

Agenda

Date:	October 3, 2024
Time:	10:30 am
Location:	Virtual Meeting

- 1. Call to Order
- 2. Discussion Items
 - 2.1 Removal of Holding Provisions Digram Developments Oakville Inc., 2 9 Part of Lot 16, Concession 1 NDS, File No.: ZH 7/24, By-law 2024-128

Pages

- 2.2 Removal of Holding Provision Lower Fourth Development Limited and 10 16 Pendent Developments Ltd., Part Lot 17-19, Concession 1 NDS, File No.: ZH 8/24, By-law 2024-129
- 3. Adjournment



REPORT

Commissioner's Delegated Authority (CDA)

Meeting Date: October 3, 2024

FROM:Planning Services DepartmentDATE:September 19, 2024SUBJECT:Removal of Holding Provisions – Digram Developments
Oakville Inc., Part of Lot 16, Concession 1 NDS, File No.: ZH
7/24, By-law 2024-128LOCATION:3380 Sixth LineWARD:Ward 7Page 1

RECOMMENDATION:

- 1. That the application (File No.: ZH 7/24) submitted by Digram Developments Oakville Inc. to remove Holding Provisions 'H53' and 'H55' from part of lands known as Part of Lot 16, Concession 1 NDS, be approved.
- 2. That By-law 2024-128, a By-law to remove Holding Provisions 'H53' and 'H55' Provisions from Zoning By-law 2009-189, as amended, from part of lands known as Part of Lot 16, Concession 1 NDS, be passed.

KEY FACTS:

The following are key points for consideration with respect to this report:

- An application was received on July 15, 2024 requesting the removal of Holding Provisions H53, H54 and H55 from a portion of Lot 16, Concession 1, NDS to permit the development of the site.
- The application for removal relates to Blocks 126 and 128, Plan 20M-1272 on the previously approved Argo WMC subdivision to the south and the Digram subdivision (24T-20002/1316). Digram will be purchasing the associated blocks from Argo (WMC) and combine with their larger holdings.
- Both the Argo (WMC) and Diagram Zoning Bylaw Amendments/Subdivision applications were approved on May 16, 2022.
- By-laws 2022-039 (Argo) and 2022-048 (Digram) included holding provisions H53, H54 and H55 related to the development of the subject site.

- Halton Region in a letter dated August 23, 2024 has advised they have no objection to the removal of the H53 and H55 holding provisions. Servicing allocation still needs to be resolved and as such, the region does not support the removal of H54.
- Town staff has no objection to the removal of the H53 and H55 Holding Provisions as the requirements of the holding provisions have been satisfactorily addressed.

BACKGROUND:

Proposal

The applicant is requesting to remove the Holding 'H53', 'H54' and H55 Provisions on the subject lands. See Figure 1 below for areas requested for removal of holding provisions.

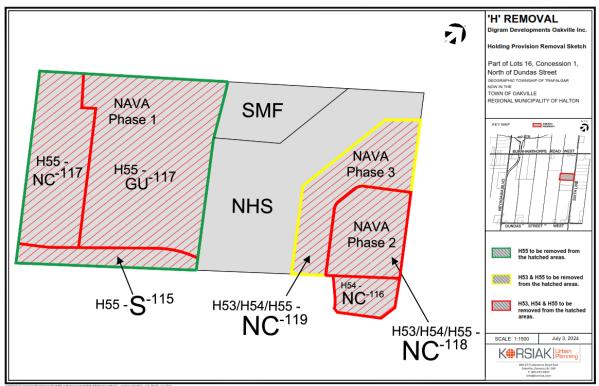


Figure 1 – H53, H54 and H55 removal areas, as submitted

Location

The subject lands are municipally known as Part of Lot 16, Concession 1 NDS, located on the west side of Sixth Line and Jack Bowerbank Boulevard. The present municipal address is 3380 Sixth Line.

Purpose of Holding Provisions

The purpose of the holding provisions is to ensure that various servicing matters related to the development of the subdivision have been addressed.

Removal of Holding "H53" Conditions

The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town passing a By-law under Section 36 of the Planning Act.

The following condition(s) shall first be completed to the satisfaction of the Town of Oakville, Halton Region and Conservation Halton:

- a) That the Sixth Line Road works and associated storm sewer (located on Town lands abutting the subject lands to the east) that affects the subject property is constructed, certified, stabilized, operational and in public ownership in accordance with Town approved engineering drawings, MOECC Environmental Compliance Approval (ECA and Conservation Halton permits) to the satisfaction of the Town of Oakville, Regional Municipality of Halton and Conservation Halton.
- b) That the storm sewer works within the neighbouring Argo West Morrison Creek Development (Street E) is constructed and operational.

Removal of Holding 'H54" Conditions

The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town passing a By-law under Section 36 of the Planning Act.

The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and/or the Region of Halton:

- a) The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program.
- b) The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements.
- c) The Owner shall have made all required payments associated with the Allocation Program;
- d) The Owner shall be in receipt of the Region of Halton Public Works Commissioner's Notice (PWCN) letter.

Removal of Holding 'H55' Conditions

The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town passing a By-law under Section 36 of the Planning Act.

The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and Halton Region:

a) That the external local watermains and sanitary sewer extensions that are proposed on the lands adjacent to the subject lands and that are required to service this property have been constructed and are operational to the satisfaction of the Region of Halton or that alternative provisions have been made by the Owner for the design and construction of the external watermain and sanitary sewer extensions to the satisfaction of the Region of Halton

COMMENTS:

Halton Region, in a letter dated August 23, 2024, have advised that the region has no objection to the removal of H53 and H55. The Region does not support the removal of H54 as additional servicing allocation is necessary for the blocks east of the West Morrison Creek blocks.

Town Engineering staff has reviewed the submission in relation to the detailed engineering reviews for the subdivision process together with the town's Sixth Line capital works project. There was a contract between Argo and the town to advance the associated Sixth Line road works with securities in place. The works have been constructed by the applicant and are operational. On this basis, town staff has no objection to the removal of holding provisions H53 and H55.

CONCLUSION

Staff is satisfied that the requirements for the removal of the Holding Provision 'H53" and 'H55' as it applies to the subject property have been satisfied.

Staff recommends approval of the subject application and to pass By-law 2024-128.

CONSIDERATIONS:

(A) PUBLIC

Notification of the intention to pass an amending By-law to remove the Holding Provisions has been provided to the landowner and adjacent landowners pursuant to Section 36(4) of the *Planning Act*. There were no comments received from the public with respect to this application.

(B) FINANCIAL

There are no financial matters related to this application.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for comment and no concerns raised.

(D) COUNCIL'S STRATEGIC PRIORITIES

This report addresses Council's strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

(E) CLIMATE CHANGE/ACTION

• The proposed development generally complies with the sustainability objectives of Livable Oakville.

APPENDICES:

Appendix A - By-law 2024-128

Prepared by: Robert Thun, MCIP, RPP, Senior Planner, Current Planning, West District

Recommended by: Paul Barrette, MCIP, RPP, Manager, Current Planning West District

Approved by: Gabriel A.R. Charles, MCIP, RPP, Director, Planning and Development

PLEASE LIST PERSONS OR AGENTS TO BE NOTIFIED OF COUNCIL'S DECISION

Meeting Type: Commissioners Delegated Authority (CDA) Meeting

Report Title: Holding Provision Removals – Digram Developments Oakville Inc., 3380 Sixth Line, ZH 7/24, By-law 2024-128

Meeting Date: October 3, 2024

Report Writer: Robert Thun Extension: 3029

MAIN PERSON/CONTACT	Jeffrey Takeuchi
Company Name	Digram
Email Address	jtakeuchi@digram.ca
Street Address if no email	

PERSON/CONTACT	
Company Name	
Email Address	
Street Address if no email	

PERSON/CONTACT	
Company Name	
Email Address	
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Appendix A



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-128

By-law 2024-128.docx

WHEREAS By-law 2023-083 delegates powers and duties with authority from Council to the Commissioner of Community Development to approve by-laws of a minor nature under section 34 of the *Planning Act* with respect to certain matters, including the removal of holding symbols under section 36 of the *Planning Act*,

WHEREAS the Commissioner of Community Development is satisfied that notice of the intention to pass a by-law to authorize the removal of Holding Provisions "H53" and "H55" was given in accordance with the requirements of the *Planning Act*;

WHEREAS the Commissioner of Community Development is satisfied that the conditions for the removal of the holding symbol set out in Section 9 of the Zoning By-law 2009-189, have been satisfied;

THE CORPORATION OF THE TOWN OF OAKVILLE, BY THE COMMISSIONER OF COMMUNITY DEVELOPMENT ACTING UNDER DELEGATED AUTHORITY, ENACTS AS FOLLOWS:

- 1. Map 12(4) of By-law 2009-189, as amended, is further amended by removing the holding symbols from the lands depicted on Schedule 'A' to this By-law.
- 2. Section 9, Holding Provisions, of Bylaw 2009-189, as amended, is further amended by deleting section 9.3.53 in its entirety and replacing it with the following:

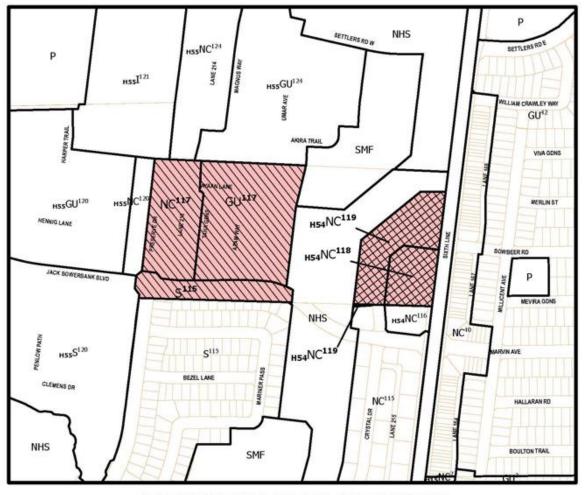
"H53 – Removed by By-law 2024-128"

3. This By-law comes into force upon the day it is passed.

PASSED this _____ day of _____, 2024

Acting Commissioner Community Development as delegated For Council Town Clerk





SCHEDULE "A" To By-law 2024-128

AMENDMENT TO BY-LAW 2009-189



H53/H55 is removed from the subject lands

EXCERPT FROM MAP 12 (4)



H55 is removed from the subject lands



SCALE: 1:4,000



REPORT

Commissioner's Delegated Authority (CDA)

Meeting Date: October 3, 2024

FROM:	Planning Services Department	
DATE:	September 19, 2024	
SUBJECT:	Removal of Holding Provision – Lower Fourth Development L and Pendent Developments Ltd., Part Lot 17-19, Concession NDS, File No.: ZH 8/24, By-law 2024-129	
LOCATION:	Part of Lot 17 - 19, Concession 1 NDS	
WARD:	Ward 7 Page	÷ 1

RECOMMENDATION:

- That the application (File No.: ZH 8/24) submitted by Lower Fourth Development Limited and Pendent Developments Ltd. to remove Holding Provision 'H55' from part of lands known as Part of Lots 17 - 19, Concession 1 NDS, be approved.
- 2. That By-law 2024-129, a By-law to remove Holding Provision 'H55' from Zoning By-law 2009-189, as amended, from part of lands known as part of Lots 17-19, Concession 1 NDS, be passed.

KEY FACTS:

The following are key points for consideration with respect to this report:

- An application was received on July 19, 2024 requesting the removal of Holding Provision H55 from a portion of Lots 17 19, Concession 1, NDS to permit the development of the site.
- The site was subject to previous Zoning By-law Amendment and Draft Plan of Subdivision application that was approved by Council on June 27, 2022.
- By-law 2022-059 included holding provision H55 related to the development of the site.
- Halton Region in a letter dated August 9, 2024 have advised they have no objection to the removal of the holding provision.

• Town staff has no objection to the removal of the H55 Holding Provision as the requirements of the holding provision has been satisfactorily addressed.

BACKGROUND:

<u>Proposal</u>

The applicant is requesting to remove the Holding "H55" Provision on the subject lands. See Figure 1 below for areas requested for removal of holding provisions.

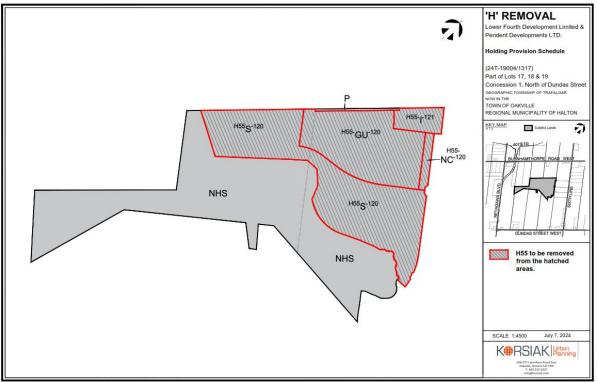


Figure 1 – H55 removal areas

Location

The subject lands are municipally known as Part of Lots 17 - 19, Concession 1 NDS. The east limit of the subject site is the recently constructed Preserve Drive. There is no municipal address.

Purpose of Holding Provision

The purpose of the holding provision is to ensure that various servicing matters related to the development of the subdivision have been addressed.

Removal of Holding 'H55' Conditions

The "H" symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the "H" symbol by the Town passing a By-law under Section 36 of the Planning Act.

The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and Halton Region:

a) That the external local watermains and sanitary sewer extensions that are proposed on the lands adjacent to the subject lands and that are required to service this property have been constructed and are operational to the satisfaction of the Region of Halton or that alternative provisions have been made by the Owner for the design and construction of the external watermain and sanitary sewer extensions to the satisfaction of the Region of Halton

COMMENTS:

Halton Region has reviewed the request for the removal of H55. In a letter dated August 9, 2024, the region had no objection to the proposed removal.

Town staff is satisfied that the requirement for the removal of the Holding Provision 'H55' as it applies to the hatched area in Figure 1 has been satisfied through the development of abutting subdivisions.

CONCLUSION

Staff recommends approval of the subject application and to pass By-law 2024-129.

CONSIDERATIONS:

(A) PUBLIC

Notification of the intention to pass an amending By-law to remove the Holding Provisions has been provided to the landowner and adjacent landowners pursuant to Section 36(4) of the *Planning Act*. There were no comments received from the public with respect to this application.

(B) FINANCIAL

There are no financial matters related to this application.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for comment and no concerns raised.

(D) COUNCIL'S STRATEGIC PRIORITIES

This report addresses Council's strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

(E) CLIMATE CHANGE/ACTION

• The proposed development generally complies with the sustainability objectives of Livable Oakville.

APPENDICES:

Appendix A - By-law 2024-129

Prepared by: Robert Thun, MCIP, RPP, Senior Planner, Current Planning, West District

Recommended by: Paul Barrette, MCIP, RPP, Manager, Current Planning West District

Approved by: Gabriel A.R. Charles, MCIP, RPP, Director, Planning and Development

PLEASE LIST PERSONS OR AGENTS TO BE NOTIFIED OF COUNCIL'S DECISION

Meeting Type: Commissioners Delegated Authority (CDA) Meeting

Report Title: Holding Provision Removal – Lower Fourth Development Limited and Pendent Developments Ltd., Part of Lots 17-19, Concession 1 NDS, ZH 8/24, By-law 2024-129

Meeting Date: October 3, 2024

Report Writer: Robert Thun Extension: 3029

MAIN PERSON/CONTACT	Catherine McEwan
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PERSON/CONTACT	
Company Name	
Email Address	
Street Address if no email	

PERSON/CONTACT	
Company Name	
Email Address	
Street Address if no email	

Appendix A



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-129

By-law 2024-129.docx

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WHEREAS the Commissioner of Community Development is satisfied that notice of the intention to pass a by-law to authorize the removal of Holding Provision "H55" was given in accordance with the requirements of the *Planning Act*;

WHEREAS the Commissioner of Community Development is satisfied that the conditions for the removal of the holding symbol set out in Section 9 of the Zoning By-law 2009-189, have been satisfied;

THE CORPORATION OF THE TOWN OF OAKVILLE, BY THE COMMISSIONER OF COMMUNITY DEVELOPMENT ACTING UNDER DELEGATED AUTHORITY, ENACTS AS FOLLOWS:

- 1. Map 12(4) of By-law 2009-189, as amended, is further amended by removing the holding symbol from the lands depicted on Schedule 'A' to this By-law.
- 2. This By-law comes into force upon the day it is passed.

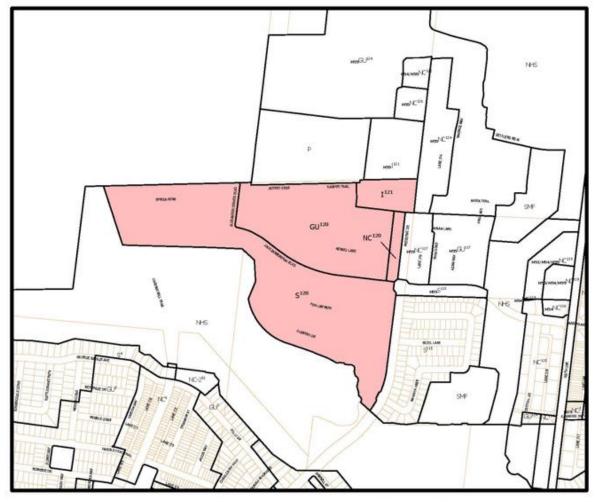
PASSED this _____ day of _____, 2024

Acting Commissioner Community Development as delegated for Council

Town Clerk







AMENDMENT TO BY-LAW 2009-189

H55 is removed from the subject lands

EXCERPT FROM MAP 12 (4)



SCALE: 1:7,000