

REPORT

Planning and Development Council

Meeting Date: May 10, 2021

FROM: Planning Services Department

DATE: May 4, 2021

SUBJECT: Holding Provision Removal, 2430 Old Bronte Road, Z.1431.18, By-law 2021-071

LOCATION: 2430 Old Bronte Road

WARD: Ward 4

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RECOMMENDATION:

1. That the application (File No.: Z.1431.18) submitted by Brixen Developments (Old Bronte) Inc. to remove the “H1” holding provision from the lands known as 2430 Old Bronte Road, be approved; and,
2. That By-law 2021-071, a by-law to remove the “H1” holding provision from the lands municipally known as 2430 Old Bronte Road, from Zoning By-law 2014-014, as amended, be passed.

KEY FACTS:

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

- The “H1” holding provision relates to the Kerr, Bronte, and Palermo Village Growth Areas covered in By-law 2014-014. The purpose of the holding provision is to ensure that various matters related to services and land conveyances are addressed for developments in these areas.
- A Site Plan application (File No.: SP1431.019/02) was first submitted in April 2020 for an eight storey building with 129 residential units and ground floor commercial.
- The Region of Halton has no objection to the removal of the holding provision from the property.
- All conditions relating to the removal of the “H1” holding provision have been satisfied through the Site Plan application and imminent registration of the associated Site Plan Agreement.

BACKGROUND:

The “H1” holding provision was incorporated into the 2014-014 By-law when it was created to ensure that various matters relating to water and wastewater provision, servicing, and land conveyances are addressed for the Palermo, Bronte, and Kerr Street growth areas.

The applicant has also submitted a Site Plan application (SP1431.0019/02) for an eight storey building with 129 residential units and ground floor commercial. Final site plan approval is contingent on the removal of the “H1” holding provision and Regional issuance of a regional services permit as their final clearance. All site related issues have been addressed through the Site Plan application, and a Site Plan Agreement has been signed by all parties and is currently undergoing registration on title to the lands. Removal of the “H1” holding provision is the final outstanding item before Site Plan approval can be issued.

Proposal

The applicant is requesting to remove the “H1” holding provision on the subject site.

Location & Site Description

The subject lands are known as 2430 Old Bronte Road, and are located on the northwest corner of the Old Bronte Road and Pine Glen Road intersection.

TECHNICAL & PUBLIC COMMENTS:

The “H1” symbol shall, upon application by the landowner, be removed by way of an amending Zoning By-law, when the following conditions are completed to the satisfaction of the *Town of Oakville*:

- a) That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the Town of Oakville.*
- b) The owner has entered into any required servicing agreement(s) with the Town regarding stormwater management.*
- c) The completion of detailed design drawings required for the construction of road and infrastructure improvements.*
- d) Registration on title of an agreement between the owner and the Town with respect to the road and infrastructure improvements. This agreement shall also address security and advancing of funds, or a letter of credit for the full cost of the road and infrastructure improvements.*
- e) The registration on title of a Section 37 Agreement per the Planning Act.*
- f) All required land conveyances have been undertaken.*

The associated site plan process has addressed each of the conditions listed by the “H1” holding provision. Conditions (a), (b) and (c) have been addressed through typical circulation and review of servicing with the Site Plan application. Conditions (d) and (f) will be addressed through full registration of the Site Plan Agreement, whereby a road widening of about 1.95m and a 7.5m daylight triangle shall be conveyed to the Town. Lastly, condition (e) is not applicable, as the applicant has not requested any additional height or density under Section 37.

CAVEAT:

The H1 Removal Report and By-law are being processed at this time because the Site Plan Agreement has been fully completed and executed by the Owner and Town, and is ready for registration, and the required Land Conveyances have all been prepared and executed by the Owner in the expectation that by P&D Council Day, May 10, 2021, the Site Plan Agreement will be registered in priority and that the Conveyances required will be registered free and clear of all encumbrances. I am informed the required Postponements and Discharges have also been prepared but have not all been signed such that they are ready for execution and registration, but that that is anticipated before May 10, 2021. If that does not happen I will inform the Clerk and ask that the Report and By-Law be deferred to the next P&D Council Meeting.

CONCLUSION:

Planning staff are satisfied that the requirements for the removal of the “H1” Holding Provision on the subject lands at 2430 Old Bronte Road have been sufficiently addressed. Therefore staff recommend that Council approve the application and pass By-law 2021-071.

CONSIDERATIONS:

(A) PUBLIC

Notification of intention to remove the “H1” holding provision has been provided to the land owner and adjacent land owners of the subject lands pursuant to Section 36(4) of the *Planning Act*.

(B) FINANCIAL

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

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Halton Region has no objection to the removal of the “H1” holding provision on 2430 Old Bronte Road.

(D) CORPORATE STRATEGIC GOALS

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

- Be the most livable town in Canada

(E) CLIMATE CHANGE/ACTION

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

APPENDICES:

Appendix A – By-law 2021-071

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