

## Appendix A to Staff Report Regional Comments

April 27, 2022

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

Dear Mr. Thun:

**RE: Local Official Plan Amendment, Zoning By-law Amendment, and  
Draft Plan of Subdivision  
Regional Comments – 5<sup>th</sup> Submission – REVISED  
3270 Sixth Line, Oakville  
Argo (West Morrison Creek) Limited  
Files: OPA.1316.07, Z.1316.07 & 24T-20001/1316**

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Regional staff have reviewed the materials related to the fifth submission for the above noted applications for an Official Plan Amendment, Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision (DPS) circulated under the Town of Oakville's cover letter dated February 22, 2022.

*The Region provided comments on the 5th circulation in a letter April 8, 2022. This letter was prepared with the understanding that the Preserve Drive, and the associated external works on the NHS crossing would be built by another developer. This information was not provided in the associated cover letter, circulation letter or provided studies.*

*Since our April 8, 2022 letter, new information pertaining to the construction of Preserve Drive and the external works on the NHS crossing has been shared with the Region. Regional staff understand that ARGO will be constructing Preserve Drive, including the external works on the NHS crossing. Further details of this arrangement have not been shared with the Region at this time. In order to protect Regional Interest relating to servicing, comments and conditions have been updated to reflect this change.. As such, comments provided herein, supersede previously provided comments.*

The LOPA related to the high-density lands and proposes to increase in density of up to 8-storeys and 3.7 FSI to facilitate the construction of one 8-storey mixed-use buildings.

A ZBA is required to facilitate the proposed development; and proposes to rezone the property from Existing Development (ED) to site specific Neighbourhood Centre (NC),

General Urban (GU), Sub-Urban (S), Natural Heritage System (NHS) and Storm water Management Facility (SMF) zones.

The DPS, dated February 10, 2022 seeks to develop 193 residential units and 1 mixed use block on lands known municipally as 3270 Sixth Line, Oakville. The details of the proposed development include:

- 103 single detached dwelling units;
- 31 street townhouse dwelling unit;
- 59 rear lane townhouse dwelling units;
- 1 mixed use block (0.24 ha);
- Natural Heritage block (2.25 ha);
- Storm water management block (2.07 ha);
- 5 residential reserve lots (lots 130-134);
- Walkway block (0.01 ha); and,
- Road widening blocks (3.08 ha).

Regional staff note that supportive comments from Conservation Halton (CH) were received on March 16, 2022. As such Regional staff offer no objection to the proposed development subject to the conditions outlined in Schedule 'A'.

### **Processing of the Proposed Local Official Plan Amendment:**

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 Interest:**

Regional Staff has considered the applications in the context of the Provincial Policy Statement, 2020 (PPS) and advises 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 and are of the opinion that these applications will assist in achieving the growth management directions of this Plan.

### *Region of Halton Official Plan:*

The subject lands are designated 'Urban Area' and Regional Natural Heritage System (RNHS). in the Region's Official Plan (ROP) The lands are outside of the "Built Boundary and within the Designated Greenfield Area. The 'Urban Area' designation under Section 76 permits uses in accordance with the Local Official Plan and Zoning By-law and all development shall be subject to the policies of this Plan.

## Proposed OPA

With regard to the proposed Official Plan Amendment, the requested increase in density would allow for a theoretical increase in density of up to 8-storeys and 3.7 FSI to facilitate the construction of one 8-storey mixed-use buildings.

It is a general objective for “Urban Areas” to facilitate and promote *intensification* and increased densities (Section 72.9). The ROP under Section 2.4 requires development occurring in Designated Greenfield Areas to, among other things, contribute towards achieving the *development density* target of Table 2 and the Regional phasing of Table 2a (being 46 Residents and Jobs Combined Per Gross Hectare and 5,208 and 6,495 medium and high-density units within the 2017-2021 and 2022-2026 time periods respectively).

The ROP also sets that minimum of 40 per cent of new residential development occurring annually within Halton in 2015 and every year thereafter be directed to the Built-Up Area (Section 2.1).

The ROP under Section 81 (7.2) considers intensification and development of Intensification Areas as the highest priority of urban development within the Region. Other sub-sections of Section 81 direct development with higher densities and mixed uses to Intensification Areas and requires local official plans to identify such Intensification Areas. It also requires the preparation detailed official plan policies or an Area-Specific Plan for the development of a new Intensification Area or the redevelopment of an existing Intensification Area.

In reviewing the policies of the ROP in terms of the general direction it provides with regard to the overall regional structure, the proposed amendment would be in accordance with the Plan, however the Town will need to be satisfied that it meets the goals, objectives and policies of its Official Plan and it does not impact on the implementation of other strategic intensification/growth areas within Oakville (i.e. does not impact the development of these other areas by absorbing high density development that may have otherwise been taken up in these areas).

### *Regional Natural Heritage System & Conservation Halton:*

The subject lands are located within the North Oakville Subwatershed Study (SWS). Any requirements that are determined in the EIR/FSS study that pertain to the subject lands should be adhered to as part of the development applications.

Conservation Halton (CH) staff provides environmental advisory services to the Region and Town in relation to the protection of certain natural heritage features and area and natural hazard land management. CH provided updated comments in a letter dated March 16, 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.

## Site Contamination

### *Archaeological Resources:*

The subject lands fall within an identified area of “Archaeological Potential”. Prior to development occurring in or near areas of archaeological potential, an assessment and mitigation activities must be carried out in accordance with Provincial requirements and the Regional Archaeological Management Plan. A Stage 1 and 2 Archaeological Assessment completed by AMICK Consultants Limited and dated December 6, 2017 was submitted for review. The assessment concluded that three (3) isolated pre-contact find spots were encountered. As such, it was found that given the isolated nature of the find spots and the lack of any diagnostic tools, the study area can be cleared of archaeological concern and development activity can be permitted to proceed.

In correspondence dated June 8, 2018 staff from the then Ministry of Tourism, Culture and Sport indicated that they had reviewed the reports and were satisfied that the fieldwork and reporting for the archaeological assessment was consistent with the Ministry’s standards and guidelines. These reports have been entered into the Ontario Public Register of Archaeological Reports. As such, Halton Region has no further requirements in this regard.

As a caution, however, please note that during any development activities, should archaeological materials be found on the property, the Ministry of Heritage, Sport, Tourism and Culture Industries (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.

### *Site Contamination:*

Section 147(17) of the ROP requires that prior to the Region considering any development application proposals, the proponent must identify whether there is any potential for soils on the site to be contaminated. Regional staff have reviewed the submitted Phase 1 Environmental Site Assessment (ESA), dated August 21 2018 and Phase 2 ESA, dated September 6, 2019, both prepared by DS Consultants Ltd. The submitted reports concluded that the subject lands were previous an agricultural field and a portion of the subject lands had been occupied by a cellular communications tower. Further, the QP identified three (3) Potentially Contaminating Activities (PCAs) and that an Record of Site Condition (RSC), in accordance with O. Reg. 153/04 would be required if the land was developed for residential purposes.

A RSC was filed to the Ministry of the Environment, Conservation and Parks (MECP) on October 21, 2020 and was certified on March 2, 2020. As such, Regional staff do not have any further concerns form a site contamination perspective. Regional Staff note that, the author of the environmental reports and RSC submitted to the Region must

extend third party reliance to Halton Region. This requirement will be included as a condition of draft plan approval.

*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 193 residential units, comprised of:

- 103 single detached dwelling units;
- 31 street townhouse dwelling unit;
- 59 rear lane townhouse dwelling units;
- 1 mixed use block (units have not been confirmed); and,
- 5 residential reserve blocks.

Based on the residential units noted above, the proposed development would require 171 Single Detached Equivalent (SDE) to fully service the development. The Region does allow for draft approval with a minimum of 40% allocation which would require a minimum of 68 SDE's. The Region's records indicated that 166 SDE's of servicing allocation have been reserved for the subject lands through the 2020 Allocation Program (Law file: 2020-112). Therefore, sufficient allocation has been reserved to support the proposed development for the single detached dwellings and townhouse units only.

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:

5 Residential Reserve Blocks (proposed lots 130 through to 134) are shown on the draft plan of subdivision equating to an eventual 5 additional lots/units.

An Allocation Assignment Plan (AAP), dated August 18, 2021 was submitted to the Region. The AAP generally acceptable.

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 Blocks and (Holding Provision):

There is 1 mixed used block shown on the plan (Block 123). 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. The applicant should be aware that these lands, where allocation has not been provided, will be subject to a holding provision. Further, at the time of registration, only those lands which have sufficient allocation will be permitted to register. As the Town and Region have not been provided an AAP that addresses lack of allocation, the Region requests a holding provision be applied to the zoning for all of the units. Prior to registration, the applicant can identify the units for which they will apply allocation to and the holding provision can be removed to allow registration for those lands to move forward.

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 have addressed the following requirements for all the units proposed for development to the satisfaction of the Region of Halton. The Region of Halton shall provide written confirmation that these matters have been addressed:

- 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."

**Other Matters of Regional Interest:**

*Municipal Servicing:*

The application is for a proposed subdivision that is located on the west side of Sixth Line, north of North Park Boulevard.

The existing services in the area of the site include:

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

Regional Road:

The property does not abut a Regional Road.

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 revised draft plan was submitted with the third submission for this application. No revised EIR/FSS was submitted with the third submission for this application.

The servicing of the North Oakville East Secondary Plan 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.

Wastewater Servicing:

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 D and Street E and then connect to the existing sanitary sewer system 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) and this sewer will have to be constructed and operational prior to the western portion of the subject development proceeding.

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

*Please note that the FSS recommends that the proposed trunk wastewater main on Street K to 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.*

525mm Dia. Trunk Sewer on Preserve Drive:

*Please note that the FSS recommends that the proposed trunk wastewater main on Preserve Drive for the part of the road that crosses the NHS block to the south of this subdivision to be sized as a 525mm diameter sewer in order 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.*

*The right of way section of road for Preserve Drive that is located over the NHS block was created as part of the Lower Fourth Phase 1B Subdivision (DO-712). Staff note, the road and underground infrastructure was not constructed as part of this phase of this subdivision. Both the trunk sewer and the watermain will be required to be serviced through the NHS block in order to provide service the subject subdivision. A temporary Regional easement may be required for the watermain and sanitary sewer until the roadway is transferred to a public right of way.*

Water Servicing:



The FSS indicates that the development will be serviced for water by connection to the future watermain to be constructed in the proposed development to the west and to the existing watermain on Sixth line to the east.

The part of the development on the west side of the creek re-channelization will be connecting to the future watermain 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 connected to the existing watermain that is located on Sixth Line.

The future watermain on Preserve Drive will be constructed as part of the Preserve North Phase 4 Subdivision (24T-19004) and this watermain will have to be constructed and operational prior to the western portion of the subject development proceeding. *This includes the section of Preserve Drive that crosses the NHS block located south of this subdivision.*

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 watermain 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 watermain with the largest sized main being 300mm diameter. No DC reimbursable watermain are located within this subdivision.

#### 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 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 MOE guidelines.

*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 an issue. A holding provision on the zoning application should be considered to accommodate the Region's concerns in regards 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 possibly should an alternate arrangement be made with the Region to secure these servicing extensions to the satisfaction of the Region. The holding provision is required for the entire subject lands.*

#### *Regional Transportation:*

A Transportation Memo was completed by CGH Transportation dated April 2021. The memo is acceptable. The development site is off Sixth Line, 1km south of Burnhamthorpe Road and +1km north of Dundas Street.

#### Noise Study:

The subject lands are mid-way between Dundas Street and Burnhamthorpe Road, along Sixth Line and will not warrant noise mitigation from either Regional road.

#### Land Dedication Requirements:

There are no land dedication requirements as the property fronts Sixth Line and local roadways.

#### *Regional Waste Collection:*

Halton Region will service the development for full residential collection curb side once construction is complete and units are 90% occupied.

#### *Finance:*

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.

### **Conclusion**

Based upon the comments provided herein, it is the opinion of Regional Staff that this plan of subdivision and rezoning application will be consistent with the PPS and P2G and the Halton Region Official Plan once the above noted matters have been addressed.

Regional staff note that the following Holding Provision should be added to entire subject lands:

“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.”

Regional staff note that the following Holding Provision should be added to the mixed-use block:

“That prior to the lifting of the H, the Owner shall have addressed the following requirements for all the units proposed for development to the satisfaction of the Region of Halton. The Region of Halton shall provide written confirmation that these matters have been addressed:

- 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."

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.

Should you have any questions concerning the above noted comments, please contact me at 905-825-6057 extension 7185. Please send notice of the Town's decision on this application.

Sincerely,

Alexsandria Pasquini-Smith, MCIP, RPP  
Acting Senior Planner

cc: Alicia Jakaitis, Senior Project Manager, Halton Region  
Ron MacKenzie, Development Project Manager, Halton Region  
Matt Krusto, Transportation, Halton Region  
Laura Schreiner, Environmental Planner, Conservation Halton

## Schedule 'A'

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

**Applicant:** Argo (West Morrison Creek) Limited  
3270 Sixth Line, Oakville  
Plan of Subdivision, prepared by Korsiak Urban  
Planning, dated February 10, 2022 and signed on  
February 10, 2022 (Surveyor) and December 19,  
2019 (Fabio J. Mazzocco) & February 14, 2022  
(Jason Suddergaard) (Owners)

**File #:** 24T-20001/1316

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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 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. Prior to final approval, the Owner must follow the Region's Protocol for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites, to the satisfaction of Halton Region. The authors of the completed Phase 1 and Phase 2 Environmental Site Assessment shall extend third party reliance to the Region of Halton.
5. 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.
6. 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: Ron MacKenzie, Development Project Manager.

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 Regional Subdivision Agreement.
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 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 D (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. 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. *That the Owner be required to design and construct a 525 diameter trunk sanitary sewer external (ID #7522) to this subdivision on the unconstructed portion of Preserve Drive , Plan 20M-1143, 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. 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.*
25. *That the Owner be required to design and construct a local watermain external to this subdivision on the unconstructed portion of Preserve Drive right-of-way, Plan 20M-1143, at their sole expense as per the design standards of the Region of Halton and to the satisfaction of Halton's Development Project Manager.*
26. *That a minimum 8.0m wide temporary Regional easement be provided on the unconstructed portion of Preserve Drive right-of-way, Plan 20M-1143 in favour of the Regional Municipality of Halton for the purpose of sanitary sewer and watermain protection. The easement shall be transferred by the Owner free and clear of any and all encumbrances and a Certificate of Title shall be provided in a*



*form satisfactory to the Regional Director of Legal Services and Corporate Counsel.*

27. The Owner agrees that Halton Region will provide full collection curb side 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.
28. 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.
29. *The Owner shall design and construct the road, servicing and any associated Natural Heritage System crossing and any applicable mitigation/enhancement works within these lands, to the satisfaction of the Region of Halton, Town of Oakville and Conservation Halton. The Owner will be required to pay for all costs associated with design and construct the road, servicing and any associated Natural Heritage System crossing and mitigation/enhancement works.*

#### **NOTES:**

1. This development requires Regional Allocation for the single detached equivalent 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 equivalent 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 – Guidelines for Zone 3/4/5 Boundary Realignment Assessment

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### **Zone 3/4/5 Boundary 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.

## Appendix B – Obtaining a Public Works Commissioner’s Notice

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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 equivalents (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 the Ron 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.