



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: February 15, 2022

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**FROM:** Planning Services Department

**DATE:** February 1, 2022

**SUBJECT:** Holding Provision Removal, 2477 Old Bronte Developments Inc., Z.1430.33 - By-law 2022-003

**LOCATION:** 2475 Old Bronte Road (formerly 2467-2477 Old Bronte Road)

**WARD:** Ward 4

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#### RECOMMENDATION:

1. That the application (File No.: Z.1430.33) submitted by 2477 Old Bronte Developments Inc., to remove the Holding Provision “H1” from the lands generally located at 2475 Old Bronte Road, be approved.
2. That By-law 2022-003, a By-law to remove the holding provision “H1” from Zoning By-law 2014-014, as amended, be passed.

#### KEY FACTS:

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

- The general purpose of the “H1” holding provision is to ensure that prior to redevelopment: sufficient infrastructure is available; that required land conveyances are completed; and, that necessary infrastructure improvements have been designed and fully funded.
- The “H1” holding removal criteria was reviewed concurrent with site plan application SP.1430.042/01 which proposes to redevelop the subject lands with an 8 storey 131 unit mixed use building with ground floor commercial and conservation of the designated “Wettlaufer House”.
- As part of the foregoing, servicing of the proposed development was reviewed, land conveyances dedicated, and agreements entered into which provide the design and funding of infrastructure improvements.
- All conditions relating to the removal of the “H1” holding provision have been satisfied.

## **BACKGROUND:**

### **Proposal**

The applicant is requesting to remove the “H1” holding provision from the subject lands.

### **Location & Site Description**

The subject lands are located in Palermo Village, on the east side of Old Bronte Road, south of Dundas Street West, and are known municipally as 2475 Old Bronte Road (formerly 2467-2477 Old Bronte Road).

### **Site Plan Application**

Site plan application SP. 1430.042/01 proposes to redevelop the subject lands with an 8 storey 131 unit mixed use building with ground floor commercial together with conservation of the designated “Wettlaufer House”. The “Wettlaufer House” is a 2-1/2 storey red brick residence which is proposed to be relocated, integrated and converted as part of a lounge for the proposed mixed use building along the Old Bronte Rd frontage.



Figure 1: Applicant's Old Bronte Road Elevation of Proposed Mixed Use Building

The Owner has entered into a Heritage Easement Agreement and a Site Plan Agreement with the Town. As part of the Site Plan Agreement, a road widening along Old Bronte Road was dedicated to the Town, streetscape works were designed, funded and secured, and servicing of the proposed mixed use

development was reviewed and confirmed. Removal of the “H1” holding provision from the subject lands is required before final site plan approval can be granted.

**TECHNICAL & PUBLIC COMMENTS:**

Holding provision “H1” provides that the following conditions, as applicable, shall be completed to the satisfaction of the Town prior to removal by Town Council by passing a By-law under Section 36 of the *Planning Act*.

16.3.1.3 Conditions for Removal of the “H”	
The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the <i>Planning Act</i> . The following conditions, if and as applicable, shall first be completed to the satisfaction of the Town of Oakville:	
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .
b)	The owner has entered into any required servicing agreement(s) with the <i>Town</i> regarding stormwater management.
c)	The completion of detailed design drawings required for the construction of <i>road</i> and <i>infrastructure</i> improvements.
d)	Registration on title of an agreement between the owner and the <i>Town</i> with respect to the <i>road</i> and <i>infrastructure</i> improvements. This agreement shall also address security and advancing of funds, or a letter of credit for the full cost of the <i>road</i> and <i>infrastructure</i> improvements.
e)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> .
f)	All required land conveyances have been undertaken.

Halton Region’s clearance regarding water and wastewater servicing required pursuant to ‘condition A’ is appended to this report as **Appendix “A”**. The remaining conditions related to stormwater management, road and infrastructure improvements and associated funding requirements, the applicability of a Section 37 Agreement (bonusing) and land conveyances were reviewed concurrently through site plan application SP.1430.042/01. As a result, the remaining conditions for removal of “H1” from the subject property have been satisfied through:

1. Registration of a site plan agreement on title of the subject property which addressed:
  - a. Review of site servicing including stormwater management together approved servicing plans and posting of site securities;

- b. Design of interim streetscape works along Old Bronte Road together with posting of associated site securities, and full funding of ultimate streetscape works; and,
- c. conveyance of a road widening along Old Bronte Road to the Town.

Pursuant to the Livable Oakville Plan, a Section 37 Agreement (bonusing) is not required to permit the proposed development.

**CONSIDERATIONS:**

**(A) PUBLIC**

Notification of intention to remove the “H1” or holding provision from the subject lands has been provided pursuant to Section 36(4) of the *Planning Act*.

**(B) FINANCIAL**

Securities have been posted by the applicant as part of registration of the Site Plan Agreement, to ensure the proposed site works are sufficiently completed. There are no other relevant financial considerations for the removal of the “H”.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

Halton Region has no objection to the removal of the “H1” holding provision from the subject lands.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:

- be the most livable town in Canada

**(E) CLIMATE CHANGE/ACTION**

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

**CONCLUSION:**

Staff is satisfied that the requirements for the removal of the holding provision “H1” as it applies to 2475 Old Bronte Road has been satisfied. Staff recommends that Council approve the subject application and pass By-law 2022-003 which would have the effect of removing holding provision “H1” from the subject lands.

**APPENDICES:**

Appendix “A” – Halton Region Comments

Appendix “B” – By-law 2022-003

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