be made by a future owner.

A copy of the draft OPA is attached as Appendix A to this report.

7.2 Planning Justification

As noted , an application was submitted in July 2020 by IO to the Ministry of Municipal Affairs and Housing (“MMAH”) to remove the Site from the Parkway Belt West Plan. On March 22, 2022, a notice of an approved application was received, confirming that the Site has been removed from the PBWP. With the removal of the lands from the PBWP, a technical OPA is required to permit development on the Site and bring the land use designation in compliance with the PBWP Amendment. As established in the OP, specifically Policy 19.1.3 as noted in Section 4.5 of this report, there is a strong policy basis and clear direction to redesignate lands that are designated as Parkway Belt as they are removed from the PBWP.

The redesignation of the Site to the Business Employment land use designation will facilitate the development of an underutilized and vacant site within the delineated built-up area of Oakville, which is in keeping with each level of planning policy. This redesignation will also support the economic vitality as well as attraction and retention of a variety of businesses through the variety of proposed employment uses. The Town of Oakville OP also specifies that the Business Employment land use designation will ideally be located near major highways, which is implemented by the Subject Application.

The land use compatibility assessment completed by SLR Consulting studied the potential effects of air quality, noise and vibration emissions from the Site under a Business Employment land use designation. Based on the review, adverse impacts are not anticipated, and the applicable MECP regulations, standards, guidelines and policies will be met. The Site is anticipated to be compatible with the surrounding land uses from an air quality, noise and vibration perspective. The distance to the nearest noise sensitive points of reception is approximately 105 metres. Due to high anticipated traffic volumes on the

nearby QEW and Ford Drive, it is expected that the ambient sound environment at the nearest noise sensitive land uses would be dominated by road traffic noise. The land use compatibility assessment concluded that the proposed land use is appropriate.

The Site context and the proximity to the two highways makes the Site a suitable location for non-sensitive land uses, such as the proposed employment use. To the south of the Site is the Ford Assembly Complex, a significant employment use and heavier industrial land use than those anticipated by the Business Employment land use designation, resulting in a transition in intensity from the south towards the Site and residential area. Further to this point, sufficient buffer space is provided to the nearby residential uses, mitigating any land use conflicts.

Development of the Site will require future Zoning By-law Amendment and Site Plan approvals, which are anticipated to be supported by studies and plans to assess the proposed development. These will be subject to future review and approval by the Town and review agencies.

8. Summary and Conclusion

This Planning Justification Report supports the OPA application for the Site bounded by Sherwood Heights Drive, Kingsway Drive Ford Drive and the QEW on-ramp. The Site is adjacent to the junction of Highway 403 and Queen Elizabeth Way, an area characterized by a variety of employment uses. The Site forms a continuation of the employment corridor along Highway 403, as noted by the Ford Assembly Complex a short distance southwest of the Site and the additional employment uses north of the Site along Sherwood Heights Drive.

The Site has been removed from the PBWP, but remains designated Parkway Belt in the OP. A technical OPA is required to redesignate the Site, which is proposed to be the Business Employment designation. This OPA will facilitate the future development of the Site, which will be implemented through future Zoning By-law Amendment and Site Plan Approval applications made by a future owner of the Site.

The Planning Justification Report concludes the Subject Application is justified for the following reasons:

1. It is consistent with the 2020 Provincial Policy Statement;
2. It conforms to the Growth Plan for the Greater Golden Horseshoe;
3. The Site has been removed from the Parkway Belt West Plan;
4. It conforms to the Halton Region Official Plan;
5. It conforms to the intent of the Town of Oakville Official Plan;
6. It facilitates the development of an underutilized, vacant site within an Urban Area;
and,
7. It provides additional land for employment uses to meet the forecasted needs in the Region and Town.

It is our opinion that the proposed amendment is in the public interest, represents good planning and should be approved.

Appendix A - Draft Official Plan Amendment

The Corporation of the Town of Oakville

BY-LAW NO. _____

To adopt:

Official Plan Amendment No. ____ to the Town of Oakville Official Plan (the Livable Oakville Plan)

WHEREAS the Livable Oakville Plan, which was adopted by City Council as a new Official Plan in 2009; and,

WHEREAS subsection 22(1) of the Planning Act, R.S.O. 1990 c.P.13, as amended, permits a person or public body to request a council of a municipality to amend its Official Plan, and Section 17, 21 and 22 applies to any such amendment; and,

WHEREAS it is deemed necessary to pass an amendment to the Livable Oakville Plan to incorporate certain modifications to Schedule A1, Urban Structure and Schedule J, East Land Use,

COUNCIL ENACTS AS FOLLOWS:

1. The attached Amendment No. ____ to the Livable Oakville Plan, is hereby adopted.
2. Pursuant to subsection 17(27) of the Planning Act, R.S.O. 1990, c.P.13 as amended, this Official Plan Amendment comes into effect upon the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to subsection 17(24) and (25). Where one or more appeals have been filed under subsection 17(24) and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Land Tribunal.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, declares this Official Plan Amendment to be not exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval.

Passed this ____ day of _____, 20__.

Mayor

Clerk

**Official Plan Amendment Number _____
To the Town of Oakville's Official Plan**

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number _____ to the Livable Oakville Official Plan.

Part 1 – The Preamble

1.0 Location:

The lands affected by this Amendment are located to the southwest of Sherwood Heights Drive, northwest of Kingsway Drive, northeast of Ford Drive, known as 50 Sherwood Heights Drive.

2.0 Purpose and Effect:

The purpose of this Amendment is to amend Schedule A1 and Schedule J of the Livable Oakville Official Plan to redesignate the noted lands from Parkway Belt to Business Employment.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- The change of the designation from Parkway Belt to Business Employment proposed in this application is consistent with the Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- The land subject to this amendment are not required for transportation purposes as set out in the Parkway Belt West Plan and have been removed from the Parkway Belt West Plan through Amendment Number 232;
- The proposed amendment is in keeping with the policies of the Halton Region Official Plan; and,
- The proposed Business Employment Designation is appropriate for the Site and will assist in the Town achieving employment targets.

Part 2 – The Amendment

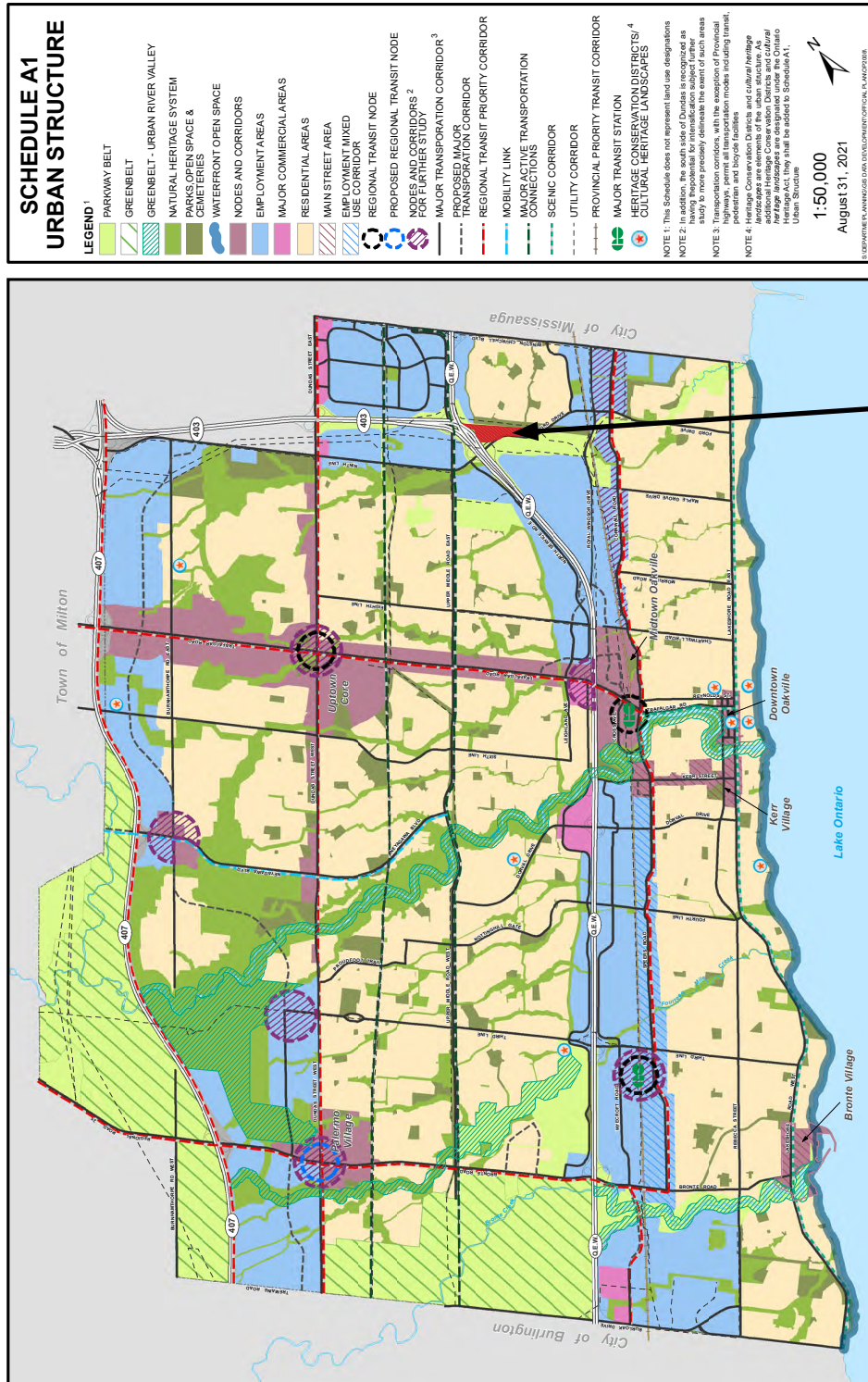
1.0 Map Change

The Livable Oakville Official Plan is amended as follows:

1. Schedule A1, Urban Structure, is amended to redesignate the subject land to Employment Area, as demonstrated on Schedule A to this By-law; and,
2. Schedule J, East Land Use, is amended to redesignate the subject land to Business Employment from Parkway Belt, as demonstrated on Schedule B to this By-law.

SCHEDULE A

Changes to Schedules to the Livable Oakville Plan

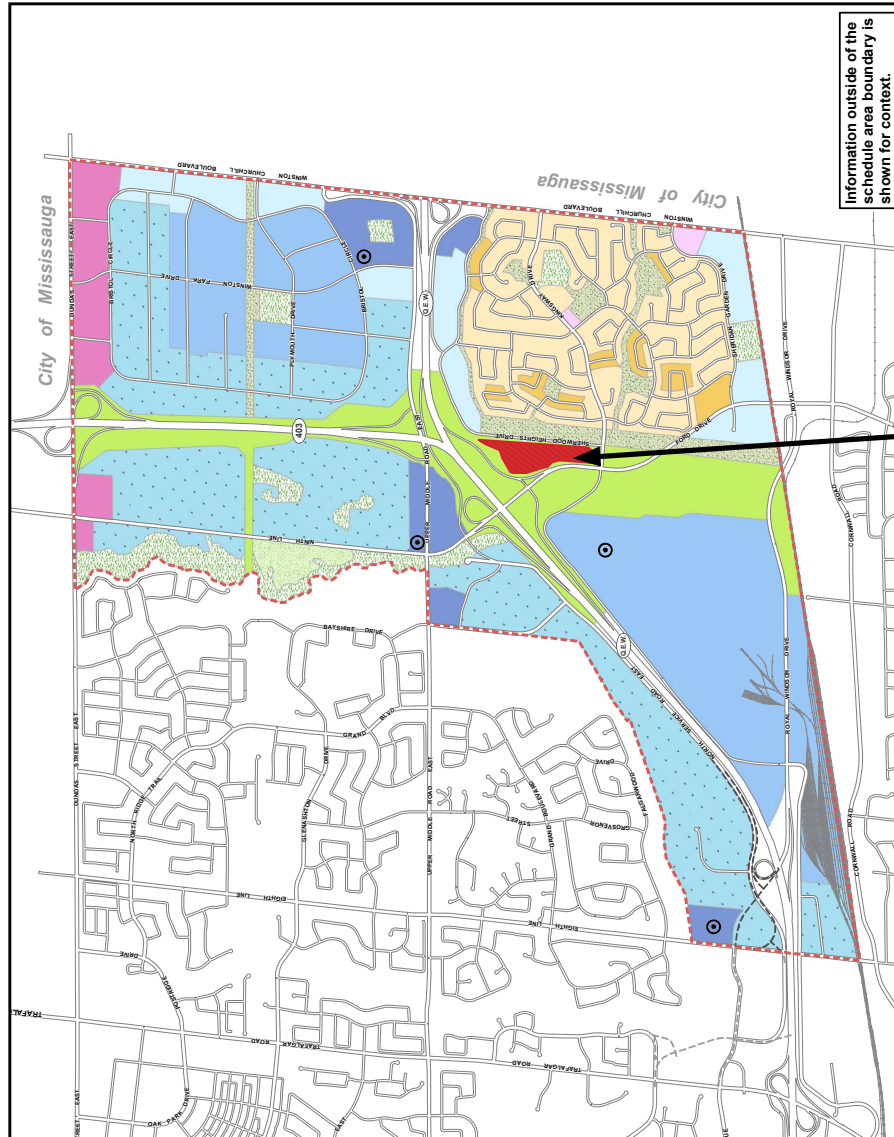
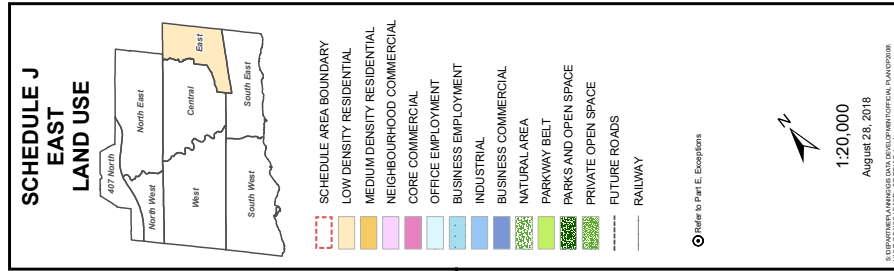


Area Affected by OPA —
Redesignated to "Employment Areas"



OAKVILLE

SCHEDULE B Changes to Schedules to the Livable Oakville Plan



Area Affected by OPA No. _____
Redesignated to "Business Employment"