



REPORT

Planning and Development Council

Meeting Date: June 7, 2021

FROM: Planning Services Department

DATE: May 25, 2021

SUBJECT: **Holding Provision Removal, on Plan 20M-1223, formerly 1401 Bronte Road, Bronte Green Corporation, Z.1530.09, By-law 2021-084**

LOCATION: Plan 20M-1223, Formerly 1401 Bronte Road

WARD: Ward 4

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RECOMMENDATION:

1. That the application (File No.: Z.1530.09) submitted by Bronte Green Corporation to remove the “H33” holding provision on various lots within Plan 20M-1223, forming part of the lands previously known as 1401 Bronte Road, be approved.
2. That By-law 2021-084, a by-law to remove the “H33” holding provision on various lots within Plan 20M-1223, forming part of the lands previously known as 1401 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 “H33” holding provision relates to an area in the southern portion of land within the Bronte Green subdivision, known as registered plan 20M-1223, and comprises various lots intended for detached dwellings.
- The purpose of the holding provision is to ensure the construction of a noise attenuation wall to protect future residents from nuisance resulting from the abutting Region of Halton Woodlands Operations Centre and Public Works Yard located at 1151 Bronte Road.
- The applicant is working with Halton Region to enter into an agreement for the construction of the noise wall on the Region’s behalf, and as such, the Region has no objection to the removal of the holding provision from the property.

BACKGROUND:

The lands formerly known as Saw Whet and Merton were subject to a previous Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision. The applications were approved by the former Ontario Municipal Board in 2016.

During the review of the previous applications, noise attenuation measures were required to mitigate the impacts of stationary noise emanating from the Region of Halton Woodlands Operation Centre and Public Works Yard.

The “H33” holding provision was applied to the 36 lots in the vicinity of Queens Plate Road, Charles Cornwall Avenue, and Stag Hollow, as shown in Figure 1 below.

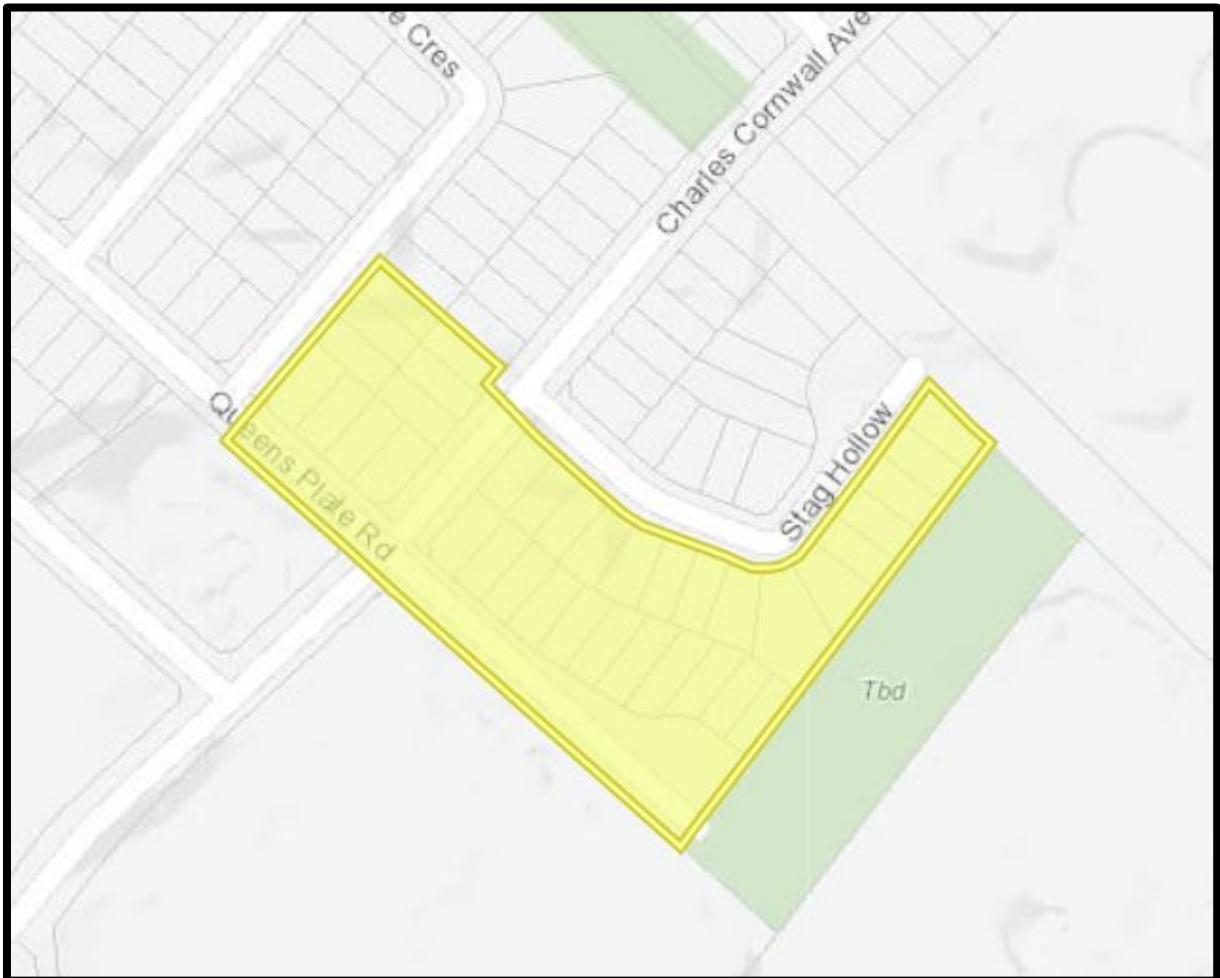


Figure 1 – Affected Lots within Registered Plan 20M-1223

Proposal

The applicant is requesting to remove the “H33” holding provision on the subject site.

Location & Site Description

The subject lands consist of various lots for detached dwellings on lands formerly known as 1401 Bronte Road and within registered plan 20M-1223. The lots are located in the vicinity of Queens Plate Road, Charles Cornwall Avenue, and Stag Hollow, as shown in Figure 1 above.

The lands are adjacent to the Region of Halton Woodlands Operations Centre and Public Works Yard located to the west and south of the subject lands.

TECHNICAL & PUBLIC COMMENTS:

The “H33” 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 the Owner’s acoustical engineer shall prepare further technical details in co-operation with the Region of Halton for the implementation of the necessary noise control measures to reduce the acoustic emissions of the two existing generator sets located within the former Police Services Building in the Halton Regional Centre, at the cost of the Developer and to the satisfaction of the Region in order to comply with the sound level limits provided in MOECC noise guidelines and NPC-300 at the residential lots.

b) The required noise walls associated with the noise impacts from the Region’s Woodlands Operations Centre and Public Works Yard have been designed, located and installed to the satisfaction of Halton Region.”

Initially, the noise walls were intended to be designed and constructed by Halton Region as provided by the Subdivision Agreement between the Region and the developer. However, the subdivision process has advanced ahead of the Region’s timing to complete the required works. As such, the applicant is entering into a new Servicing Agreement with Halton Region for the design and construction of the required noise wall to be completed on the Region’s behalf, in order to further advance the progress of the subdivision.

Halton Region has advised planning staff that the design of the wall has substantially advanced, and they are proceeding with an agreement to have the applicant construct the wall on the Region’s behalf. Securities are required to be provided and the applicant will have one year to construct the wall. It is anticipated

the applicant will begin construction of the wall in tandem with the construction of the new dwellings. On this basis, the Region has advised staff that they are satisfied with this approach and have no objections to the removal of the Holding provision on the subject lands.

Staff note that there are other holding provisions affecting other parts of the subdivision that remain in effect, to be lifted at a future date.

CONCLUSION:

Planning staff are satisfied that the requirements for the removal of the “H33” Holding Provision on the subject lands have been sufficiently addressed. Therefore staff recommend that Council approve the application and pass By-law 2021-084.

CONSIDERATIONS:

(A) PUBLIC

Notification of intention to remove the “H33” 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 “H33” holding provision on the subject lands.

(D) CORPORATE STRATEGIC GOALS

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

- Be the most livable town in Canada

(E) CLIMATE CHANGE/ACTION

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

APPENDICES:

Appendix A – By-law 2021-084

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