

## Appendix A - Regional Comments

*April 27, 2022*

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

Dear Mr. Thun:

**RE: Region of Halton Comments – 4<sup>th</sup> Submission *REVISED*  
Application to Amend the Zoning By-law Application for Draft Plan of  
Subdivision  
Z.1316.08 & 24T-20003/1316  
Digram Developments Oakville Inc.  
3380 Sixth Line, Oakville**

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Regional staff are forwarding comments with respect to the above-noted applications for a Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision (DPS). Regional staff note that the Local Official Plan Amendment application (OPA.1316.08) has been withdrawn by the Applicant.

These comments are provided with regard to the circulation of a 4<sup>th</sup> submission received on March 18, 2022. Regional staff provided comments in response to the 2<sup>nd</sup> submission on January 28, 2021. This letter indicated that the Region was not in a position to provide conditions of draft approval due to the outstanding items requested by Conservation Halton (CH). Comments provided herein supersede previously provided comments.

Please note, Regional staff did not provide comments on the 1<sup>st</sup> and 3<sup>rd</sup> submissions.

The applicant has made revisions to the plan from the previous submissions. Details of the current proposal, as indicated on the DPS, prepared by Korsiak Urban Planning, dated March 14, 2022, are:

- 49 street townhouse units (0.88 ha);
- 35 rear-lane townhouse units (0.61 ha);
- 68 back-to-back townhouse units (0.72 ha);

- 2 mixed-use blocks (plan shows 360 apartment units) (1.25 ha);
- 2 residential reserve blocks (0.18 ha);
- 1 natural heritage system block (1.94 ha);
- 1 stormwater management pond block (0.60 ha); and,
- 1 walkway block (0.02 ha).

As indicated on the Conceptual Phasing Plan, prepared by Korsiak Urban Planning, dated March 14, 2022, the proposed development will be phased as follows:

- Phase 1: 152 townhouse units, including 49 street townhouse units, 35 rear-lane townhouse units, and 68 back-to-back townhouse units;
- Phase 2: 144 apartment units (Block 20 - mixed-use); and,
- Phase 3: 216 apartment units (Block 21 - mixed-use).

The Zoning By-law Amendment proposes to change the zoning of the lands from “Existing Development (ED)” to “Neighbourhood Centre (NC)”, “Neighbourhood Centre (HXX-NC)”, “General Urban (GU)”, “Suburban (S)”, “Natural Heritage System (NHS)”, and “Stormwater Management Facility (SMF)”. Site-specific provisions are proposed for the residential parcels. Holding provisions are proposed for those residential zones that do not correlate to the initial phase of development.

Regional staff note that supportive comments from Conservation Halton (CH) were received on April 5, 2022. As such, Regional staff have no objections to the above-noted applications subject to the conditions outlined in Schedule “A”. The conditions are required to ensure that matters of Regional interest are fulfilled. Regional staff offer the following comments.

### **Matters of Provincial and Regional Interest:**

#### **Provincial Policy Statement 2020:**

The 2020 Provincial Policy Statement (PPS) provides clear direction on land use planning in Ontario to promote strong communities, a strong economy, and a clean healthy environment.

The PPS (Section 1.1.3) promotes within urban areas and settlement areas, development densities and a mix of land uses which are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Under Section 1.1.3.3, the PPS supports the accommodation of a significant supply and range of housing options through intensification and redevelopment where this can be

accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities. Section 1.4 of the PPS also provides that the allocation of units by the upper-tier municipality shall be based on and reflect provincial plans where these exist. Section 1.6 sets out that the infrastructure planning shall be coordinated and integrated with land use planning and growth management so that they are financially viable over their life cycle and available to meet current and projected needs.

The PPS (Section 1.6.6) also seeks to service development within settlement areas through municipal water and wastewater systems.

Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs (Section 1.6.7).

The PPS (under Section 2.1) sets out that natural features and areas are to be protected for the long term, requires the identification of natural heritage systems, does not permit development or site alteration within or adjacent to features as identified in the PPS, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Further, under Section 3.1 (Natural Hazards), the PPS calls for development to generally be directed to areas outside of hazardous lands adjacent to river and stream systems which are impacted by flooding hazards and/or erosion hazards.

Under Section 2.6, the PPS states that significant cultural heritage landscapes shall be conserved and further that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

Section 3.2.2 of the PPS states that sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

*Summary:*

Subject to addressing the technical comments/concerns identified in this letter as well as the inclusion of any requested conditions of draft approval, Regional staff would consider the applications to be consistent with the PPS 2020.

**A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020:**

The 2020 Growth Plan (GP) provides policy framework for the Greater Golden Horseshoe regarding growth and development in ways that support economic prosperity, protect the environment, and help communities achieve a high quality of life. The guiding principles of the GP entail: creating complete communities; protecting and

enhancing natural heritage features; improving the integration of land use planning with planning and investment in infrastructure and public service facilities; and, conserving and promoting cultural heritage resources (among other matters).

The subject property is within the “Designated Greenfield Area” on Schedule 2 of the Plan.

Under Section 2.2.1 (Managing Growth), the GP intends that the application of its policies will support the achievement of complete communities that feature a diverse mix of land uses, convenient access to public service facilities, and provide for a more compact built form.

With respect to servicing, the GP seeks to direct growth to settlement areas that have existing or planned municipal water and wastewater systems. The GP, under Section 2.2.1, also sets out that upper-tier municipalities shall undertake integrated planning that, among other matters, provides direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

In terms of financing and managing growth, Section 2.2.1 of the GP states that upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of the GP, which will be supported by planning for infrastructure and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term (among other matters). The GP also sets out that infrastructure planning, land use planning, and infrastructure investment will be co-ordinated to implement this Plan (Section 3.2.1-1). The policies of the GP further state that planning for new or expanded infrastructure will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental planning and financial planning, and will be supported by relevant studies and should involve identifying the full life cycle costs of infrastructure and developing options to pay for these costs over the long-term (among other matters) (Section 3.2.1-2). The Region’s Official Plan has established policies in relation to growth management and the Region has established an Allocation Program as a growth management tool.

The Natural Heritage System (NHS) policies of the GP note that the GP NHS does not include lands within settlement areas that were approved prior to July 2017 (Section 4.2.2). However, it goes on to state that beyond the NHS for the GP, including within settlement areas, municipalities are to continue to protect any other natural heritage features and areas in a manner that is consistent with the PPS and may continue to protect any other natural heritage system or identify new systems in a manner that is consistent with the PPS (Section 4.2.2-6).

With respect to cultural heritage resources, the GP, under Section 4.2.7, seeks to conserve cultural heritage resources in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

*Summary:*

Subject to addressing the technical comments/concerns identified in this letter as well as the inclusion of any requested conditions of draft approval, Regional staff would consider the applications to be in conformity with the 2020 GP.

**Region of Halton Official Plan 2009:**

The Region's Official Plan provides goals, objectives, and policies to direct physical development and change in Halton. The subject lands are designated as "Urban Area" and "Regional Natural Heritage System" on Map 1: Regional Structure of the Plan.

*Part III: Land Stewardship Policies:*

*Land Use Designations:*

The policies of Urban Area designation support a range of uses and the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure. Policy 76 states that the range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All *development*, however, shall be subject to the *policies* of this Plan.

*Managing Growth-Allocation Program:*

The ROP requires that the development industry absorb their share of the cost of the provision for infrastructure and that any financial impact of new development or redevelopment on existing residents be based on a financing plan communicated to the taxpayers and subsequently approved by Council (Section 77 (15)). Policy 77 (17) requires that prior to the Local Municipality approving *development* within any Regional phase that Regional Council approves a financial and implementation plan, including financial commitment by the private development sector to absorb its share of the cost of the provision of the necessary *infrastructure* and human services as permitted by applicable legislation. To this end, Halton Region has implemented Allocation Programs that require proponents of residential development applications to secure servicing allocation from Halton Region through an Allocation Agreement. The subject lands are located outside the urban Built Boundary, and are subject to the Regional Allocation Program.

Currently, the application proposes 512 residential units, comprised of:

- 49 street townhouse units;
- 35 rear-lane townhouse units;

- 68 back-to-back townhouse units; and,
- 360 high-density units on Blocks 20 and 21.

Based on the residential units noted above, the proposed development would require 94 Single Detached Equivalents (SDEs) to fully service the development. The Region does allow for draft approval with a minimum of 40% allocation, which would require a minimum of 38 SDEs. The Region's records indicated that 96 SDE's of servicing allocation have been reserved for the subject lands through 2020 Allocation Program (45 SDEs under Law File 2020-122 plus 51 top-ups). Therefore, sufficient allocation has been reserved to support the proposed development.

As there is sufficient allocation for the subdivision as a whole, the Region is in a position to support draft approval of the plan from an allocation perspective (subject to conditions and subject to resolving any other matters identified in this letter).

### Residential Reserve Blocks

Two Residential Reserve Blocks (proposed Suburban zone) are shown on the draft plan of subdivision. These blocks have not been included in calculating the 40% rule above.

Based on the applicant's phasing plan, none of the current approved allocation for these lands is to be assigned to these blocks.

It is the Region's standard that through the registration process, should these blocks be included, appropriate allocation will be required or alternatively an agreement between both the applicant and the neighbouring landowner will be required indicating that the adjacent landowner will be securing for these lots for servicing allocation.

It is the developer's responsibility to determine how they wish to address the reserve blocks (e.g. top-up, landowner agreement) in accordance with the applicable agreement.

The developer is advised to contact the Region planner responsible for the carriage of the application at the earliest opportunity to discuss their proposed approach and the next steps/requirements for Regional approval.

There is a process involved in obtaining approval/sign-off by the Region for allocation related to reserve blocks. The developer should take this into account in their project timelines in order to prevent delays in the condition clearance and registration stage of the process.

### Unallocated Lots/Blocks and High Density Blocks (Holding Provision)

There are two high-density blocks shown on the plan (Blocks 20 and 21). As noted above, the submitted Draft Plan indicates that allocation has not been assigned to the

blocks, nor has sufficient allocation been reserved for these lands. In addition, as noted previously in this letter, there is insufficient allocation for the balance of the low/medium density lots/blocks in the plan outside of those identified as part of Phase 1.

Accordingly, we request that the implementing zoning by-law include a Holding provision as follows for the residential portions of the lands that have no allocation and are not included in Phase 1 of the development:

“That prior to the lifting of the H, the Owner shall ensure/provide the following:

- a) Secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;
- b) Signed the applicable Allocation Agreement or any required Amending Agreements;
- c) Made all required payments; and,
- d) Is in receipt of a Region of Halton Public Works Commissioner’s Notice (PWCN).

for all the units proposed for development, all to the satisfaction of the Region of Halton. The Region of Halton shall provide written correspondence that these requirements have been addressed.”

*Regional Natural Heritage System:*

Policy 118 (3.1) of the ROP requires the submission of an EIA for development and site alterations including public works, that are located wholly or partially inside or within 120 metres of the Regional Natural Heritage System (RNHS). The purpose of such an EIA is to demonstrate that the proposed *development or site alteration* will result in no *negative impacts* to that portion of the RNHS or unmapped Key Features of the RNHS.

Policy 116.2 **of the ROP states that** within the North Oakville East Secondary Plan Area, the RNHS will be delineated and implemented in accordance with Town of Oakville Official Plan Amendment No. 272 (North Oakville East Secondary Plan) area.

Conservation Halton (CH) provides environmental advisory and technical review services to the Region in relation to the protection of certain natural heritage features and areas and natural hazard management.

CH provided comments in a letter dated April 5, 2022 wherein they provided their conditions of draft approval for this subdivision. As such, the Region is now in a position to provide our conditions of draft approval.

Those lands that are confirmed to form part of the RNHS are to be conveyed to/retained in Town ownership and placed in an appropriate zone category.

*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 have also reviewed this application within the context of the Halton Region's "Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites".

A signed Environmental Site Screening Questionnaire (ESSQ) and a report entitled: "Phase One Environmental Site Assessment" dated January 22, 2020 and prepared by WSP, were submitted in conjunction with this application.

These have been reviewed by staff and are found to be satisfactory. The Region's interests in this regard have been addressed.

*Cultural Heritage Policies-Archaeological Resources:*

The ROP also contains policies with respect to archaeological potential, and the preservation, mitigation, and documentation of artifacts. Section 167.6 requires the submission of an Archeological Assessment where development is proposed in an area having archaeological potential.

The following materials have been submitted to the Region:

- "Stage 1 and 2 Archaeological Assessment of 3380 Sixth Line" dated December 10, 2020 and prepared by Archaeological Services Inc. (ASI)

This report indicated that seven Indigenous findspots and seven Indigenous sites were found. It further noted that of these, six sites, including AiGw-1021, AiGw-1022, AiGw-1023, AiGw-1024, AiGw-1025, and AiGw-1027, warrant a Stage 3 Archaeological Assessment. The report also concluded that the remaining findspots and sites do not have cultural heritage value or interest and are considered free of any further archaeological concern.



- An acknowledgement letter from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI), dated April 24, 2021, for the noted report

As recommended in “Stage 1 and 2 Archaeological Assessment of 3380 Sixth Line”, the following reports have also been completed and submitted to the Region:

- “Stage 3 Archaeological Assessment of AiGw-1021: 3380 Sixth Line Oakville” dated November 23, 2021 and prepared by Parslow Heritage Consultancy Ltd. (PHC)

According to this report, it is determined that the portion of AiGw-1021 within the current study area has been mitigated, and no further archaeological assessment is recommended under S&G Section 3.4.1, Standard 1a (MHSTCI, 2011).

- “Stage 3 Archaeological Assessment of AiGw-1022: 3380 Sixth Line Oakville” dated November 23, 2021 and prepared by PHC

According to this report, it is determined that AiGw-1022 within the current study area has been mitigated, and no further archaeological assessment is recommended under S&G Section 3.4.1, Standard 1a (MHSTCI, 2011).

- “Stage 3 Archaeological Assessment of AiGw-1023: 3380 Sixth Line Oakville” dated November 23, 2021 and prepared by PHC

According to this report, it is determined that AiGw-1023 has been mitigated, and no further archaeological assessment is recommended under S&G Section 3.4.1, Standard 1a (MHSTCI, 2011).

- “AiGw-1024. 3380 Sixth Line Oakville” dated November 23, 2021 and prepared by PHC

This report concluded that the site contains cultural heritage value or interest and recommended that mitigation, through Stage 4 excavation be completed.

- “Stage 3 Archaeological Assessment of AiGw-1025: 3380 Sixth Line Oakville” dated November 23, 2021 and prepared by PHC

According to this report, it is determined that AiGw-1025 has been mitigated, and no further archaeological assessment is recommended under S&G Section 3.4.1, Standard 1a (MHSTCI, 2011).

- “Stage 3 Archaeological Assessment of AiGw-1026: 3380 Sixth Line Oakville” dated November 23, 2021 and prepared by PHC

According to this report, it is determined that AiGw-1026 has been mitigated, and no further archaeological assessment is recommended under S&G Section 3.4.1, Standard 1a (MHSTCI, 2011).

- “Stage 3 Archaeological Assessment of AiGw-1027: 3380 Sixth Line Oakville” dated November 23, 2021 and prepared by PHC

According to this report, it is determined that the portion of AiGw-1027 within the current study area has been mitigated, and no further archaeological assessment is recommended under S&G Section 3.4.1, Standard 1a (MHSTCI, 2011).

As recommended in “AiGw-1024. 3380 Sixth Line Oakville”, the following report has also been completed and submitted to the Region:

- “Stage 4 Archaeological Assessment of AiGw-1024: 3380 Sixth Line Oakville” dated January 10, 2022 and prepared by PHC

According to this report, it is determined that the entirety of site AiGw-1024 has been mitigated and can be considered free of any further cultural heritage value or interest. No further archaeological assessment is recommended.

Regional staff request that acknowledgement letters from the Ontario MHSTCI for all the noted Stage 3 and 4 Archaeological Assessment reports prepared by PHC be submitted to the Region.

The proponent is cautioned that during any development activities, should archaeological materials be found on the property, the MHSTCI should be notified immediately (416-212-8886 or [archaeology@ontario.ca](mailto:archaeology@ontario.ca)). In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.

#### *Summary:*

Subject to addressing the technical comments/concerns identified in this letter as well as the inclusion of any requested conditions of draft approval, Regional staff would consider the applications to be in conformity with the Region’s Official Plan.

#### **Other Regional Comments:**

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.

### **Water/Wastewater Servicing:**

#### *Existing Services:*

#### Watermain:

- a 600mm dia. watermain is located on Sixth Line adjacent to the property.
- a 750mm dia. watermain is located on Sixth Line adjacent to the property.

#### Sanitary Sewer:

- a 525mm dia. sanitary trunk sewer is located on Sixth Line adjacent to the property.

#### *Water and Wastewater Servicing:*

Please note that a Functional Servicing Study (FSS) was submitted as part of the Environmental Implementation Report (EIR) that was prepared by multiple consultants in support of the multiple developments in the catchment area for Upper West Morrison Creek Subcatchment 1 (UWMC 1). An Addendum to this EIR/FSS, dated December 2018, was also submitted in support of the developments in this area. A subsequent second submission of the Addendum to the EIR/FSS dated November 2020, was also submitted for this application.

The servicing of the North Oakville East Secondary Plan (NOESP) is addressed in the Area Servicing Plan (ASP) for this area. The ASP provides the overall servicing plan for the ultimate servicing and infrastructure requirements for the NOESP.

#### Water:

The FSS indicates that the development will be serviced for water by connection to the future developments both west and south of the subject property. A 300mm diameter watermain is proposed to be located on Street A and this watermain will connect to the future watermain on Preserve Drive and to the future watermain system on the lands located south of this development.

The local watermain systems that are to be located in the future developments that are located to the west and south of the subject property will have to be constructed and operational prior to this development proceeding in order that connection points can be provided.

The FSS includes a water model/analysis that was completed in support of the water system design for this subdivision. This analysis confirms that the static water pressures will be on the higher end of the allowable pressure range. Parts of the site could experience high pressures.

Please note that no water modeling was provided to determine sizing of the proposed watermains in the FSS.

Please note that the proposed development will be located within the Region's Zone 4 pressure area and that no pressure zone interfaces will be located in the vicinity of this subdivision.

The proposed watermain system in this subdivision is comprised of local watermains with the largest sized main being 300mm diameter. No DC reimbursable watermains are located within this subdivision.

#### Wastewater:

For this particular draft plan of subdivision, the FSS notes that the wastewater servicing for this development will be split into two drainage areas. The part of the development on the west side of the creek re-channelization will be directed via local gravity sewers within the subdivision to the sub-trunk sewer that is to be located on the future Preserve Drive. The portion of the development that is located on the east side of the creek re-channelization will be directed southward via local gravity sewers on Street E and then through the future developments that are located south of the subject property eventually connecting to the existing trunk sewer that is located on Sixth Line.

*The future trunk sewer on Preserve Drive will be constructed as part of the Preserve North Phase 4 subdivision (24T-19004/1317) and the Argo (West Morrison) Subdivision (24T-20001). This trunk sewer will have to be constructed and operational prior to the western portion of the subject development proceeding.*

The local sanitary sewers located in the future developments that are located south of the subject property will have to be constructed and operational prior to this portion of the subject property proceeding in order that connection points can be provided.

#### 450mm Dia. Trunk Sewer on Street D (Preserve Drive):

*Please note that the FSS recommends that the proposed trunk wastewater main on Street G be sized as a 450mm diameter sewer to service other development lands to the north. This is in accordance with the Area Servicing Plan for the North Oakville East Secondary Plan.*

*Please note that this trunk sewer is considered a development charge trunk sewer. The Region's Master Servicing Plan (2011) originally identified this trunk sewer as ID #5063.*

*In the Region's 2017 Development Charges study, this sewer was split into two sections with the north section that is located through and north of the NHS being now identified as ID #7522. The section noted as ID #7522 is being funded through the Region's 2020 Allocation Program.*

#### Water Pressure Zone Realignment:

The Region is currently undergoing a program to realign the water pressure zones in the Region. As part of this program, it is proposed to implement both an interim zone condition and an ultimate zone condition within the Region's water distribution system. The timing of implementing the new pressure zone boundaries may take several years to complete. It is possible that the proposed development may be impacted by the changes to the pressure zones in both the interim and ultimate conditions depending on the timing of the implementation of these changes. Please note that minimum service levels for both water pressure and flow will be maintained throughout the Region during this process. Residents may notice changes to their water pressure when the zones are changed over from the existing zone to the interim zone and also when the interim zone is changed to the ultimate zone.

The Region requires that the Addendum of the FSS be revised prior to the engineering drawing submission to include water modelling of the development that addresses watermain sizing, flows, pressures, dead-end watermains and the proposed water pressure zone realignment.

#### Existing Private Water Well & Septic System Decommissioning:

Any existing wells and septic systems, if present on the site are to be decommissioned and removed from the site according to the proper Ministry of the Environment, Conservation and Parks (MECP) guidelines.

#### *Summary:*

Since the site is currently not serviced and will require the extensions of both a watermain and a sanitary sewer through the adjoining developments the servicing of the development is of concern.

Accordingly, Regional staff request that a holding provision be included in the zoning for the residential lots on this plan to accommodate the Region's concerns in regard to the lack of servicing for this site. The holding provision could be lifted at such a time that the servicing extensions have actually been constructed or an alternate arrangement be made with the Region to secure these servicing extensions to the satisfaction of the Region. The following wording is recommended:

"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.”

### **Transportation:**

Section 173(8) of the ROP states that the Region and the Local municipalities will work together to control access to Arterial Roads in accordance with Council adopted access management policies. In considering development applications, the ROP further requires that the proponent for any development considered to have a transportation impact to carry out a detailed transportation study to assess the impact of the proposal and to recommend necessary improvements.

#### *Right-of-Way:*

The development site has no direct frontage on a Regional road; therefore, there are no land dedication requirements.

#### *Noise:*

The development site and residential units are approximately 1.5km north of Dundas Street and 700m south of Burnhamthorpe Road. Additionally, the transfer of Burnhamthorpe Road to the Town of Oakville has been completed (from Sixth Line easterly), and will be completed soon for the section from Sixth Line westerly. It has been previously agreed with Town staff that they would lead the review and approval of any required noise mitigation from Burnhamthorpe Road noise. The site is too far away from Dundas Street to warrant noise mitigation.

Due to the above comments, Halton Transportation Planning does not require a Noise Feasibility Study.

#### *Transportation Impact Study:*

A Transportation Study addendum letter was previously submitted by CGH Transportation dated October 2, 2020.

Under the ultimate full build-out plan of North Oakville, the site traffic volumes will be generating and distributing to and from the site via various routes. This includes Sixth Line from the north (Burnhamthorpe, William Halton Parkway) the south (Dundas Street), Preserve Drive to the west (from Dundas Street or Burnhamthorpe Road) and Sixth Line via roadways that will connect to the east to Trafalgar Road (i.e. Wheat Boom, Threshing Mill, others upon full build-out of North Oakville).

Due to the various generation and distribution routes upon the development of the North Oakville street network, there are no significant impacts for the site generated traffic on the Regional roads and intersections.

### **Waste Management:**

The Region of Halton will service the street (and back-to-back) townhouse units within this subdivision for full waste collection services once construction is complete and units are 90% occupied.

More information on the site layout and design of the two apartment blocks is required in order to confirm whether the Region will provide waste collection services to those sites. This can be addressed at later stages in the development approval process.

### **Finance:**

The following notes are provided for information:

1. This development requires Regional Allocation for the single detached equivalents units (SDEs) proposed. The payments and contributions are payable in accordance with the terms and conditions set out in the applicable allocation program agreement in which the SDEs are being reserved for the Owner.
2. The Owner is also required to pay all other applicable Regional Development Charges (DCs) and Front-ending Recovery Payments prior to the issuance of any building permits, unless a subdivision (or other form of development) agreement is required in which case a portion of the DC's and Front-ending Recovery Payment may be payable upon execution of the agreement. 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 Development Charge and Front-ending Recovery Payment information, which is subject to change.

**Disclaimer:** It is the Owner's responsibility to ensure that all applicable payments and development charges for the single detached equivalents units (SDEs) being requested are paid for as required by the terms and conditions of the applicable allocation program agreement.

### **Conclusion:**

Based upon the comments provided herein, it is the opinion of Regional staff that these draft plan of subdivision and rezoning applications will be consistent with the Provincial Policy Statement, Growth Plan, and the Halton's Regional Official Plan once the above noted matters have been addressed.

Subject to the conditions of Draft Approval as provided in Schedule "A", Halton Region has no objection to the Town of Oakville granting draft plan approval for the subdivision.

As outlined in this letter, we request that the implementing zoning by-law include a Holding provision related to servicing on all the residential-zoned lands and a Holding provision related to allocation on those lands for which there is no allocation:

1. "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."
2. "That prior to the lifting of the H, the Owner shall ensure/provide the following:
  - a) Secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;
  - b) Signed the applicable Allocation Agreement or any required Amending Agreements;
  - c) Made all required payments; and,
  - d) Is in receipt of a Region of Halton Public Works Commissioner's Notice (PWCN).

for all the units proposed for development, all to the satisfaction of the Region of Halton. The Region of Halton shall provide written correspondence that these requirements have been addressed."

I trust these comments are of assistance. Should you have any questions or require additional information, please do not hesitate to contact me at 905-825-6000 extension 3105, or Alexandria Pasquini-Smith, MCIP, RPP, Acting Senior Planner, at extension 7185.

Please send notice of the Town's decision on these applications.

Sincerely,

Leila Mirriahi  
Intermediate Planner



**CC:** Alexandria Pasquini-Smith, Acting Senior Planner, Halton Region (via email)  
Ronald MacKenzie, Development Project Manager, Halton Region (via email)  
Matt Krusto, Supervisor, Transportation Development Review, Halton Region (via email)  
Andrew Suprun, Multi-Residential Waste Diversion Coordinator, Halton Region (via email)  
Alicia Jakaitis, Senior Project Manager - Allocation, Halton Region (via email)  
Cathie Boyle, Development Analyst - Finance, Halton Region (via email)  
Laura Schreiner, Environmental Planner, Conservation Halton (via email)

## Schedule "A"

### Halton Region Conditions of Draft Plan Approval to be applied to:

**Applicant:** Digram Developments Oakville Inc.  
3380 Sixth Line, Oakville  
Plan of Subdivision, prepared by Korsiak Urban  
Planning, dated March 14, 2022 and signed on  
January 8, 2020 (Surveyor) and January 21, 2020  
(Abubakar Masood) & March 16, 2022 (Jason  
Suddergaard) (Owners)

**File #:** 24T-20003/1316

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1. That prior to registration the Owner is required to provide digital copies of the registered plan of subdivision in AutoCAD 2012 or later version with the following coordinate system NAD 83 / UTM Zone 17 to the Regional Municipality of Halton and the Town of Oakville.
2. That prior to registration the Owner shall submit to the Planning Services Department digital copies of the final draft plan of subdivision along with applicable Land Registry Office J form for sign off. Upon acceptance, the Town will forward these materials to the Region of Halton for final sign off.
3. The Owner agrees that should the development be phased a phasing plan shall be submitted prior to registration of the first phase. The phasing plan will indicate the sequence of development, the land area in hectares, the number of lots and blocks for each phase and the proposed use of all blocks including the proposed number of units, the specific lots to be developed, site access to each phase, grading and the construction of public services. The phasing must be reflected in all engineering reports.
4. The Owner agrees that until notice from Halton Region's Commissioner of Public Works is given to the Owner that development of these lands is able to proceed by the issuance of a building permit with residential water/wastewater capacity or that units under the Region's Allocation Program will be operational within 12 months, that the Owner shall not seek the issuance of building permits for any development in this phase and:
  - Shall not sell or offer for sale any lot or block or any part thereof within this phase if such sale obligates the Owner or permits the purchaser to construct a residential building on such lot or block; and,
  - Shall not seek final approval for registration of such lots or blocks or any part thereof.

5. That the Owner has addressed all the requirements of the Allocation Program including, but not limited to, the signing of any additional agreements, provision of any required payments and the issuance of a Region of Halton Public Works Commissioner's Notice (PWCN), to the satisfaction of the Region of Halton.

Note: For more information on how to obtain a PWCN, please contact: Ronald MacKenzie, Development Project Manager.

6. That prior to site alteration, servicing or grading of the site, the Owner shall submit acknowledgement letters from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries for all the Archaeological Assessment reports prepared for the subject lands. No grading or other soil disturbance shall take place on the subject property prior to the letters of release from the Regulatory Operations Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries, being submitted to the Town of Oakville and the Regional Municipality of Halton.
7. The Owner shall prepare a detailed engineering submission to be submitted to the Regional Development Project Manager for review and approval prior to the preparation of the Regional subdivision agreement to the satisfaction of Halton Region.
8. That the Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notified by the Region's Development Project Manager that sufficient water capacity exists to accommodate this development to the satisfaction of Halton Region.
9. The Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notification by the Region's Development Project Manager that sufficient Wastewater Plant capacity exists to accommodate this development to the satisfaction of Halton Region.
10. That the Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notification by the Region's Development Project Manager that sufficient storage and pumping facilities and associated infrastructure relating to both water and wastewater are in place to the satisfaction of Halton Region.
11. All works which are the responsibility of the Owner to complete shall be supervised during construction by a licensed Professional Engineer of the Province of Ontario with all professional engineering fees paid by the Owner. The Owner's engineer must provide competent full time inspection staff on site during construction activities to obtain the required "as constructed" field information, and to ensure compliance with the approved drawings and the Region's Current Construction and Design Standards to the satisfaction of Halton Region.

12. Upon draft approval Regional services within the plan of subdivision may be installed, provided the engineering drawings have been approved by the Region and Town of Oakville, the Regional subdivision agreement has been executed, appropriate financial security has been posted, all relevant fees have been paid to the satisfaction of the Region, and all requisite government approvals have been obtained and notices given to all public utilities to the satisfaction of Halton Region.
13. The Owner agrees to conduct a survey of the static water level and quality of all wells within 500 metres of the plan. The Owner further agrees to resolve any claims of well interruption due to the construction of municipal services to the satisfaction of Halton Region.
14. The Owner agrees to conduct a survey of the property to identify all existing wells related to the former use of the lands. The Owner further agrees to decommission any existing wells in accordance with Ministry of the Environment, Conservation and Parks guidelines prior to commencing the development of these lands to the satisfaction of Halton Region.
15. The Owner agrees to conduct a survey of the property to identify all existing private septic systems related to the former use of the lands. The Owner further agrees to decommission any existing private septic systems in accordance with Ministry of the Environment, Conservation and Parks guidelines prior to commencing the development of these lands to the satisfaction of Halton Region.
16. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton.
17. The Owner agrees to provide and install individual pressure reducing valves (PRV) at each residential unit within the subdivision as required by the Ontario Building Code to the satisfaction of Halton Region.
18. That the Owner agrees that warning clauses shall be included in a registered portion of the Regional Subdivision Agreement, and in subsequent offers of purchase and sale on all units within this development and, registered on title regarding potential high water pressures within the subdivision to the satisfaction of Halton Region.
19. The Owner shall enter into a Regional Subdivision Agreement and satisfy all requirements, financial and otherwise, of The Regional Municipality of Halton, including but not limited to, the phasing of the plan for registration, investigation of soil contamination and soil restoration, the provision of roads and the installation of water and sanitary sewer services, utilities and drainage works. This agreement is to be registered on title to the lands to the satisfaction of Halton Region.
20. That the Owner agrees that warning clauses shall be included in a registered portion of the Regional Subdivision Agreement, and in subsequent offers of

purchase and sale on all units within this development and, registered on title regarding potential water pressures changes within the subdivision resulting from the realignment of the Region's water pressure zones from the existing zone condition to the interim and ultimate zone pressure conditions to the satisfaction of Halton Region.

21. That the Owner is required to submit a revised Functional Servicing Study that includes water modelling for both the interim and ultimate water pressure conditions for the Region's zone realignment that demonstrates the impact these changes will have on the development.
22. That the Owner agrees that occupancy of the units within this proposed subdivision cannot proceed until the proposed trunk sanitary sewer system, local sanitary system and local water systems on the adjacent lands that are located to the west and south of the subject property are constructed and operational to the satisfaction of Halton Region.
23. *That the Applicant be required to design and construct a 450 diameter trunk sanitary sewer internal to of this subdivision on Street G (Preserve Drive) and (ID #7522) as required by the Area Servicing Plan for the North Oakville East Secondary Plan and as also required as per the Region of Halton's policy for the Design and Construction of Development Charges Projects by the Development Industry, to the satisfaction of Halton Region. The Applicant will be responsible for paying all costs associated with these works. The Region will make reimbursement for the cost of designing and constructing the works when the appropriate funding is in place as per the policy.*
24. The Owner agrees that Halton Region will provide full collection curbside in front of the individual homes and collection will not begin until development is 90% occupied or Regional waste collection trucks can safely access the site. Until Regional collection commences it is the responsibility of the Owner/Developer to provide appropriate private collection to occupied units.
25. The Owner shall provide, to the satisfaction of Halton Region, confirmation that Conservation Halton (CH) concerns have been addressed to their satisfaction.
26. Prior to signing the final plan, the Director of Planning Services shall be advised by Halton Region that conditions outlined herein have been carried out to the satisfaction of Halton Region with a brief but complete statement detailing how each condition has been satisfied.

**The following Regional Notes must be added to the draft approval.**

**NOTES:**

1. This development requires Regional Allocation for the single detached equivalents units (SDEs) proposed. The payments and contributions are payable in accordance with the terms and conditions set out in the applicable allocation program agreement in which the SDEs are being reserved for the Owner.

The Owner is also required to pay all other applicable Regional Development Charges (DCs) and Front-ending Recovery Payments prior to the issuance of any building permits, unless a subdivision (or other form of development) agreement is required in which case a portion of the DC's and Front-ending Recovery Payment may be payable upon execution of the agreement. 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 Development Charge and Front-ending Recovery Payment information, which is subject to change.

Disclaimer: It is the Owner's responsibility to ensure that all applicable payments and development charges for the single detached equivalents units (SDEs) being requested are paid for as required by the terms and conditions of the applicable allocation program agreement.

2. Fees are required by Halton Region for each extension to draft approval and for major revisions to the draft plan or conditions.
3. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the subdivision:
  - Final draft M plans signed and dated by the Owner, Surveyor and initialled by the Town's Planner
  - Regional Registration fee
  - Registry Office review form
4. During any development activities, should archaeological materials be found on the property, the Ministry of Heritage, Sport, Tourism and Culture Industries should be notified immediately (416-212-8886 or [archaeology@ontario.ca](mailto:archaeology@ontario.ca)). In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.

## Appendix “A”

### Procedure of Obtaining a Public Works Commissionaire’s Notice (PWCN)

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In order to obtain a Public Works Commissioner’s Notice (PWCN), please provide a formal request in an email or letter along with the following information to the Regional Planner on file thus:

- The number of single detached equivalent (SDEs) that the PWCN is being requested for, the respective Law File Number and corresponding Allocation Program, including a copy of the draft plan drawing.
- A Functional Servicing Report (FSR) OR a Design Brief rationalizing the most current FSR that was approved for the proposed development.
- Confirmation that the Zone 3/4/5 Boundary Realignment Assessment in relation to your proposed development is deemed satisfactorily by the Region’s Development Project Manager (Please contact Ronald Mackenzie, Development Project Manager for more details: [Ronald.Mackenzie@halton.ca](mailto:Ronald.Mackenzie@halton.ca)).

Important Note: Please be advised that a PWCN cannot be issued until all projects listed in the respective group of your proposed site location in Schedule G (Engineering and Construction projects) have been completed.

## Appendix “B”

### Guidelines for Zone 3/4/5 Boundary Realignment Assessment

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Legislative and Planning Services  
Planning Services  
1151 Bronte Road  
Oakville ON L6M 3L1  
Fax: (905) 825-8822

April 14, 2021

#### Guidelines for Zone 3/4/5 Boundary Realignment Assessment

Our Infrastructure Planning team provides this general guidance to complete the assessment for the Zone 3/4/5 Boundary Realignment. Please note that the Region will not prescribe the exact method for the assessment, as the complexity, built form and size of the development may impact the approach. Regional staff would be happy to discuss and assist as needed to support your consultant in this assessment. General guidance and requirements are outlined below:

#### Modeling:

The Zone 3/4/5 Boundary Re-alignment assessment can include the use of the Region's Hydraulic Model, which the Region will make available, but it is not a requirement for approval and may be overly complex in some instances. Any modeling exercise or theoretical calculation, which can demonstrate adequate servicing under all pressure scenarios, is considered suitable. In general, it is expected that the pressure boundary assessment will build on the servicing assessment done as part of the Functional Servicing Study.

#### Required Information for Regional Approval:

The Zone 3/4/5 Boundary Re-alignment assessment must demonstrate the following at a minimum:

- That fire flow/pressure will be suitable for all residents/buildings within the development under existing, interim and future pressure scenarios.
- That residential/employment water flow/pressure within the development (i.e., general servicing) will adhere to both Regional guidelines and Building Code guidelines under existing interim and pressure scenarios.
- If any requirement will not be met under one or more pressure scenarios, the developer must outline what provisions or mitigating measures will be put in place to address the deficiency.

It is required that the assessment is carried out by a reputable consultant. The submission must include a covering letter with a summary of the assessment as well as results and mitigating measures (as required). The letter will be signed and stamped by a qualified professional.

Regional Municipality of Halton  
HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866