

**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** April 09, 2021

**CASE NO(S):** PL200333

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Oakville Developments (2010) Inc.
Subject:	Application amend Zoning By-law No. 2014-014 - Refusal of Application by the Town of Oakville
Existing Zoning:	HI -MU3
Proposed Zoning:	Site specific MU4
Purpose:	To permit a mixed-use development consisting of three 16-storey apartment towers inclusive of a 6- storey podium with 2,415 m2 of commercial uses at grade and 472 dwelling units
Property Address/Description:	550 Kerr Street
Municipality:	Town of Oakville
Municipality File No.:	Z.1616.55
LPAT Case No.:	PL200333
LPAT File No.:	PL200333
LPAT Case Name:	Oakville Developments (2010) Inc. v. Oakville (Town)

**Heard:** March 8, 2021 by video hearing

**APPEARANCES:**

**Parties**

**Counsel**

Oakville Developments (2010) Inc. A. Skinner

Town of Oakville D. Baker and J. Huctwith

Regional Municipality of Halton	K. Yerxa
Metrolinx	C. Higgs
April Investments Limited 527079 Ontario Limited Trans County Development Corporation Limited	J. Lesage
Tracy Nursall	self-represented

**MEMORANDUM OF ORAL DECISION DELIVERED BY HUGH S. WILKINS ON  
MARCH 8, 2021 AND ORDER OF THE TRIBUNAL**

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[1] Oakville Developments (2010) Inc. (“Appellant”) appealed the refusal of the Town of Oakville (“Town”) of the Appellant’s application for a zoning by-law amendment relating to the property located at 550 Kerr Street (“subject property”).

[2] On March 8, 2021, the Tribunal held the first Case Management Conference (“CMC”) in this proceeding at which it entertained requests for Party and Participant status, addressed the identification of issues and the preparation of a draft Procedural Order, scheduled dates for the hearing and a further CMC, and discussed opportunities for settlement discussions.

**Requests for Party Status**

[3] Metrolinx requested Party status. It stated that it is undertaking work with the Town on widening and realigning Kerr Street to allow for a new underpass to be built for the Lakeshore West GO rail line to the north of the subject property. It stated that it plans to expropriate a portion of the subject property to facilitate the project. It stated that its interests in the underpass and road widening project would be directly impacted by the proposed Zoning By-law Amendment. None of the Parties objected to Metrolinx’s request and the Tribunal granted it Party status.

[4] The Regional Municipality of Halton ("Region") also requested Party status. It stated that the proposed Zoning By-law Amendment would raise water, wastewater, waste management and environmental contamination issues which would impact the Region's interests. None of the Parties objected to the Region's request and the Tribunal granted it Party status.

[5] April Investments Limited, 527079 Ontario Limited, and Trans County Development Corporation Limited ("Neighbouring Property Owners") each requested Party status. They stated that together they own the remainder of the lands in the block in which the subject property is located. They stated that there is a need for the orderly and appropriate development of the block as a whole and that the proposed Zoning By-law Amendment would directly impact their properties. None of the Parties objected to the Neighbouring Property Owners' requests and the Tribunal granted them each Party status.

[6] The West Kerr Village Residents' Association ("Association") also requested Party status. Its President, Tracy Nursall, stated that the Association represents residents living in the area of the subject property. She stated that they have concerns regarding the density of the proposed development and its impacts on the character of the community. She stated that the Association is not incorporated and that she would be willing to request Party status in her own capacity, if such status could not be granted to the Association. The Appellant objected to the granting of status to either the Association or Ms. Nursall. The Appellant argued that neither of them made submissions at a public meeting or to Town Council on the proposed Zoning By-law Amendment, the Association is not incorporated and therefore is not an appropriate entity to be a party, and the Town will likely address all of the Association's concerns. None of the other Parties objected to the status request. Noting the obligations and responsibilities of parties, the Tribunal expressed concerns about granting Party status to an unincorporated entity. However, it found that Ms. Nursall would be an appropriate person to be granted Party status. It found that, given her role in the Association and interest in the issues to be adjudicated, her presence is necessary to enable the

Tribunal to adjudicate effectively and completely on the issues and there are reasonable grounds to add her as a party. The Tribunal granted Party status to Ms. Nursall.

### **Request for Participant Status**

[7] Cheung-Toa (Lawrence) Tsang requested Participant status. He lives in the area and has traffic concerns regarding the proposed development. None of the Parties objected to his request for Participant status and the Tribunal granted it to him, as requested.

### **Identification of Issues, Preparation of a Draft Procedural Order, and Scheduling of the Hearing and a Further CMC**

[8] The Parties identified the general issues that they wish to raise and provided estimates on the required duration of the hearing. Subsequent to the CMC, the Parties filed, on March 29, 2021, a draft Procedural Order and consolidated Issues List, which the Tribunal has reviewed and approves. The Tribunal scheduled a further CMC for September 2021 and a three-week hearing commencing in late November 2021.

### **Opportunities for Settlement Discussions**

[9] All of the Parties agreed that this proceeding would be appropriate for mediation and they all expressed an interest in requesting Tribunal-assisted mediation. The Parties may contact the Tribunal Case Coordinator to make a request for these mediation services from the Tribunal.

### **ORDER**

[10] The Tribunal orders that Metrolinx, the Regional Municipality of Halton, April Investments Limited, 527079 Ontario Limited, Trans County Development Corporation Limited, and Tracy Nursall are Parties in this proceeding.

[11] The Tribunal orders that Cheung-Toa (Lawrence) Tsang is a Participant in this proceeding.

[12] The Tribunal approves the draft Procedural Order and Issues List attached as Attachment 1 to this Order and Decision.

[13] The Tribunal orders that a further CMC will commence by video hearing on **Tuesday, September 7, 2021 at 10 a.m.**

<https://global.gotomeeting.com/join/533745653>

**Access Code: 533 745 653**

[14] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling: (Toll Free): [1 888 455 1389](tel:18884551389) or [+1 \(647\) 497 9391](tel:+16474979391). The access code is **533 745 653**.

[15] The Tribunal orders that the hearing of the appeals will commence by video hearing on **Monday, November 29, 2021 at 10 a.m.** Fourteen days have been set aside for the hearing.

<https://global.gotomeeting.com/join/280675653>

**Access Code: 280 675 653**

[16] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling: (Toll Free): [1 888 299 1889](tel:18882991889) or [+1 \(647\) 497 9373](tel:+16474979373). The access code is **280 675 653**.

[17] Parties and participants are asked to log into the video hearings **at least 15 minutes before** the start of the event to test their video and audio connections.

[18] Parties and Participants are asked to set up the video hearing application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](https://app.gotomeeting.com/home.html) or a web application is available:

<https://app.gotomeeting.com/home.html>.

[19] Individuals are directed to connect to the events on the assigned dates at the correct time. It is the responsibility of the persons participating in the hearings by video to ensure that they are properly connected to the events at the correct time. Questions prior to the hearing events may be directed to the Tribunal's Case Coordinator having carriage of this case.

[20] There will be no further notice.

[21] This Member is not seized.

*"Hugh S. Wilkins"*

HUGH S. WILKINS  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.olt.gov.on.ca](http://www.olt.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

A constituent tribunal of Ontario Land Tribunals

Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

## Ontario Land Tribunals

Local Planning Appeal Tribunal

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## Tribunaux de l'aménagement du territoire Ontario

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**Téléphone:** (416) 212-6349

**Sans Frais:** 1-866-448-2248

**Site Web :** [olt.gov.on.ca](http://olt.gov.on.ca)



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### ATTACHMENT 1

**ISSUE DATE:** April 9, 2021

**CASE NO(S):** PL200333

**PROCEEDING COMMENDED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended:

Applicant and Appellant:

Subject:

Oakville Developments (2010) Inc.

Application to amend Zoning By-law No. 2014-014 - Refusal of Application by the Town of Oakville

Existing Zoning:

HI-MU3

Proposed Zoning:

Site specific MU4

Purpose:

To permit a mixed use development consisting of 3 sixteen storey apartment towers inclusive of a 6 storey podium with 2,415 m2 of commercial uses at grade and 472 dwelling units

Property Address/Description:

550 Kerr Street

Municipality:

Town of Oakville

Municipality File No.:

Z.1616.55

LPAT Case No.:

PL200333

LPAT File No.:

PL200333

LPAT Case Name:

Oakville Developments (2010) Inc. v. Oakville (Town)

1. The Tribunal may vary or add to the directions in this procedural order at any time by an oral ruling or by another written order, either on the parties' request or its own motion.

### Organization of the Hearing

2. The video hearing will begin on **Monday, November 29, 2021** at **10:00 a.m.**
3. The parties' initial estimation for the length of the hearing is **14 days**. The parties are expected to cooperate to reduce the length of the hearing by eliminating redundant evidence and attempting to reach settlements on issues where possible.

4. The parties and participants identified at the case management conference are set out in **Schedule 1** to this Order.
5. The issues are set out in the Issues List attached as **Schedule 2**. There will be no changes to this list unless the Tribunal permits, and a party who asks for changes may have costs awarded against it.
6. The order of evidence shall be as set out in **Schedule 3** to this Order. The Tribunal may limit the amount of time allocated for opening statements, evidence in chief (including the qualification of witnesses), cross-examination, evidence in reply and final argument. The length of written argument, if any, may be limited either on the parties' consent, subject to the Tribunal's approval, or by Order of the Tribunal.
7. Any person intending to participate in the hearing should provide a mailing address, email address and a telephone number to the Tribunal as soon as possible – ideally before the case management conference. Any person who will be retaining a representative should advise the other parties and the Tribunal of the representative's name, address, email address and the phone number as soon as possible.
8. Any person who intends to participate in the hearing, including parties, counsel and witnesses, is expected to review the Tribunal's Video Hearing Guide, available on the Tribunal's website (<https://olt.gov.on.ca/tribunals/lpat/>).

### **Requirements Before the Hearing**

9. A further Case Management Conference, by video hearing, is scheduled for **Tuesday, September 7, 2021**.
10. In the event that the applicant is proceeding to the hearing with revised plans which they will ask to be considered by the LPAT, the applicant shall disclose the revised plan to all of the parties on or before **Friday, September 17, 2021**. Any revisions to the plans made after this date without the consent of the parties may result in a request to the Tribunal for an adjournment of the hearing.
11. A party who intends to call witnesses, whether by summons or not, shall provide to the Tribunal and the other parties a list of the witnesses and the order in which they will be called. This list must be delivered on or before **Tuesday, August 31, 2021** and in accordance with paragraph 24 below. A party who intends to call an expert witness must include a copy of the witness' Curriculum Vitae and the area of expertise in which the witness is prepared to be qualified.
12. Expert witnesses in the same field shall have a meeting on or before **Friday, October 1, 2021** and use best efforts to try to resolve or reduce the issues for the hearing. Following the experts' meeting the parties must prepare and file a Statement of Agreed Facts and Issues with the LPAT case co-ordinator on or before **Friday, October 8, 2021**.



13. An expert witness shall prepare an expert witness statement, which shall list any reports prepared by the expert, or any other reports or documents to be relied on at the hearing. Copies of this must be provided as in paragraph 15 below. Instead of a witness statement, the expert may file his or her entire report if it contains the required information. If this is not done, the Tribunal may refuse to hear the expert's testimony.
14. Expert witnesses who are under summons but not paid to produce a report do not have to file an expert witness statement; but the party calling them must file a brief outline of the expert's evidence as in paragraph 15 below. A party who intends to call a witness who is not an expert must file a brief outline of the witness' evidence, as in paragraph 13 below.
15. On or before **Friday, October 22, 2021**, the parties shall provide copies of their [witness and] expert witness statements to the other parties and to the LPAT case co-ordinator and in accordance with paragraph 24 below.
16. On or before **Friday, October 22, 2021**, a participant shall provide copies of their written participant statement to the other parties in accordance with paragraph 24 below. A participant cannot present oral submissions at the hearing on the content of their written statement, unless ordered by the Tribunal.
17. On or before **Friday, November 12, 2021**, parties may provide to all other parties and the LPAT case co-ordinator a written response to any written evidence in accordance with paragraph 24 below.
18. On or before **Friday, November 19, 2021**, the parties shall provide copies of their visual evidence to all of the other parties in accordance with paragraph 24 below. If a model will be used, all parties must have a reasonable opportunity to view it before the hearing.
19. The parties shall cooperate to prepare a joint document book which shall be shared with the LPAT case co-ordinator on or before **Friday, November 19, 2021**.
20. Documents which may be used by a party in cross examination of an opposing party's witness shall be password protected and only be accessible to the Tribunal and the other parties if it is introduced as evidence at the hearing, pursuant to the directions provided by the LPAT case co-ordinator, on or before **Friday, November 26, 2021**.
21. A person wishing to change written evidence, including witness statements, must make a written motion to the Tribunal. *See Rule 10 of the Tribunal's Rules with respect to Motions, which requires that the moving party provide copies of the motion to all other parties 15 days before the Tribunal hears the motion.*
22. A party who provides written evidence of a witness to the other parties must have the witness attend the hearing to give oral evidence, unless the party notifies the Tribunal at least 7 days before the hearing that the written evidence is not part of their record.

23. The parties shall prepare and file a preliminary hearing plan with the Tribunal on or before **Monday, November 22, 2021** with a proposed schedule for the hearing that identifies, as a minimum, the parties participating in the hearing, the preliminary matters (if any to be addressed), the anticipated order of evidence, the date each witness is expected to attend, the anticipated length of time for evidence to be presented by each witness in chief, cross-examination and re-examination (if any) and the expected length of time for final submissions. The parties are expected to ensure that the hearing proceeds in an efficient manner and in accordance with the hearing plan. The Tribunal may, at its discretion, change or alter the hearing plan at any time in the course of the hearing.
24. All filing shall be electronic and in hard copy. Electronic copies may be filed by email, an electronic file sharing service for documents that exceed 10MB in size, or as otherwise directed by the Tribunal. The delivery of documents by email shall be governed by *Rule 7*.
25. No adjournments or delays will be granted before or during the hearing except for serious hardship or illness. The Tribunal's Rule 17 applies to such requests.

**This Member is not seized.**

**So orders the Tribunal.**

BEFORE:

Name of Member: Hugh S. Wilkins

Date: April 9, 2021

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TRIBUNAL REGISTRAR

**SCHEDULE 1****LIST OF PARTIES**

1. **Oakville Developments (2010) Inc.**

**Aird & Berlis LLP**  
 Brookfield Place  
 181 Bay Street, Suite 1800  
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2. **Town of Oakville**

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 The Corporation of the Town of Oakville  
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Tel: 905-845-6601 Ext: 3017  
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3. **Halton Region**

**Kelly Yerxa**  
 The Regional Municipality of Halton  
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 Oakville, Ontario, L6M 3L1

E-mail: [Kelly.Yerxa@halton.ca](mailto:Kelly.Yerxa@halton.ca)

Tel: 905-825-6000 x 7740

4. **April Investments Limited,  
527079 Ontario Limited and  
Trans County Development  
Corporation Limited**

**Borden Ladner Gervais LLP**  
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**Julie Lesage**  
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5. **Metrolinx**

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6. **Tracy Nursall**

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#### **LIST OF PARTICIPANTS**

1. **Cheung-Toa (Lawrence) Tsang** Email: [lawrence.tsang@gmail.com](mailto:lawrence.tsang@gmail.com)

## SCHEDULE 2

### ISSUES LIST

**NOTE: The identification of an issue does not mean that all parties agree that such issue, or the manner in which the issue is expressed, is appropriate or relevant to the determination of the Board at the hearing. The extent to which these issues are appropriate or relevant to the determination of the Board at the hearing will be a matter of evidence and argument at the hearing.**

#### **Town of Oakville**

1. Does the proposed Zoning By-law amendment (ZBA) have regard for section 2 of the Planning Act?
2. Is the proposed ZBA consistent with the Provincial Policy Statement, including policies 1.1.1, 1.1.3, 1.2, c1.4, 1.5, 1.6, 1.7, 1.8 and Section 4.0
3. Does the proposed ZBA conform with the Growth Plan, including policies 1.2.1, 2.1, 2.2, 3.1, 3.2.1, 3.2.2, 3.2.5, 3.2.3, 3.2.4, 3.2.6, 3.2.7, 3.2.8, Section 5.0
4. Does the proposed ZBA conform with the Region of Halton Official Plan, including policies 72(1), 72(2), 72(7), 72(8) and 72(9), 76, 89(3) and related schedules, appendices, and maps?
5. Does the proposed ZBA conform with the Town of Oakville Official Plan, including policies 3.2, 12.5.1, 12.5.2, 12.5.3, Section 23, 28.6 and related schedules, appendices, and maps?
6. Does the proposed ZBA conform to section 6 of the Town of Oakville Official Plan and have appropriate regard for the Livable by Design Manual?
7. Does the development as proposed protect for the future reconstruction of Kerr Street to facilitate the impending grade separation required for the Kerr Street rail crossing?
8. Is the proposed development premature prior to their being an agreed to comprehensive development plan among all of the abutting landowners?
9. Will the proposed development preclude the ability for the abutting landowners to operate their existing retail operations?
10. Will the proposed development preclude the ability for the future comprehensive buildout of the existing plaza?
11. Does the proposed development adhere to the existing easements that are registered on title to the plaza lands. Would these easements impact the development as proposed? Does the proposed zoning by-law amendment appropriately address these restrictions that are registered on title?
12. Is the removal of the current Holding permissions within the existing zoning by-law applicable to the site appropriate and in the public interest?

13. Does the proposed development propose appropriate section 37 benefits to achieve the additional height and/or density sought as set out in section 23.8.2 and 28.6 of the Town of Oakville Official Plan? If not, does the proposed ZBA conform to the Official Plan?
14. Does the proposed development meet the Ontario Building Code for fire route design?
15. Does the proposed servicing of the Site meet the requirements of the Region of Halton and the Town of Oakville?
16. Does the proposed servicing of the Site address both the existing and future condition with the changes to Kerr Street alignment to accommodate the impending grade separation at the Kerr Street rail crossing?
17. Have the proposed transportation impacts and Site access been appropriately assessed with respect to both the existing and future conditions including the changes to the Kerr Street alignment to accommodate the impending grade separation at the Kerr Street rail crossing?
18. Does the proposed ZBA represent good planning and is it in the public interest?

### **Region of Halton**

19. Has the potential for contamination on the subject lands been adequately assessed and appropriately addressed in accordance with the policies of the Regional Official Plan (Sections 146 (11) and 147(17)) and the Guidelines thereunder?
20. Has the requirement for a Record of Site Condition (RSC) been appropriately dealt with by the addition of an H to the proposed Zoning By-law, which may be lifted upon completion of the RSC to the satisfaction of the Region of Halton, and the Ministry of the Environment, Conservation and Parks has acknowledged RSC?
21. Has the Functional Servicing Report (FSR) been updated to the satisfaction of Halton Region so as to allow the Zoning By-law to proceed? If not, is it appropriate to add an H to the ZBL which could be removed once the FSR is completed to the satisfaction of the Region?

### **April Investments Limited, 527079 Ontario Limited, and Trans County Development Limited**

22. Does the proposed development have regard to Section 2(h), (p), (q), and (r) of the *Planning Act*?
23. Is the proposed development consistent with sections 1.1.1(b), (c) and (e), 1.1.3.2(a), (e), 1.1.3.4, 1.1.3.6, 1.1.3.7, and 1.4.3(d) and (f) of the Provincial Policy Statement, 2020?
24. Does the proposed development conform to sections 2.2.1.4(a), (d), and (e), 2.2.2.3, 2.2.6.2, 4.2.5 of A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the "Growth Plan")?
25. Does the proposed development conform to sections 6.2, 6.4, 6.5.1, 6.7, 6.11, 11.1.9(c), 23.1, 23.2.3, 23.3.1, 23.5, 23.6.3, 23.7.1, 23.8.1 and 23.8.3(c) of the Livable Oakville Plan?

26. Does the built form and/or urban design of the proposed development conform to sections 6.9.1, 6.9.3, 6.9.4, 6.9.5, 6.9.7, 6.9.8, 6.9.9, 6.9.10, and 23.5 of the Livable Oakville Plan?
27. Does the proposed development conform to transportation considerations as outlined in sections 6.12, 12.5.3(a) and 23.4.1 (c) of the Livable Oakville Plan?
28. Does the proposed development constitute good planning?
29. Is the proposed development, including the block concept plan submitted in support of it, an appropriate starting point to discuss the comprehensive development of the block as a whole in accordance with the Liveable Oakville Plan policies for the Kerr Village Growth Area?
30. Will the proposed development unduly constrain the comprehensive development of the block as a whole in accordance with the Liveable Oakville Plan policies for the Kerr Village Growth Area?
31. Will the proposed development prevent the block from being developed in an appropriately-phased manner in accordance with the Liveable Oakville Plan policies for the Kerr Village Growth Area?
32. Prior to the proposed development being permitted, should the Appellant be required to enter into a cost-sharing agreement with the surrounding owners in accordance with policies 4 and 4.1 of Livable Oakville, policies 3.2.1.1 and 3.2.1.2 of the Growth Plan, and policies 1.1.1(e), 1.1.3.7, 1.2.1, 1.6.1, 1.7.1(c) of the PPS?
33. Does the proposed development provide for adequate tower separation distances to adjacent properties, as per policy 3.1.27 of the Urban Design Direction for Oakville?
34. Are the tower floorplates in the proposed development appropriately sized for residential uses?
35. Does the podium design create a desirable pedestrian scale for the block and neighbourhood as a whole?
36. Do the entry points on the block concept plan indicate visual prominence and a sense of arrival?
37. Does the proposed development and supporting block concept plan provide for an appropriate transition to the existing low-rise residential neighbourhood to the southwest of the Subject Property?
38. Does the proposed block concept plan conform to section 23.8.3(c) of the Livable Oakville Plan in providing for development of an appropriate park space to serve the community, including public access and connections?
39. Does the proposed block concept plan provide adequate access for parking, loading and servicing to support mixed-use development at the north-west corner of Kerr Street and Speers Road?

## Metrolinx

40. Does the proposed rezoning have regard to the matters of provincial interest as required by section 2 of the *Planning Act*?
41. Is the proposed rezoning consistent with the transit supportive and infrastructure protection policies of the *Provincial Policy Statement, 2020*, as required by the *Planning Act* (3(5)) including 1.1.1.e, 1.1.1.g, 1.2.1.a and d, 1.2.6.1, 1.6.1, 1.6.8.1, 1.6.8.2, 1.6.8.3, 1.6.9.1.a, 1.7.1.c and g (and associated definitions)?
42. Does the proposed rezoning conform with the transit supportive and infrastructure protection policies of the *Growth Plan for the Greater Golden Horseshoe, 2020*, as required by the *Planning Act* and *Places to Grow Act* (14(1)) including 2.2.4(11), 3.2.1(1), 3.2.3(3) and 3.2.5(1b)?
43. Does the proposed rezoning conform with the transit policies of the *Halton Region Official Plan* including Part IV (Transportation) 171, 172 (6), 172 (15) and 173?
44. Does the proposed rezoning conform with the transit policies of the *Livable Oakville Plan* including Part C – 8.11.1, Part C – 8.11.2(a), and Part E – 23.2.2(a)?
45. Does the proposed rezoning consider and implement the Kerr Street at CNR Grade Separation Class Environmental Assessment Study (June 2009) and the referenced reports including: The Kerr Street/CNR Grade Separation Revitalization Study (2004); Town of Oakville Transportation Master Plan (2007); Kerr Street at CNR Grade Separation Feasibility Study (March 2007)?
46. Does the proposed rezoning including the proposed site plan and technical reports accurately reflect and incorporate the expropriation lands along Kerr Street as it relates to the appellant's lands?
47. Does the proposed rezoning represent good land use planning?



**SCHEDULE 3**

**ORDER OF EVIDENCE**

1. Oakville Developments (2010) Inc.
2. Town of Oakville
3. Region of Halton
4. April Investments Limited, 527079 Ontario Limited and Trans County Development Corporation Limited
5. Metrolinx
6. Tracy Nursall
7. Reply by Oakville Developments (2010) Inc.