



January 20, 2023

To: Town of Oakville Planning & Development Council

Re: Official Plan Amendment

2551 Sherwood Heights Drive (formerly 50 Sherwood Heights Drive)

File: OPA 1504.03

Thank you for the opportunity to provide feedback on the request to change the land designation for the 2551 Sherwood Heights property from Parkway Belt West to Business Employment (E2 zoning).

The Joshua Creek Residents Association is strongly opposed to designating the property as Business Employment (E2) zoning.

Council must consider site-specific zoning that permits specific business types that would complement the area's characteristics of residential walkability and safety for the community. This is of particular importance given the area is home to two elementary schools, a library, existing complementary retail, parks, playgrounds, sports fields, a splashpad, community gardens and multiple trails, including recently extended trails, all enhanced by the spectacular and desirable views of Lake Ontario

Council must further consider the potential negative impacts on existing residents that will result from designating 2551 Sherwood Heights as Business Employment and reject that designation in favour of a zoning that is both more compatible with the existing neighbourhood and ensures a productive use of the land.

For example, the zoning most compatible with an established residential neighbourhood is additional residential zoning. Given the identified need for more housing within Oakville's urban boundary, low or medium density residential would be preferable as it fits within the existing neighbourhood and could provide much needed housing.

Low or Medium Density zoning would yield between 500 and 900 housing units, with the setbacks for height, front, rear and side that are more compatible with an established residential neighbourhood.

Business Employment (E2) is defined as: *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.*

We are opposed to Business Employment (E2) zoning in this specific instance as it is not compatible with an established residential neighbourhood for a number of reasons:

1. 2551 Sherwood Heights Drive is in an established, residential neighbourhood.
2. The property is situated less than 100 M from multiple residences.
3. E2 zoning permits warehousing with no limits on scale and intensity of operations, which does not align with the definition of light industrial in Livable Oakville: *light and service industrial operations with minimal impacts on the surrounding areas.*
4. All operations in E2 are permitted to operate 24/7, and municipal noise by-laws do not apply to warehousing under Ontario Bill 215, the Main Street Recovery Act, 2020.
5. No height restrictions unless abutting a highway, and only the property abutting the highway is restricted to a 30M height. The remainder of the property is unfettered by height restrictions.
6. Permits outside storage.
7. Permits Last Mile Delivery Stations (per Chief Building Inspector, June 2020).

We also note that Oakville's Business Employment zoning does not align with the province's D-6 guidelines, whose Categorization Criteria for Class I Light Industrial includes:

"Daytime operations only; Infrequent movement of products and/or heavy trucks; no outside storage; small-scale plant or scale is irrelevant in relation to all other criteria for this Class; Noise: sound not audible off-property"

Livable Oakville's Business Employment (E2) definition is completely disconnected from the large scale, industrial nature of warehousing as it has existed over the past decade. The word "light" may be applicable to other E2 uses such as daycare, art gallery, financial institution, religious institution, school or retail showroom but it is not applicable to warehousing.

Despite the disconnect, to date the Town of Oakville has not undertaken a review of the uses permitted in Employment zones to ensure those uses align with the definition and the locations of Business Employment land throughout the town. On multiple occasions between 2020 and now, the JCRA has requested that warehousing be removed from Business Employment E2 zoning, and we have been advised that such a review cannot be undertaken until after the Halton Region does the same.

Given that response, Council should reject this re-zoning request until such time as a review of Employment Uses removes the warehousing use from Business Employment (E2) and places it in the Industrial (E3) zoning where it belongs in 2023.

Furthermore, the Land Compatibility Assessment that accompanies this re-zoning request is a theoretical exercise that is not related to the re-zoning request.

If the property owner was requesting a site-specific zoning that permitted only the buildings on which the assessment is based, it would be relevant.

However, this request is for Business Employment zoning, and by extension any of its thirty-six uses, including warehouses. The property owners can put forward a Site Plan Application for any of the permitted uses; they are not obligated to build what is being shown in the Compatibility Assessment.

Consideration of the zoning request should be based on what is permitted by the zoning, not what a property owner might do with the land.

Thank you for your consideration.

Elizabeth Chalmers
President, Joshua Creek Residents Association