



Legislative & Planning Services
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March 1, 2021

Mr. Paul Barrette
Senior Planner, Current Planning
Planning Services Department
Town of Oakville
1225 Trafalgar Road
Oakville ON L6J 0H3

Dear Mr. Barrette:

**RE: Region of Halton Comments – 2nd Submission
Application to Amend the Official Plan and Zoning By-law
OPA1615.012 & Z.1615.012
Amico Properties Inc./Spruce Partners Inc.
152 Wilson Street**

Regional staff is forwarding comments with respect to a 2nd submission for the above-noted applications for a Local Official Plan Amendment and Zoning By-law Amendment. This resubmission was circulated on February 3, 2021.

The applicant is proposing to develop the site for a six storey retirement home with 230 suites inclusive of memory care, assisted living and independent living suites. It does not appear that the unit count or building height has changed with this revised submission.

The proposed Official Plan Amendment seeks to amend the Main Street 1 designation of the Livable Oakville Plan by adding a site-specific exception to allow for an increase in building height provide for site specific provisions for ground floor uses and for building stepping. The Zoning By-law Amendment proposes to rezone the lands to a site-specific MU 1 zone to reflect the proposed building height and stepping.

Previous Comments/Updates:

The Region provided comments on the initial circulation in a letter dated July 28, 2020. This letter indicated that the Region did not have any objections to the applications, however requested that our outstanding matters related to environmental site contamination and servicing be addressed through an 'H' on the implementing zoning for the lands.

We note matters related to environmental site contamination have been addressed, however there are still issues related to site servicing. Further, in our July 2020 comments, we advised that waste management issues would be addressed at the site plan stage. However, given the constraints of the site, we are requesting that the key waste collection requirements as sought in this letter are addressed now, as they may impact on other aspects of the site design and potentially the implementing zoning provisions.

Processing of the Proposed Local Official Plan Amendment:

As noted in our July letter, in accordance with Halton Region By-law 16-99 and following review of the proposed official plan amendment application, it appears that this application will be exempt from Halton Region approval. Please forward the draft recommendation report and proposed amendment to Halton Region at least 12 days prior to the presentation of the report to Oakville Council, as per the requirements of the by-law for the exemption to be confirmed by Regional staff.

Matters of Provincial and Regional Interest:

Provincial Policy Statement 2020/Growth Plan 2020:

We have considered the subject applications in the context of the Provincial Policy Statement, 2020 (PPS) and advise that subject to the comments contained herein, it is the Region's opinion that these applications are generally consistent with the PPS. Regional Staff have also considered the applications in the context of the 2020 Growth Plan (GP) and are of the opinion, subject to the comments contained herein, the proposed OPA and ZBA generally conform to the policies of the GP.

Region of Halton Official Plan 2009:

Part IV: Healthy Community Policies

Environmental Quality-Land:

Section 58 (1) of the ROP provides that uses may be permitted within the various land use designations provided that a site is not considered hazardous to life or property due to conditions such as soil contamination.

Section 147(17) of the ROP and Implementing Guidelines require the Region and Local Municipalities, when considering any development proposal, to undertake appropriate assessment of the lands and undertake the steps necessary to bring the lands into a condition suitable for the intended use. Regional staff has also reviewed this application

within the context of the Halton Region's "Protocol for Reviewing Development Applications with Respect to Contaminated Sites".

Our letter of July 2020, required that a Record of Site Condition (RSC) be received indicating that the soil condition of the lands is suitable for the intended use. We also requested that the Owner submit all updated supporting environmental documentation such as Phase One and Two Environmental Site Assessment and remediation reports etc. to the Halton Region for review. The author of the environmental reports and Record of Site Condition submitted to the Region must extend third party reliance to Halton Region. The letter noted that the owner is required to comply with Ontario regulation 153/04 and Halton Region's Protocol for Reviewing Development Applications with respect to Contaminated Sites, to the satisfaction of the Halton Region

The applicant submitted a Record of Site Condition in conjunction with their revised submission. This has been reviewed and we are satisfied that our concerns in this regard have been satisfied.

However, we request that the supporting Phase 1/2 Environmental Site Assessments (and any remediation documentation) be provided to the Region for our records.

Other Regional Comments:

Water/Wastewater Servicing:

Regional Staff note the proposed use is to connect to the Regional water and wastewater system in accordance with section 89(3) of the ROP. Section 58-1.1 (Part 3: Land Stewardship Policies –Development Criteria) states that uses are permitted as specified for each land use designation provided that an adequate supply of water and treatment of wastewater for the proposed use has been secured to the satisfaction of the Region.

Existing Services:

Watermain:

- a 300mm dia. watermain is located on Kerr Street adjacent to the property.
- a 300mm dia. watermain is located on Rebecca Street adjacent to the property.
- a 500mm dia. watermain is located on Rebecca Street adjacent to the property.
- a 150mm dia. watermain is located on Wilson Street adjacent to the property.

Please note that the applicant should undertake their own fire flow testing in the area in order to confirm the design requirements for domestic water supply and fire protection.

Sanitary Sewer:

- A 300mm dia. sanitary sewer is located on Kerr Street adjacent to the property.
- A 1200mm dia. sanitary sewer is located on Rebecca Street adjacent to the property.
- A 900mm dia. sanitary sewer is located on Rebecca Street adjacent to the property.
- A 200mm dia. sanitary sewer is located on Wilson Street adjacent to the property.

Please note that a Functional Servicing Report (FSR) prepared by Odan/Detech Group Inc., dated May 2020, was submitted with the application. A revised FSR, dated January 2021 was submitted with the second submission.

Water and Waste Water Servicing:

Watermains:

The FSR recommends that the site to be serviced for water by connecting to the existing watermain on Wilson Street, however, the Site Servicing Plan show the proposed development being serviced from the existing watermain on Kerr Street. No fire flow tests were completed for the analysis in the FSR in order to determine if the existing water system can accommodate the proposed re-development. The FSR did provide analysis that determined what the proposed water demand will be for the development. The FSR should be revised to include fire flow testing in the area and the corresponding analysis that demonstrates that the existing water system in the area can support this development.

Wastewater Servicing:

The FSR recommends that the site be serviced for sanitary sewers by connecting to the existing sanitary sewer on Kerr Street. The analysis provided in the FSR for the proposed flow from this development is based on Region of Halton standards.

The FSR provides analysis that determines that the existing downstream sanitary sewer system can accommodate the proposed flows from this development.

Summary:

The FSR should be revised to reflect the issues noted above. Once the FSR is revised and it is demonstrated in the revised FSR that the existing water system can accommodate the proposed development then we will have no objection to the applications. If the FSR is not revised prior to Town staff presenting a recommendation report to Council, then it is recommended that the implementing zoning by-law contain a holding provision to address our servicing concerns.

Waste Management:

Region Waste Management will service for recycling and organics collection only due to the nature of waste generated from the building. Garbage collection is required to be obtain by way of private collection services.

We advise as follows:

- The applicant is to confirm/provide the following:
 - the overhead clearance height of the waste loading area.
 - the width of the waste loading area.
 - The center line turning radius. A minimum 13 metre radius is required for waste collection vehicles.
 - the layout of the sorting equipment and bins within the waste collection room. Doors leading to and from the loading area are required to be 2.2 metres in width.
- The dimension of the collection vehicle depicted in the “Waste Management Plan” prepared by Amico and dated May 31, 2020, do not match the regional waste collection vehicle dimensions for waste collection. Waste Management Plan should be updated to reflect this as well as required minimum turning radius.
- A completed drive through agreement will be required at the site plan stage.

The applicant can reach out to Andrew Suprun, Waste Management Co-ordinator (905-825-6000 Ext. 8297) to obtain further input and clarification on the above-noted requirements.

Finance:

The following note is provided for information:

- The Owner will be required to pay all applicable Regional Development Charges (DCs) in accordance with the Region of Halton Development Charges By-law(s),

as amended. If a subdivision (or other form of development) agreement is required, a portion of the Regional DCs for residential units may be payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery Payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

Notre: The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website at <https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment> to obtain the most current information which is subject to change.

Conclusion:

It is the opinion of Regional Planning staff that the subject applications are consistent with the Provincial Policy Statement and are in conformity with the Growth Plan and Halton Region Official Plan subject to a Holding "H" Provision containing the condition noted below.

We request that copies of the Phase 1/2 ESA and any other related documentation (such as remediation reports) be provided to the Region for our records.

We also request that the applicant address the Region's comments related to waste collection. These may impact the site layout and potentially any site-specific Zoning By-law provisions.

In order to address Halton Region's outstanding matters as indicated above, the "H" Provision shall, upon application by the landowner, be removed by way of an amending zoning by-law when Halton Region's Commissioner of Legislative and Planning Services or his or her designate, has confirmed that:

1. A revised Functional Servicing Report (FSR) has been submitted to the satisfaction of Halton Region.

The Town is also requested to obtain formal exemption of the Official Plan Amendment from Regional approval as set out in this letter, prior to the finalization of the staff recommendation report.

I trust these comments are of assistance. Should you have any questions or require additional information, please do not hesitate to contact me directly at (905) 825-6000, extension 7060.

Please send notice of the Town's decision on this application.

Sincerely,

Bernie Steiger, MCIP RPP
Acting Manager –South

c: Ron Mackenzie, Development Project Manager, Halton Region (via email)
Ben Doulatyari, Planning Services, Halton Region (via email)
Andrew Suprun, Waste Management, Halton Region (via email)