



Commissioner's Delegated Authority

Agenda

Date: March 20, 2025
Time: 3:30 pm
Location: Virtual Meeting

	Pages
1. Call to Order	
2. Discussion Items	
2.1 Removal of Holding Provision - Mattamy (Joshua Creek) Limited. File No.: ZH 9/24, By-law 2025-035	2 - 10
3. Adjournment	

REPORT

Commissioners Delegated Authority Meeting

Meeting Date: December 31, 2025

FROM: Planning and Development Department

DATE: January 27, 2025

SUBJECT: **Removal of Holding Provision - Mattamy (Joshua Creek) Limited. File No.: ZH 9/24, By-law 2025-035**

LOCATION: Part of Lot 8 & 9, Concession 1

WARD: Ward 6

Page 1

RECOMMENDATION:

1. That the Zoning By-law Amendment application (File No.: Z.H 9/24) submitted by Mattamy (JC) Limited to remove the H60 holding symbol from William Cutmore Boulevard, Concession 1 Lot 8 be approved; and,
2. That By-law 2025-035, a by-law to remove the holding symbol on William Cutmore Boulevard Concession 1 Lot 8 & 9, from Zoning By-law 2009-189, as amended, be passed.

KEY FACTS:

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

- An application was received on December 3rd 2024, requesting the removal of Holding Provision “H60”.
- The site was subject to a previous Zoning By-law amendment (Z.1307.07) and was approved by the Town Council on May 15, 2023, concurrently with a Draft Plan of Subdivision (24T-20007/1307) to permit the development of 314 townhouse units, 702 detached dwelling, parks, school and Natural Heritage System.
- Holding Provision “H60” was established on the subject lands within the subdivision at the request of the Region of Halton. The purpose of the Holding Provision, as it relates to these lands, is to restrict the use of the land for legal uses, buildings and structures existing on the lot, until conditions a) to d) of Section 9.60.2 of the Zoning By-law 2009-189 have been completed to the satisfaction of the Town of Oakville and the Region of Halton.

- Halton Region staff confirmed that they have no objection to the application and confirmed that the applicant has satisfied their conditions to remove Holding Provision “H60” from the subject land in their commenting letter submitted to the Town and dated December 18, 2024.
- In support of the application the applicant received clearance from Halton Region, dated September 24, 2024.
- Staff recommends that By-law 2025-035 be passed, to permit the “H60” removal.

BACKGROUND:

The “H60” Holding Provision was incorporated into the Zoning By-law at the request of the Town and Halton Region. The Purpose of the “H60” is to limit development on the subject lands to legally existing uses and structures on the subject lands, until such time that the following condition has been satisfied:

- 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; and,
- d) The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.

The applicant will be eligible to proceed with further development approvals once the “H60” is removed from Zoning By-law 2009-189.

Proposal

The applicant is proposing to remove the “H60” Holding Provision from the subject lands, to permit the development of 314 townhouse units, 702 detached dwelling.

Location & Site Description

The subject lands are approximately 61.4 hectares (152 acres) in size and are located on the south side of Burnhamthorpe Road East and west of Ninth Line within Draft Plan of Subdivision 24T-20007/1307 as seen in Figure 1.

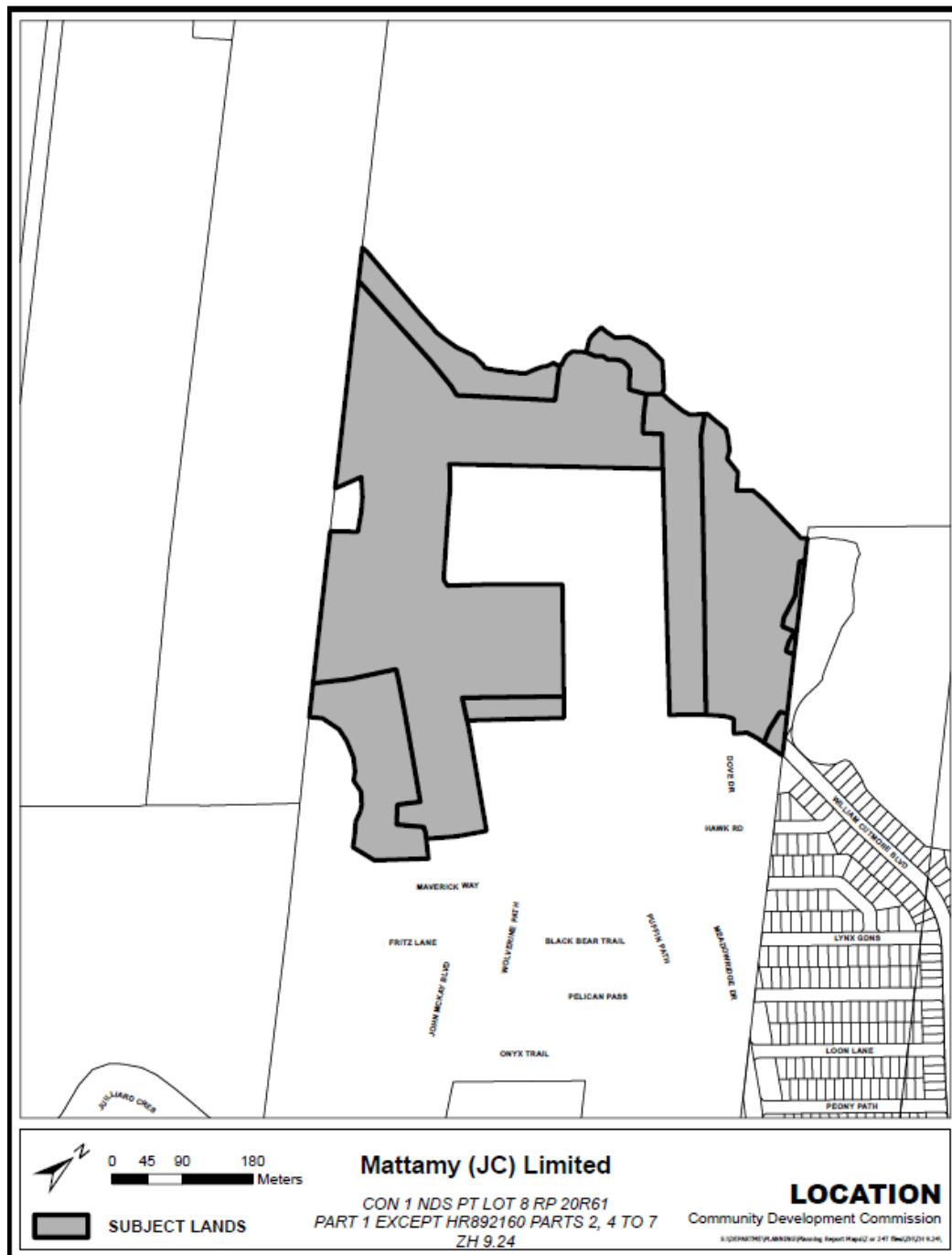


Figure 1: Location Map

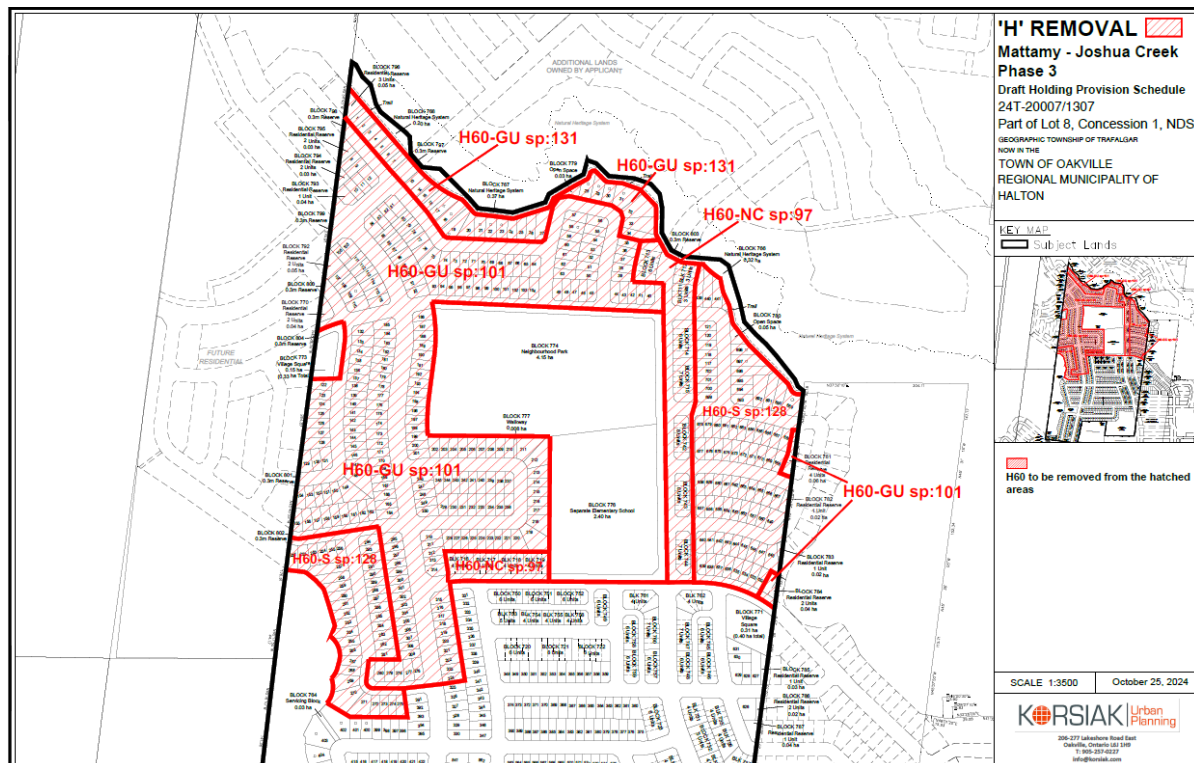


Figure 2: Lands subject to the removal of Holding Provision “H60”

TECHNICAL & PUBLIC COMMENTS:

The Subject lands were part of the public consultation process through the development application review for the Subdivision application 24T-20007/1307 and Zoning By-law Amendment Z.1307.07.

The Town received an application from Korsiak Urban Planning to remove the “H60” holding symbol from the Zoning By-law to allow the subject lands to be developed. Zoning By-law 2009-189, Section 9, Holding Provision, Table 9.60.1, indicates that the “H” symbol may be removed when the following conditions have been satisfied:

H60	Mattamy (Joshua Creek) Limited Part of Lot 8 & 9, Concession 1, NDS	Parent Zone: GU, S, NC
Map 12(6)		(2023-036)
9.60.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be used for the following uses:		
a)	Legal uses, buildings and structures existing on the lot	

9.60.2 Conditions for Removal of the “H”	
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 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; and
d)	The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter

CONCLUSION:

The subject lands are zoned H60-GU sp:131 (General Urban), H60-NC sp:97 (Neighbourhood Centre), H60-GU sp:101 (General Urban), H60-S sp:128 (Sub-urban), H60-NC sp:97 (Neighbourhood Centre) and H60-GU sp:101 (General Urban) in the Town of Oakville Zoning By-law 2009-189.

The Region of Halton has confirmed in its letter submitted to the Town of Oakville dated December 18, 2024 that there is sufficient Water and Wastewater servicing to accommodate the proposed development and cleared the H condition related to Allocation.

As such, staff is satisfied that the requirements for the removal of the Holding Provision “H60” as it applies to subject lands, have been sufficiently addressed to conclude that the Conditions have been “completed to the satisfaction of the Town of Oakville” and Halton Region have no objection to the Holding Removal. Staff recommends that application ZH 9/24 be approved and By-law 2025-035 be passed which would have the effect of removing the “H60” from the subject lands.

CONSIDERATIONS:

(A) PUBLIC

Notice of intention to pass an amending by-law which would remove the “H60” holding symbol has been provided to the landowner and adjacent landowners of the subject lands pursuant to Section 36(4) of the *Planning Act*. There were no submissions 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

Halton Region has no objections to the removal of the “H60” Holding Provision.

(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 will be reviewed to ensure compliance with the Town’s sustainability objectives of the Livable Oakville Plan.

APPENDICES:

Appendix A – By-law 2025-035

Submitted by:

Sara Hajsaleh, MCIP,
Planner, Current Planning - East District

Reviewed by:

Brandon Hassan, MCIP, RPP
Acting Manager, Current Planning - East District

Approved by:

Gabe Charles, MCIP, RPP
Director, Planning & Development



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2025-035

By-law 2025-035.docx

WHEREAS By-law 2023-083 delegates powers and duties with authority from Council to the Commissioner of Community Development, or designate 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 Provision “H60” was given in accordance with the requirements of the *Planning Act*; and

WHEREAS the Commissioner of Community Development is satisfied that the Conditions for the removal of the holding symbol set out section 9 of the Zoning By-law 2009-189, have been satisfied.

COUNCIL ENACTS AS FOLLOWS:

1. Map 12(6) 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. Section 9, Holding Provisions, of By-law 2009-189, as amended is further amended by deleting Table H60 in its entirety and replacing it with the following:

“H60 - Removed by By-law 2025-035”

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

PASSED this _____ day of _____, 2025.

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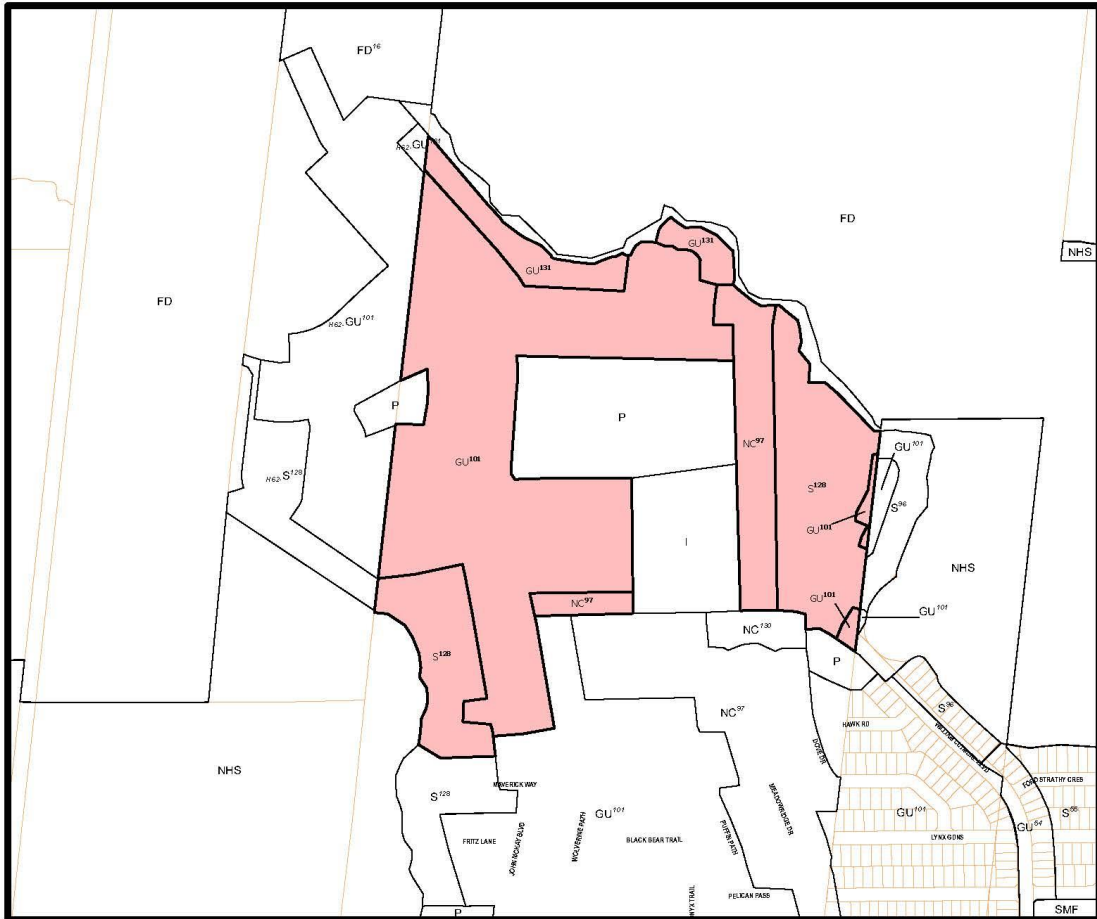
Gabe Charles
Director Planning & Development
As delegate for Council

Andrea Holland

Acting Town Clerk

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SCHEDULE "A"
To By-law 2025-035



AMENDMENT TO BY-LAW 2009-189



H60 is removed from the subject lands

EXCERPT FROM MAP
12 (6)



SCALE: 1:7,000