

## Appendix A to the Staff Report Regional Comments

August 9, 2022

Robert Thun – Senior Planner  
Current Planning  
Planning Services Department  
Town of Oakville  
1225 Trafalgar Road  
Oakville, ON L6H0H3

Dear Robert Thun:

**Re: Region of Halton Comments – 3<sup>rd</sup> Submission  
Application for Draft Plan of Subdivision and Zoning By-law Amendment  
Files: 24T-21002.1316 & Z.1316.10  
Star Oak Developments Limited  
90 Burnhamthorpe Road West, Town of Oakville**

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Regional staff are forwarding comments in response to the circulation of the 3<sup>rd</sup> submission for the above-noted application circulated on July 26, 2022. It is understood that the proposed Draft Plan of Subdivision (DPS) application has been revised within the 3<sup>rd</sup> submission, seeking to develop the subject lands with 196 residential dwelling units. The effect of the proposed development will allow for 68 single detached units (Lots 1 – 68), 80 street townhouses (Blocks 69 – 78 & 87 – 89), 48 lane-based townhouses (Blocks 79 – 86) respectively. Additionally, the changes within the 3<sup>rd</sup> submission includes the frontage along Burnhamthorpe Road West to remain as future development. The DPS development is proposed to include associated open space/park, for a portion of a storm water management facility, road dedication/widening, and preservation-areas for the Natural Heritage System (NHS) that traverses the subject lands.

The purpose of the ZBA is to rezone the subject lands from Existing Development (ED) Zone to site specific zones in order to implement the proposed DPS, and more broadly, the policies of the North Oakville East Secondary Plan (NOESP), to the following zone categories: General Urban (GU\*) Zone, Neighbourhood Centre (NC\*) Zone, Natural Heritage System (NHS) Zone, and, Storm Water Management Facility (SMF) Zone.

Please note that this letter supersedes the previous letter issued on May 19, 2022. The comments in this letter specifically provide updates to the allocation program (please refer to the respective comment sections, including the conditions section). Regional comments per other planning policies, Regional Natural Heritage System, archaeological potential, site contamination, municipal servicing, waste management, transportation planning, and finance generally remain the same.

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

#### **Provincial Policy:**

The 2020 Provincial Policy Statement (PPS) PPS 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 facilities required to accommodate projected needs. 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.

The 2020 Growth Plan (GP) encourage municipalities to leverage infrastructure investment, to direct growth and development in accordance with the policies and schedules of the Plan, including the achievement of the minimum intensification and density targets in the Plan. The subject lands are located within the 'Designated Greenfield Area' of the Plan. Section 2.2.7 provides that development taking place in the designated Greenfield area will be in a manner that supports complete communities, active transportation, and encourages the integration of sustained viable transit service.

Subject to addressing other technical comments/concerns identified in this letter as well as the inclusion of any requested conditions of draft approval, we would consider the applications to be consistent with the PPS 2020 and conform to the 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 lands are designated as 'Urban Area' and 'Regional Natural Heritage System (RNHS)' as shown on Map 1: Regional Structure of the 2009 Regional Official Plan (ROP).

#### *Part III: Land Stewardship Policies: Land Use Designations:*

Section 72.1(1)-(3) of the Urban Area policies support the development of vibrant and healthy mixed use communities that afford maximum choices for residence, work and leisure. Section 77(2.4) of the Urban Area policies also requires development in the Greenfield Area (outside the Urban Built Boundary) to contribute to achieving development density targets established by the Plan, within healthy communities that will comprise of a range of mixed-use neighbourhoods. 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.

#### *Regional Natural Heritage System:*

Within the Regional Natural Heritage System (RNHS) designation, the subject lands contain key features within the ROP, being significant woodlands, and two Provincially Significant Wetlands in the northern portions of the site. Section 114 of the ROP provides for biological diversity and ecological functions, including a continuous natural open space system to provide separation of communities from key features and ecological functions.

In accordance with the Upper West Morrison Creek Sub-catchment 1 area, Regional staff acknowledge receipt of the EIR/FSS addendum provided with the proposed DPS and ZBA applications. As the limits of the RNHS is located within Conservation Halton's regulated area, the Owner shall implement all Conservation Halton (CH) recommendations as it relates to any RNHS, natural hazards, buffers, or storm water management related requirements.

Policy 116.2 states that within the North Oakville East Secondary Plan Area, the Regional Natural Heritage System 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. As such, we will defer to CH for comments as part of our Memorandum of Understanding (MOU) for North Oakville.

Regional staff are in receipt of supportive CH comments, subject to the draft plan conditions as listed within their April 28, 2022 letter. As such we are able to provide conditions of draft approval for this proposed development. Regional staff will require the Owner to provide commentary from CH indicating that matters have been sufficiently addressed and the draft plan of conditions have been completed to their satisfaction. A condition speaks to this in Schedule 'A' to this letter.

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

*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.

Within the 3<sup>rd</sup> submission, the application now proposes 196 residential units, comprised of:

- 68 single detached dwelling units;
- 80 street townhouse units; and

- 48 rear lane townhouse units.

Based on the residential units noted above, the proposed development would require 165 Single Detached Equivalents (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 66 SDE's. The Region's records indicate that 160 SDE's of servicing allocation have been reserved for the subject lands through the 2020 Allocation Program (Law file number 2020-144). Therefore, sufficient allocation has been reserved to support the proposed development.

As 160 SDEs have been reserved for these lands, the owner can currently service approximately 96% of the development based on the above-mentioned 196 residential dwelling units, with approximately 5 additional low-medium density SDEs remaining to balance the full build-out of 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 the development conforming to Provincial and Regional policies regarding technical matters of Regional interest.

#### Securing Additional SDE Shortfall Prior to Registration of Draft Plan of Subdivision

It is the Region's standard that through the registration process, all residential lots and blocks within the proposed development must have appropriate SDE allocation. It is the Owner /developer's responsibility to determine how they wish to address the 5 SDE shortfall (either through an allocation top-up request, or through an allocation transfer from another residential development site having surplus SDEs) in accordance with the applicable allocation program agreement.

Regional staff understand that the Owner has approximately three (3) low-medium density SDEs within the Allocation Agreement law file number 2013-301 available for transfer under the 2012 Allocation program. Staff note the applicant will need to transfer this allocation and cannot use a multi-pin agreement given that the Plan of Subdivision file 24T-21002/1316 does not incorporate any of the lands under the Allocation Agreement -law file number 2013-301.

Should the Owner wish to transfer these three (3) SDEs, they can do so by firstly utilizing the available SDEs from the earliest Allocation (2012) program, before utilizing available SDEs from the most current Allocation (2020) program.

Please note that:

- There is a process involved in obtaining approval/sign-off by the Region for allocation topups or transfers. The developer should consider this in their project timelines in order to prevent delays in the condition clearance and registration stage of the process.
- In accordance with Section 5.5 of the 2012 and 2020 Allocation program agreements, a Public Works Commissioner's Notice (PWCN) letter will be required prior to obtaining a building permit. A condition draft plan approval will

require that all matters related to the Allocation Program be addressed to the Region's satisfaction. A condition speaks to this in Schedule 'A'.

*Part IV: Healthy Community Policies*

*Cultural Heritage Policies - Archaeological Resources:*

The ROP also contains policies with respect to archaeological potential, and the preservation and mitigation and documentation of artifacts. It should be noted the site is identified as having archaeological potential. Within the 1<sup>st</sup> submission, Regional staff reviewed a Stage 1 and 2 Archaeological Assessment (by The Archaeologists Inc. – November 2008) that was completed for the subject lands, and registered with the Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI). An MHSTCI acknowledgement letter (Record number: 24PM056) issued September 4, 2012 has been provided by the Owner confirming that there was no archaeological resources encountered on the subject lands upon completion of the Sage 1 and 2 Archaeological Assessments. As such, Regional staff have no further concerns in this regard.

As a caution, however, please note that during any development activities, should deeply buried archaeological remains be found on the subject lands during construction activities, the Heritage Operations Unit of the MHSTCI should be notified immediately. Further, in the event that human remains are encountered during construction, the applicant should immediately contact both the MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.

*Environmental Quality-Land:*

Section 147(17) of the Regional Official Plan requires the proponent of a development proposal to determine whether there is any potential contamination on the site they wish to develop, and if there is, to undertake the steps necessary to bring the site to a condition suitable for its intended use. Regional staff have reviewed this application within the context of the Halton Region's "Protocol for Reviewing Development Applications with Respect to Contaminated Sites". A Phase 1 Environmental Site Assessment (ESA) (Prepared by Soil Engineers Ltd., March 2014) was reviewed as part of the 1<sup>st</sup> application submission. The ESA report does not satisfy Regional requirement. The report is older than 18-months and completed in accordance to CSA standards. A new Ontario Regulations 153/04 compliant Phase 1 ESA report must be completed, including any supplementary remediation/risk assessments to ensure there are no inherent contaminations within the lands prior to any site alteration. A condition speaks to this in Schedule 'A'. The Owner is advised that at the time of Draft Plan of Subdivision registration, all environmental reports and/or letters of reliance must be current (within 18 months).

*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

### **Water and Wastewater Servicing:**

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

#### *Existing Services:*

##### Water:

- 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.
- A 1200mm dia. watermain is located on Burnhamthorpe Road 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:*

Staff 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.

##### Wastewater Servicing:

For this particular draft plan of subdivision the FSS notes that the majority of wastewater servicing for this development will be directed by an internal gravity sewer system to the existing trunk sewer that is located on Sixth Line. The lots and blocks that front onto Street L (Preserve Drive) will be serviced by connecting to the trunk sewer that is to be constructed on this street. The trunk sewer that is to be located in the future subdivisions south of this subdivision will have to be constructed and operational before flows from the lots and blocks on Street L can drain to the trunk sewer.

### 450mm & 375mm Dia. Trunk Sewer on Street L (Preserve Drive):

Please note that the FSS recommends that the proposed trunk wastewater main on Street L is to be sized as a 450mm and a 375mm diameter sewer. This is in accordance with the Area Servicing Plan for the North Oakville East Secondary Plan.

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 Servicing:

The FSS indicates that the development will be serviced for water by connection to the future developments to the west and south of the subject property. A 300mm diameter watermain is proposed to be located on Street 2 and this watermain will connect to the existing trunk watermain located on Sixth Line. The buildout of the surrounding development lands will provide a full interconnected watermain system to support this subdivision as well as the other developments in the area. The FSS was unclear if the single watermain connection to Sixth Line would be adequate to support the proposed development. Further analysis should be provided to demonstrate the water servicing of this subdivision on an interim basis until the other surrounding developments proceed and provide additional watermain connections to 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.

Other points of note for the Owner in a revised FSS or an FSS Addendum prior to the engineering drawing submission are as follows:

- No water modeling was provided to determine sizing of the proposed watermains in the FSS.
- The proposed development will be located within the Region's Zone 4 pressure area. 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.

### 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 MOE 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.”

Conditions of draft approval in relation to the above are set out in Schedule 'A'.

#### **Regional 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.

#### *Transportation Study:*



A Neighbourhood 9/10/11 Transportation Impact Study (TIS) by CGH Transportation (April 2019) was completed on behalf of the landowner's group for the adjacent/surrounding lands including the subject lands. A TIS addendum was also completed by CGH Transportation (January 2021) specific to this subject lands. The TIS addendum reflects for the updated number of residential units proposed for the subject lands. It is acceptable for the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications.

#### *Noise Study:*

The Region acknowledges the Noise Study completed by SLR (January 2021). The noise study is not related to any Regional road noise. Therefore, there are no comments or concerns from a noise perspective.

#### **Waste Management:**

There are no concerns at this time. Region waste will service the subdivision for full waste collection services once construction is completed and the development is 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 Growth Plan and the Halton Region 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:

"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."

Please note the applicant will be required to execute the allocation transfer and top-up requests as required.

We trust that these comments are of assistance. Should you have any questions or require additional information, please do not hesitate to contact the undersigned. Please send notice of the Town's decision on this application.

Sincerely,

*Michaela Campbell*

Michaela Campbell  
Intermediate Planner  
michaela.campbell@halton.ca

cc: Bernie Steiger, Acting-Manager-South  
Andrew Suprun, Multi-Residential Waste Diversion Coordinator (via email)  
Ron MacKenzie, Development Project Manager (via email)  
Matt Krusto, Transportation Planning Coordinator (via email)  
Ayesha Khan, Transportation Planning Coordination (via email)  
Cathie Boyle, Finance, Halton Region (via email)  
Sean Stewart, Planning and Regulations Analyst, Conservation Halton (via email)  
Alicia Jakaitis, Allocation Program Manager (via email)

## Schedule 'A'

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

**Applicant: KLM Planning Partners  
Star Oak Developments Limited  
Part of Lot 16, Concession I, NDS  
90 Burnhamthorpe Road West, Oakville  
Plan of Subdivision, prepared by KLM Planning Partners, dated June  
29, 2022**

**File #: 24T-21002/1316**

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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 Town of Oakville Planning Services Department digital copies of the final draft plan of subdivision along with applicable Land Registry Office Appendix D 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. 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:  
Michaela Campbell, Intermediate Planner, Community Planning.

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. Prior to final approval or any site alteration or servicing, the Owner is required to submit to Halton Region a new Ontario Regulations 153/04 compliant Phase 1 ESA report (within 18-months), for the entire limits of the plan of subdivision which indicates that the environmental condition of the site is suitable for the proposed land use and any supplementary remediation/risk assessments to ensure there are no inherent contaminations within the lands prior to any site alteration. The Owner is required to comply with Ontario Regulation 153/04 and Halton's Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites.
  7. Prior to final approval The Owner shall provide, to the satisfaction of Halton Region, confirmation that Conservation Halton (CH) concerns have been addressed to their satisfaction.
  8. 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.
  9. 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.
  10. 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.
  11. 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.
  12. 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.
  13. 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.

14. 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 the Region's Development Project Manager.
15. 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 MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.
16. 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 MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.
17. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton.
18. 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 the Region's Development Project Manager.
19. 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.
20. The Owner shall enter into a 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.
21. 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.
22. 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.

23. That the Owner be required to design and construct a 450mm and a 375mm diameter trunk sanitary sewer internal to of this subdivision on Street L (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 Owner 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 curb side and collection will not begin collection 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. 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. The Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

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

Please visit our website at [www.halton.ca/developmentcharges](http://www.halton.ca/developmentcharges) to obtain the most current development charge and Front-ending Recovery Payment information, which is subject to change.

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 initialed 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 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.
  
5. 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 containing the following:
  - 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 satisfactory by the Region's Development Project Manager (Please contact 3/4/5 Development Project Manager for more details: Ron Mackenzie, 905-825-6000 Ext. 7628)

A PWCN cannot be issued until all projects listed in the respective group as set out in Schedule G (Engineering and Construction projects) of the applicable Allocation Agreement(s) have been completed.

## Appendix “A”

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

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#### **Zone 3/4/5 Boundary Assessment:**

The Region of Halton’s 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.