

**April 30, 2024****Via Digital Submission**

Attn: Brandon Hassan, B.URPI, MCIP, RPP  
Senior Planner, Planning Services  
Town of Oakville  
Planning and Building Department  
1225 Trafalgar Road,  
Oakville ON L6H 0H3

**Re: Addendum No. 1 to Planning Justification Report**  
***Official Plan Amendment***  
**3064 Trafalgar Partnership**  
**3060 & 3068 Trafalgar Road** (*previously referred to as 3064 Trafalgar Road*)  
**Part of Lot 13, Concession 1, New Survey, Trafalgar**  
*Related File #: SP.1313.006/01 (active), Z.1313.09 (approved), and Z.1313.10 (active)*

Dear Mr Hassan,

Please accept this 1<sup>st</sup> Addendum to the Planning Justification Report (September 2019) which is intended to supplement and be read in conjunction with the original report for the proposed development of the subject lands in support of an Official Plan Amendment (OPA) application. The overall development concept has been prepared to support an increase from 30-storeys to 33-storeys. The increase in height is response to the changing market and to provide for a sensible solution with the provision of sixty (60) additional residential dwelling units. A pre-consultation meeting was held on January 10, 2024. Staff indicated support of the proposed OPA and the did not identify any concerns with the additional height.

The following studies are enclosed under separate cover:

- Aerial Photograph – Korsiak Urban Planning
- Draft Official Plan Amendment – Korsiak Urban Planning
- Legal Survey / Reference Plan – J.D. Barnes Limited
- Site Plan and Details – BDP Quadrangle
- Building Elevations and Floor Plans – BDP Quadrangle
- Shadow Impact Study – BDP Quadrangle
- Construction Management / Staging Plan – Alterra

- Urban Design Brief – Adesso Design Inc.
- Landscape Plans – Adesso Design Inc.
- Functional Servicing Study Addendum / Civil Plans – Urbantech
- Traffic Impact Study & Parking Justification Report – Paradigm
- Waste Management Plan – R.J. Burnside
- Allocation Assignment Plan – Distrikt / Korsiak Urban Planning
- Stage 1 Archaeological Report – Bluestone Research
- Hydrogeological Report Addendum – BIG
- Environmental Site Assessment (ESA) Addendum – BIG
- Environmental Site Screening Questionnaire – BIG

## 1.0 PROPOSED DEVELOPMENT

The initial concept, dated September 2019, proposed a high-density development with 2 high-rise residential buildings at 30-storeys and 4 levels of underground parking. The initial concept included a four-storey podium along Trafalgar Road. Access to the proposed development is provided via Trafalgar Road and will be restricted to a right-in and right-out access. To accommodate the future expansion of Trafalgar Road, road widening has been dedicated to the Region of Halton, required per Holding Provisions (H-49).

The high-density concept was revised and refined through Site Plan Approval (SPA) process, which is still active. The first submission was in December 2021 and the third submission in July 2023. The concept remains at a thirty-storeys for the two residential towers, with a connecting podium, and revisions to the underground parking levels as the Natural Heritage System (NHS) flood limits were addressed. A small portion of the site at the rear for NHS was conveyed to the Town of Oakville, required per H-49.

The proposed development is for an increase in height to both towers at 33-storeys from the previous 30-storeys, which requires an OPA to increase the height by 3-storeys. There is no change to the building footprint since the third SPA submission (Figure 1), which was reviewed by approval authorities, A summary of the changes to the development proposal from final zoning, through the three SPA submissions and current OPA application is illustrated below (Table 1).

**Table 1: Development Changes associated with Applications / Submissions**

ZBA Final Submission	Site Plan 1 <sup>st</sup> Submission	Site Plan 2 <sup>nd</sup> Submission	Site Plan 3 <sup>rd</sup> Submission	OPA 1 <sup>st</sup> Submission
Height: 30-Storeys	Height: 30-Storeys	Height: 30-Storeys	Height: 30-Storeys	Height 33-Storeys
Unit Count: 686	Unit Count: 698	Unit Count: 707	Unit Count: 722	Unit Count: 782
Parking: 5 Levels	Parking: 5 Levels	Parking: 6 Levels	Parking: 5 Levels	Parking: 6 Levels

The additional 3-storeys are to be added to the top of the previously proposed 30-storeys. Refer to preliminary elevations / massing figures (Figure 2abc) illustrates the revised changes. A total of 782 units are proposed, with Tower A accommodating 383 units and Tower B at 399 units. The 3-storeys per tower will provide for sixty (60) additional units, with parking for both residents and visitor accommodated in another underground parking level. The additional 3-storeys increases the overall Gross Floor Area and subsequent Floor Space Index (FSI) from 7.57 approved through the Section 37 Agreement to 8.26, a total increase of 0.69. An OPA is required to permit a height of 33-storeys (Appendix I).

## 2.0 CONTEXT – SURROUNDING DEVELOPMENTS

The subject lands are surrounded by NHS to the west and north, with Trafalgar Road to the east with vacant land beyond. The vacant surrounding areas along Trafalgar Road are currently proposed for development by others with a range of residential towers ranging from 15 to 30 storeys (Figure 3). The proposed 33-storey towers has no impact on the surrounding proposed high-density developments.

## 3.0 STAKEHOLDER ENGAGEMENT

An applicant initiated virtual Public Information Meeting (PIM) was held on December 20, 2023. Similar to the first PIM held in 2019 attendance was very low. The comments raised at the recent PIM were related to timing of the event, materials available to residents, height of the development, increased growth and densification, traffic congestion, and impact to green areas and wildlife. A summary of the PIM and responses on how the comments were taken into consideration are provided in Appendix II.

## 4.0 PLANNING POLICIES

The proposed OPA conforms to policies described in the 2019 PJR, with new policies described below.

## 4.1 PROVINCIAL POLICY STATEMENT (PPS)

The Provincial Policy Statement (PPS) is issued under the Planning Act and is the primary provincial land use planning policy document, applying across Ontario. A Place to Grow is a growth plan issued under the Places to Grow Act, 2005. It provides a more detailed framework for where and how growth should be accommodated. Feedback received from review of proposed housing supportive policies from 2022 and a draft PPS from 2023 to consolidate the PPS with the Growth Plan contributed to the development of an updated PPS. On April 10, 2024, an updated draft of the proposed Provincial Policy Statement (PPS 2024) was announced. While PPS 2024 is not yet in effect, the draft is considered a policy statement for the purpose of section 3 of the Planning Act. Applicable new policies in the PPS 2024 include:

### 2.3.1 General Policies for Settlement Areas

1. *Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.

### 2.4.1 General Policies for Strategic Growth Areas

1. Planning authorities are encouraged to identify and focus growth and development in *strategic growth areas*.

2. To support the achievement of *complete communities*, a range and mix of *housing options*, *intensification* and more mixed-use development, *strategic growth areas* should be planned: a) to accommodate significant population and employment growth;

b) as focal areas for education, commercial, recreational, and cultural

3. Planning Authorities should:

a) prioritize planning and investment for *infrastructure* and *public service facilities* in *strategic growth areas*;

b) identify the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas;

c) permit *development* and *intensification* in *strategic growth areas* to support the achievement of *complete communities* and a *compact built form*;

Strategic Growth Areas means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*.

The proposal for increased height and intensification conforms to the PPS 2024 as a site within the Regional Primary Node intended to accommodate intensification in a more compact built form.

## 4.2 REGION OF HALTON OFFICIAL PLAN (ROP)

The Region of Halton Official Plan Amendment 49 (ROPA 49) was adopted on November 4, 2022. The site is within a designated Primary Regional Node (Figure 4) under the Regional Urban Structure, which is a strategic growth area intended to accommodate intensification. Trafalgar Road is a major arterial road and intensification corridor, within the Trafalgar Urban Core Regional Primary Node (Figure 5), intended for densification to support the regional transit network, as identified within the 2041 Regional Transportation Plan with a future Bus Rapid Transit (BRT) intended for Trafalgar Road. The proposal complies with the Trafalgar Urban Core Primary Regional Node.

## 4.3 TOWN OF OAKVILLE OFFICIAL PLAN – LIVABLE OAKVILLE

The Livable Oakville Official Plan, North Oakville East Secondary Plan (NOESP) policies are described in the original PJR with site designated as Trafalgar Urban Core (TUC). The eligible Bonusing By-law provisions also described in the original PJR which permit the consideration for increased heights beyond the maximum permitted building height. An existing Section 37 Agreement dated November 16, 2021 is registered on Title, which permits two towers at 30-storeys in height and a FSI of 7.24. As previously noted in the original PJR, OPA 321 removed all density limits in the TUC.

Through discussions with staff it was confirmed that the existing Section 37 Agreement includes an indexing provision, for the purpose of reflecting increased value of the bonusing amount from the original appraisal at 30-storeys. This indexing provision allows the Town to consider the appraisal value associated with increased height of the three additional storeys through an OPA.

## 5.0 ZONING

The subject lands are within the North Oakville Zoning By-law 2009-189 and are zoned as Trafalgar Urban Core Performance (TUC-3) Zone 3, with approved site-specific zoning SP-95. The maximum height permitted through the existing Section 37 Agreement of thirty storeys is reflected in the site-specific zoning bylaw as a maximum height of 100.0 metres, exclusive of the mechanical penthouse. There are no restrictions related to density, as SP-95 states that the maximum Floor Space Index (FSI) shall not apply.

Through discussions with staff it was advised that the increase in height of 3-storeys be accommodated through a future Minor Variance application following approval of the requested OPA, and not through a Zoning By-Law Amendment due to the existing Section 37 Agreement.

## 6.0 PLANNING OPINION

The proposed Official Plan Amendment to increase the development height by three storeys to thirty-three storeys is justified and represents good planning for the following additional reasons:

1. The proposal is consistent with the Provincial Policy Statement and conforms to Growth Plan for the Greater Golden Horseshoe, Region of Halton Official Plan, Liveable Oakville Plan and North Oakville East Secondary Plan;
2. The proposal is located within the Trafalgar Urban Core Regional Primary Node and will help achieve densification within a Primary Regional Node;
3. The proposal is located along a major arterial road and intensification corridor intended to accommodate a future Bus Rapid Transit, with intensification that is transit oriented.
4. The proposal continues to conform to the policy objectives of the NOESP;
5. The proposal reduces the dependence on the automobile as it contributes to the development of a mixed-use, transit supportive and pedestrian friendly environment;
6. The proposal adds a mix of unit sizes and types in the form of a high-density apartment building;
7. The proposed development makes efficient use of existing and planned infrastructure;
8. The proposal complements and benefits from many of the adjacent services and amenities;
9. The height of 33-storeys is compatible with the existing and planned developments; and
10. Through the existing Section 37 Agreement, the value associated with the additional height will provide for additional benefits to the community.

Respectfully submitted,

### **KORSIAK URBAN PLANNING**




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**Wayne Coutinho, MPI, BSc Env, RPP**

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FIGURE 1A: DEVELOPMENT CONCEPT

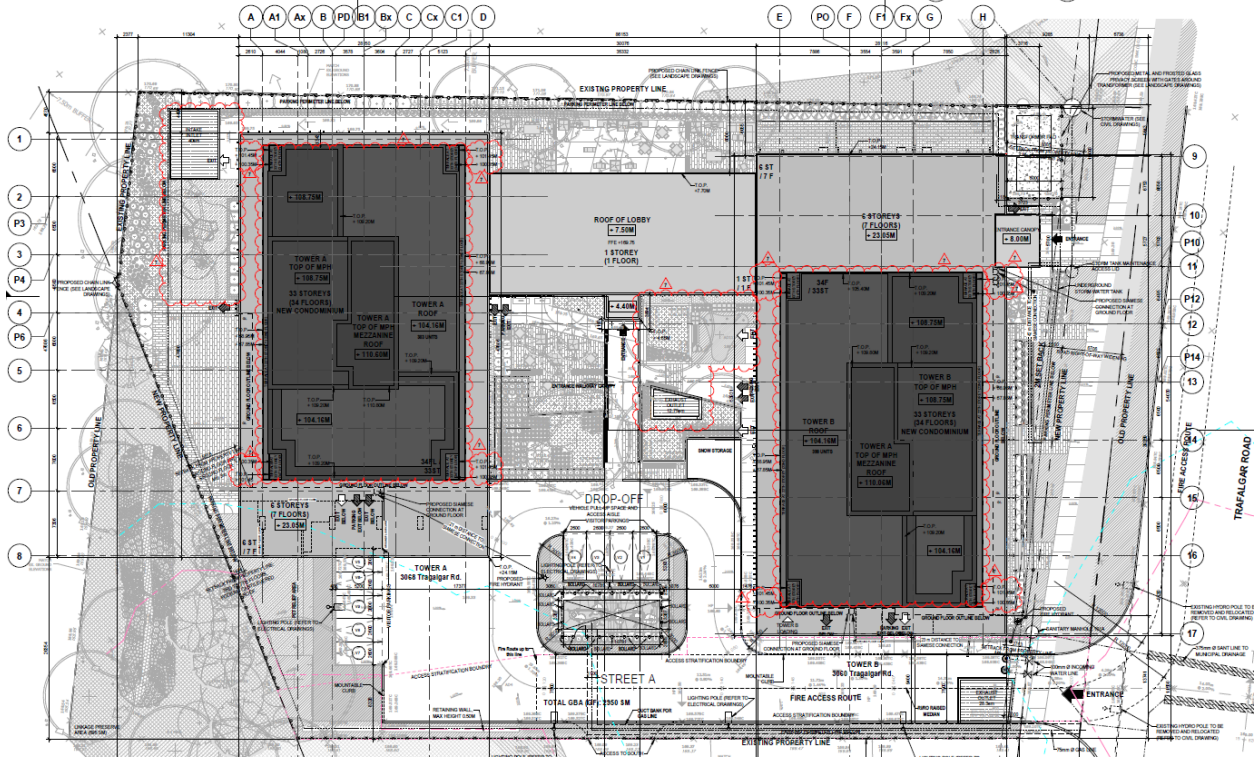


FIGURE 1B: CONCEPTUAL LANDSCAPE PLAN

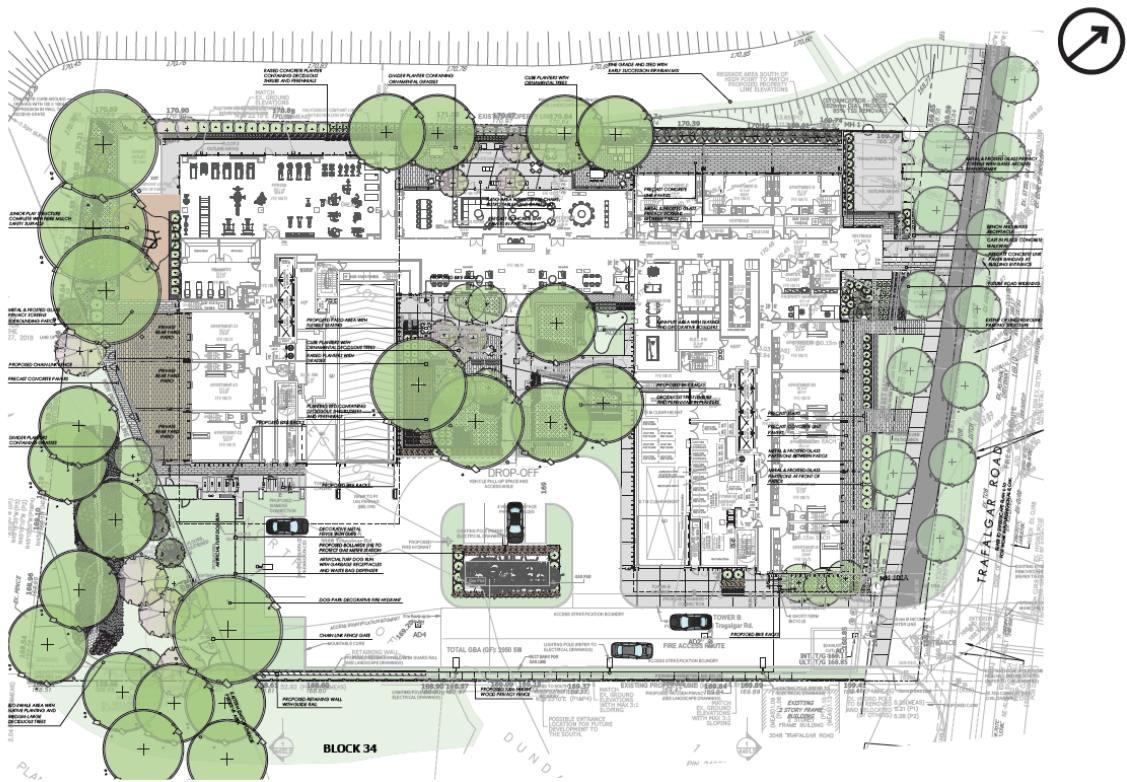




FIGURE 2A: PRELIMINARY ELEVATIONS / MASSING (NORTH)



VIEW FROM TRAFALGAR ROAD LOOKING SOUTH

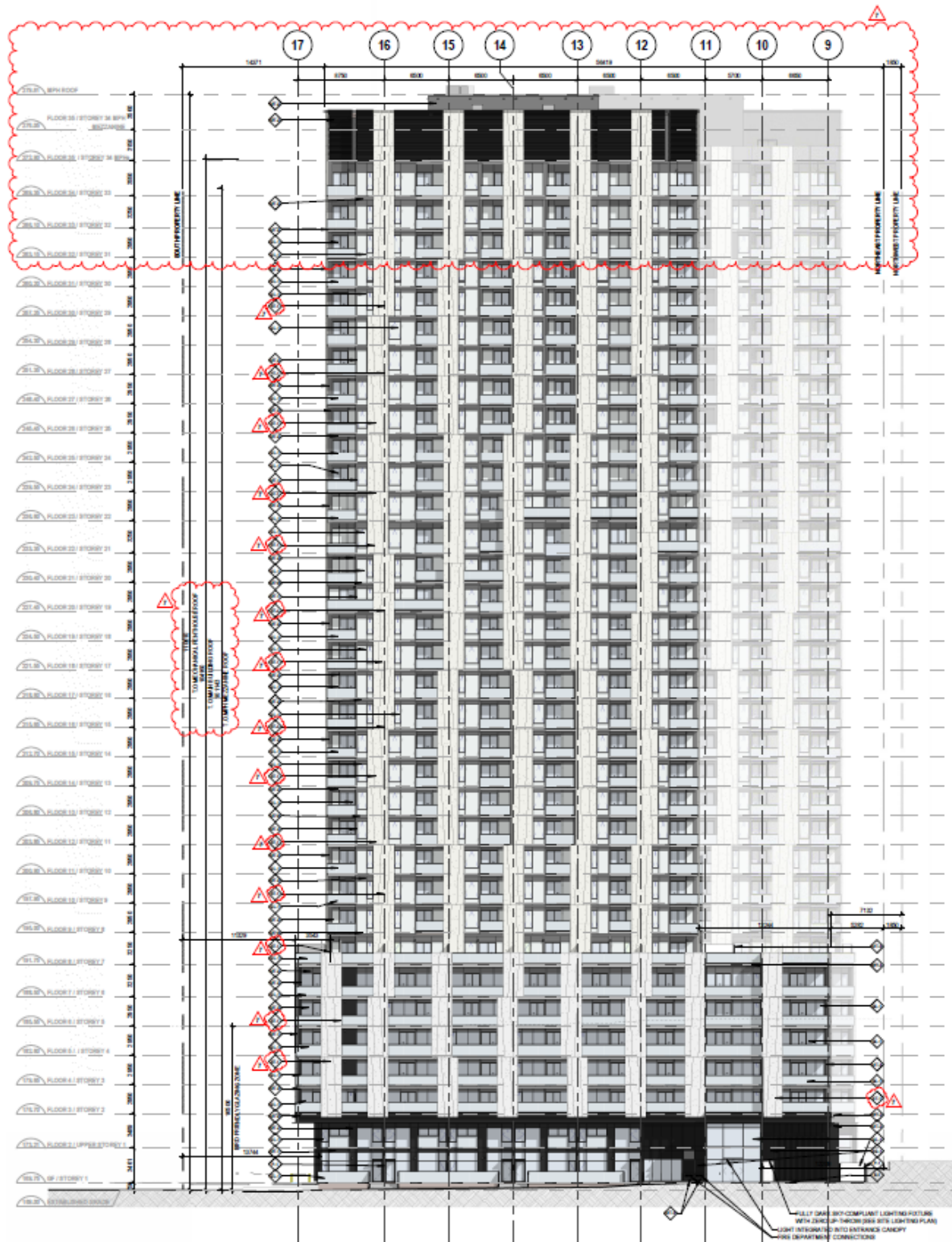
FIGURE 2B: PRELIMINARY ELEVATION (EAST)



VIEW FROM NHS LOOKING EAST



FIGURE 2C: PRELIMINARY ELEVATION (WEST)



VIEW FROM TRAFALGAR ROAD (BUILDING AT REAR IS VISIBLE SHOWN AS FADED GRAPHIC)

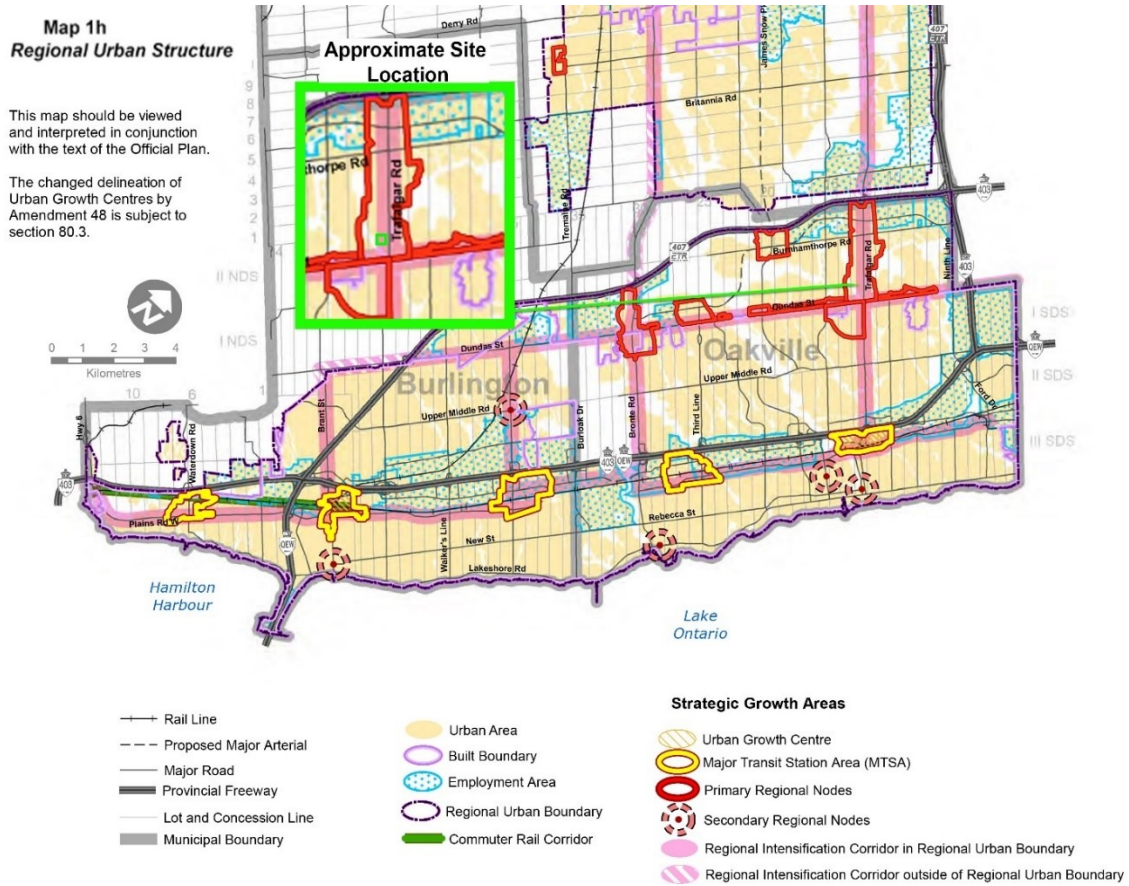
FIGURE 3: CONTEXT MAP - SURROUNDING DEVELOPMENTS



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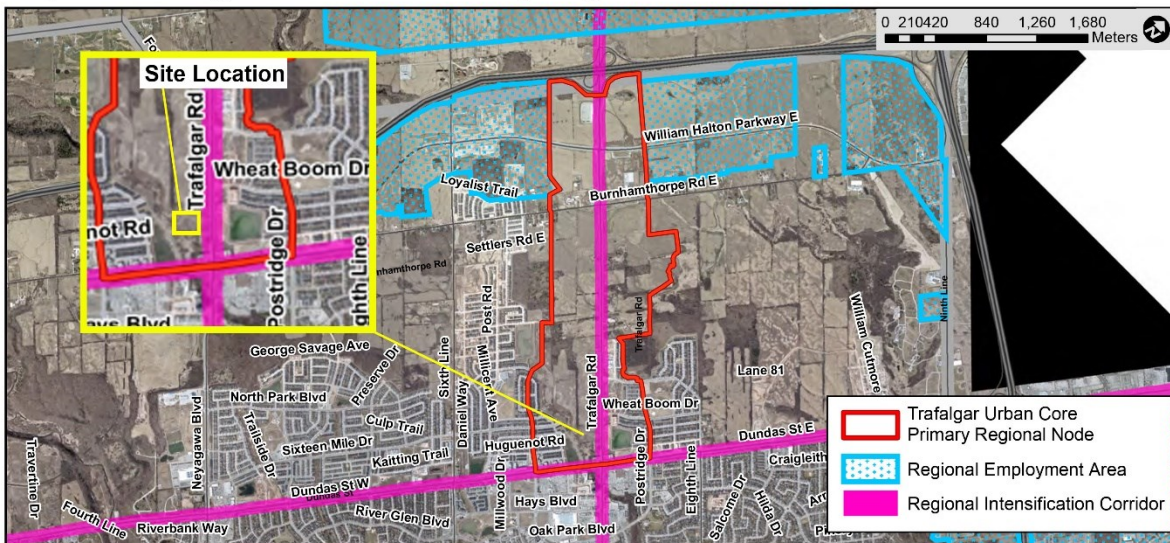
FIGURE 4 – PRIMARY REGIONAL PLAN, REGIONAL URBAN STRUCTURE



November 4, 2022

FIGURE 5 – PRIMARY REGIONAL PLAN, TRAFALGAR URBAN CORE PRIMARY REGIONAL NODE

**Map 6k - Trafalgar Urban Core Primary Regional Node**



## APPENDIX I: DRAFT OFFICIAL PLAN AMENDMENT

**Official Plan Amendment Number \_\_\_\_**  
**to the North Oakville East Secondary Plan**  
forming part of the Official Plan of the Oakville Planning Area  
of the Town of Oakville

### Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitutes Amendment Number \_\_\_\_ to the North Oakville East Secondary Plan forming part of the Official Plan of the Oakville Planning Area.

### Part 1 – The Preamble

#### **1. Purpose**

The purpose of the proposed Official Plan Amendment is to modify the text of the North Oakville East Secondary Plan to permit an increase in height and density of up to 33-storeys to facilitate the construction of two 33-storey mixed-use buildings.

#### **2. Location**

The site subject to this Official Plan Amendment is legally known as Part of Lot 13, Concession 1, N.D.S. The property comprises an area of 0.70 hectares on the west side of Trafalgar, between Dundas Street West and Burnhamthorpe Road West.

#### **3. Basis**

- The proposed development has regard for matters of provincial interest, does not conflict with all applicable provincial plans, the Region of Halton Official Plan and conforms to the North Oakville East Secondary Plan.
- A statutory public meeting on the proposed Official Plan Amendment was held on \_\_XX\_\_.
- Apartment buildings are a permitted use in the Trafalgar Urban Core Area land use designation of the North Oakville East Secondary Plan.
- The proposed design of the apartment buildings is contextually appropriate, to minimize impact and maintain compatibility with the surrounding land uses.



- An updated Traffic Impact Analysis has confirmed that the traffic generated by the proposed development can be accommodated on the existing and planned road network.
- An Urban Design Brief demonstrates compatibility with the objectives of the Livable By Design Manual.
- The property is located on Trafalgar Road, a major arterial which is an identified Transit Corridor.
- The proposed density of the development is transit supportive and contributes to the overall objective to reduce reliance on vehicle trips in North Oakville.
- Detailed regulations to implement the proposed development have been established through the associated site-specific Zoning By-law Amendment, which will be further amended through a minor variance for the increased heights.

**Part 2 – The Amendment**

**A. Text Changes**

The amendment includes the changes to the text of the North Oakville East Secondary Plan listed in the following table. Text that is **bolded and underlined** is new text to be inserted into the North Oakville East Secondary Plan.

Item No.	Section	Description of Change
1.	<b>7.6.18</b> EXCEPTIONS	Insert new policies as follows:  <b><u>7.6.18.XXX Part of Lot 13, Concession 1, NDS</u></b>  <b><u>Notwithstanding section 7.6.7.1.c), apartment buildings with a maximum height of 33-storeys is permitted on, Part of Lot 13, Concession 1, NDS.</u></b>

## APPENDIX II: Public Information Meeting (PIM) – December 20, 2023

**Distribution:** The notice (enclosed) was mailed out to a list provided by the Town with over 350 residential addresses. A radius of 240m surrounding the property was used, which is 2x times the amount required. Notice was also posted on the Town’s website.

**Format:** The PIM was held virtually, with 2 hours allotted. A presentation was made by the applicant’s planner, followed by a Question-and-Answer (Q&A) period.

**Attendees:** Approximately 8 individuals participated, including the Town’s file planner. Due to virtual format, no sign-in was required and attendees did not provide/share contact details.

**Summary of Comments:** Comments provide by residents included:

- Timing of event is terrible, should not have been 4 days before Christmas.
- Materials should be available to residents prior to the event.
- Resident moved in area 4 ½ years ago, did not want to NYC type setting.
- Oakville is a thriving community; we can't put all growth in one area. Densification should be spread across all of Oakville (e.g., Speers Road).
- Traffic congestion is already an issue.
- 330-storeys too high, no sunshine will be available in December.
- Huge impact on green areas, overwhelmed. Geese used to visit area and now gone.

**Response to Comments:** The applicant responded to all comments at the meeting.

**1. Timing & Distribution:** The mail notice was distributed 14-days prior to the PIM to area residents plus additional lists from previous PIM held for the original approved 30-storeys. Timing for a PIM should not be influenced by circumstances, as we cannot satisfy everyone.

**2. Materials:** The PIM is an applicant-initiated process, held prior to a formal application. The intent is to inform area residents of the development and listen to their concerns. Once a formal application is submitted, materials are made available to the public through the Town website. A statutory public meeting will provide an opportunity to speak to the council.

**3. Intensification:** The direction for growth and densification is directed by planning authorities, with the plans conforming to the intent of these policies, described in the PJR. This site is within the Trafalgar Urban within an Urban Growth Area.

**4. Traffic:** The impact of 60 additional units is reviewed through updated TIS and TDMP.

**5. Sun-Shadow:** A Shadow Study prepared follows the Town’s Guidelines.

All comments were reviewed and taken into consideration prior to the application.