

Appendix A3 to Staff Report

Agency and Department Comments

August 4, 2023

Robert Thun, Senior Planner
Town of Oakville – Planning Services Department
1225 Trafalgar Road
Oakville, ON L6H 0H3

BY E-MAIL ONLY (robert.thun@oakville.ca)



To Robert Thun:

Re: Official Plan Amendment and Zoning By-Law Amendment Applications
File Number(s): [OPA1516.03 and Z.1516.03 – 1ST Submission]
1020, 1024, 1028, 1032 and 1042 Sixth Line, Oakville
Applicant/Owner: 1463291 Ontario Inc. (Dunpar Homes Inc.)

Conservation Halton (CH) staff has reviewed the above-noted applications as per our regulatory responsibilities under Ontario Regulation 162/06 and our provincially delegated responsibilities under Ontario Regulation 686/21 (e.g., represent provincial interests for Sections 3.1.1-3.1.7 of the Provincial Policy Statement (PPS); review planning applications and technical reports and comment on natural hazard and wetland matters).

Documents reviewed as part of this submission, received on June 22, 2023, are listed in **Appendix A**. Detailed comments are provided in **Appendix B** with recommendations as to the stage at which comments should be addressed.

Proposal

The proposed development consists of 55 townhouses and one semi-detached dwelling (total 57 new units) in eight (8) residential blocks. Two (2) vehicle parking spots per unit and a ten (10) car visitor parking space with a total of 152 parking spaces for both residents and visitors. The existing heritage house at 1042 Sixth Line is to remain.

The purpose of the Official Plan Amendment is to:

- Modify Schedule I, Central Land Use to re-designate the subject lands from *Low Density Residential* and *Natural Area* to *Medium Density Residential*,
- To modify the limits of the Natural Area Designation; and,
- To permit an exemption from the Special Policy Area.

The subject property is currently zoned RL1-0 and N. The applicant's Zoning By-law Amendment proposed to:

- Modify the Natural Area limit (N),
- Introduces a permission for existing dwellings in the N zone to be permitted; and,
- Introduces RM1 zone special provisions related to:
 - The deletion of the maximum lot coverage for all buildings;
 - The deletion of minimum lot area per dwelling;
 - Minimum lot frontage for all dwellings of 4.27m;
 - Various minimum yards;
 - Minimum separation distances between buildings of 1.8m;

- Maximum height of 12.4m;
- No minimum landscaped area; and,
- Above grade decks to extend 3.6m from main wall of dwelling.

Ontario Regulation 162/06

CH regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. Portions of the properties located at 1024 and 1042 Sixth Line are traversed by Sixteen Mile Creek and contain the erosion hazard (Long Term Stable Top of Bank) associated with this watercourse. CH regulates 15m from the extent of the Long Term Stable Top of Bank (LTSB). Permission is required from CH prior to undertaking any development within CH's regulated area and applications for development are reviewed under CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document* (last amended, November 26, 2020) (<https://conservationhalton.ca/policies-and-guidelines>).

CH staff have reviewed the Geotechnical report submitted with this application. We are satisfied that the delineation of the LTSB and associated 15m regulatory allowance is accurate for the purposes of modifying the Natural Area limit under the OPA and ZBA applications. Some additional information is required to finalize the report and is outlined in Appendix B, along with other requirements relating to encroachments proposed within the regulatory allowance.

Two existing dwellings are located within the valleyland and associated regulatory allowance. CH staff understand that the existing dwelling located at 1024 Sixth Line will be demolished, while the dwelling located at 1042 Sixth Line will remain. CH had previously supported the retention of 1042 Sixth Line and continues to do so. The owner of 1042 is advised that there are limitations to future (re)development of the dwelling/site due to its location within the regulated area. A CH permit will be required for the demolition of the dwelling at 1024 Sixth Line, and details regarding the rehabilitation of the demolition lands can be provided at the Site Plan application stage.

Provincial Policy Statement (Sections 3.1.1-3.1.7)

CH reviews applications based on its delegated responsibility to represent the Province on the natural hazard policies of the PPS (3.1.1-3.1.7 inclusive).

The erosion hazards associated with the proposed development have been accurately delineated with a 15m regulatory allowance provided. All proposed development, other than minor encroachments to be removed at Site Plan stage, is located outside of the hazard. As such, the proposal is consistent with Section 3.1.1 which generally directs development to areas outside of hazardous lands adjacent to river systems which are impacted by erosion hazards.

Key Comments

The applicant has demonstrated that CH's key thresholds have been met and there are no fundamental issues with the proposal. Please see Appendix B for comments that are to be addressed through the Site Plan application.

Recommendation

The applicant has demonstrated that the hazard lands and the associated regulatory allowance have been accurately delineated through technical studies and associated site plan drawings.

The proposed Official Plan Amendment and Zoning By-Law Schedules appropriately denote the hazard lands and designate/zone them appropriately. Although we understand that any dedication of hazard lands to public ownership will occur as part of a future application, CH recommends that in addition to the hazard lands being designated/zoned for protection, that the hazards lands be dedicated to public ownership.

Given the above, CH has no objection to the approval of the Official Plan Amendment and Zoning By-law Amendment applications. The comments provided in Appendix B are either advisory or can be addressed at the Site Plan stage. Notwithstanding CH staff's recommendation, the applicant is required to pay CH's "Official Plan Amendment – Major" and "Zoning By-law Amendment – Major" total fee of \$12,556.25, as per the 2023 CH Plan Review Fee Schedule.

Please note that CH has not circulated these comments to the applicant, and we trust that you will provide them as part of your report.

We trust the above is of assistance. Please contact the undersigned with any questions.

Sincerely,



Sean Stewart, RPP MCIP
Environmental Planner

Cc: Bernie Steiger, Halton Region

Encl: **Appendix A: Materials/Technical Reports Reviewed**
Appendix B: Detailed Comments

Appendix A: Materials/Technical Reports Reviewed

CH received the following first submission materials on June 22, 2023:

- Planning Justification Report, prepared by Glen Schnarr & Associates, May 2023.
- Site Plan, prepared by Dunpar Homes, April 28, 2023
- Survey, R-PE Surveying Ltd., dated January 12, 2016
- Engineering drawings, prepared by JSW & Associates, April 24, 2023
- Landscape Plan, prepared by Alexander Budrevics, October 11, 2022
- Tree Preservation Plan/Arborist Report, prepared by Kuntz Forestry Consulting Inc, dated January 3, 2022
- Environmental Impact Study Reliance Letter, prepared by Aquafor Beech Ltd., December 21, 2022
- FSR-SWM Report, prepared by JSW & Associates, dated April 24, 2023
- Geotechnical Soil Report, prepared by Soil Engineers Ltd., dated December 2022
- Draft OPA/ZBA

Appendix B: Detailed Comments

CH provides the following detailed comments regarding the submission of the Official Plan Amendment and Zoning Bylaw Amendments (OPA1516.03 and Z.1516.03) that are recommended to be addressed at the stage noted in the table.

#	Topic/Section/Plan	CH – First Submission Comments (August 4, 2023)	Recommended stage at which comment needs to be addressed
General			
1.		The applicant is required to pay CH's "Official Plan Amendment – Major" and "Zoning By-law Amendment – Major" total fee of \$12,556.25, as per the 2023 CH Plan Review Fee Schedule.	Official Plan Amendment & Zoning By-law Amendment
2.		At the Site Plan application, provide details on the naturalized buffer to Sixteen Mile Creek as noted in the Planning Justification Report and in keeping with the EIA Terms of Reference as well the previous Minutes of Settlement and any supporting documents. Ensure that Conservation Halton's Guidelines for Landscaping and Rehabilitation Plans (2021) are followed.	Site Plan Application
3.		Future submissions should reference most recent version of Geotechnical report on drawings labelling the LTSB.	Site Plan Application
Geotechnical Report			
4.	Section 6.8 Slope Stability Analysis Dwg 3 Cross Section Location Plan	Update report to include discussion of toe erosion component of slope stability analysis. Provide a high-quality version of this drawing in final reporting (current version appears to be a scan of a print-out).	Site Plan Application
Grading Plan			
5.		At Site Plan application, locate CB10 and CB11 outside of CH's regulated area	Site Plan Application
6.		Include extent of grading and grading match-line on detailed design grading plans.	Site Plan Application

6

7.		At Site Plan application, a swale along the rear lot lines abutting CH's regulated area (e.g. adjacent Blocks E and F) should be included to convey development flows away from the regulated area and towards rear yard catch basins, as discussed in the FSR. A CH permit would be required if portions of the swale encroached into the regulated area.	Site Plan Application
Site Plan			
8.		Remove encroachment (deck) into the regulated area for unit #38.	Site Plan Application/Plan of Condominium
Draft Zoning By-law Amendment			
9.		Two existing dwellings are within CH's regulated area, one dwelling (1024 Sixth Line) is to be demolished. Please ensure that the By-law reflects this.	Zoning By-law Amendment

HALTON REGION

August 22, 2023

Legislative and Planning Services
Planning Services
1151 Bronte Road
Oakville ON L6M 3L1

Ms. Rob Thun, Senior Planner
Current Planning
Planning Services Department
Town of Oakville
1225 Trafalgar Rd
Oakville, ON L6H 0H3

Dear Mr. Thun:

**RE: Proposed Local Official Plan Amendment and Zoning By-law Amendment
Part lot 16, Conc. 2, South of Dundas
1020, 1024, 1028, 1032, and 1042 Sixth Line, Town of Oakville, Region of
Halton
Files Numbers: OPA.1516.03 and Z.1516.03
1463291 Ontario Inc. (Dunpar Homes Inc.)**

Regional staff are forwarding comments in response to the 3rd submission of the above-noted Official Plan Amendment and Zoning By-law Amendment applications circulated on June 22, 2023. The purpose of these applications is to permit the redevelopment of five parcels into 55 townhouses and one semi-detached dwelling (total of 57 new units) in eight (8) residential blocks community. Two (2) vehicle parking spots per unit and a ten (10) car visitor parking space with a total of 152 parking spaces for both residents and visitors. The existing heritage house at 1042 Sixth Line is intended to be maintained.

The subject lands are designated 'Low-Density Residential' and 'Natural Area' in the Town of Oakville Official Plan (Livable Oakville). The subject lands are also zoned 'RL1-0' and 'N' in the Town of Oakville Zoning By-law.

The proposed Official Plan Amendment (OPA) seeks to amend the Town of Oakville Official Plan (Livable Oakville) by redesignating the subject lands to 'Medium Density Residential' to permit the proposed development. The proposed Zoning By-law Amendment (ZBA) seeks to amend the Town of Oakville Zoning By-law by rezoning the subject lands and introducing the 'RM1' zoning provision to accommodate the proposed development on the subject lands.

History and Context:

The subject lands have been in development since 2017 with several varying proposals and alternatives. Since the original proposal, the number of residential units has decreased throughout each iteration from the originally proposed residential community in 2017, subsequently again in 2019, and finally, once again in 2023 to a proposal with a total of 57 units, inclusive of this most recent OPA and ZBA.

Processing of the Proposed Official Plan Amendment:

Per Halton Region By-law 16-99, the Region is to provide confirmation whether a proposed Official Plan Amendment is exempt from Regional approval, based on the criteria outlined in the by-law. Please forward the draft recommendation report and proposed amendment to Halton Region at least 12 days before 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.

Following our review of the subject application, we are not in a position at this time to confirm if the Official Plan amendment is exempt from Regional approval.

Matters of Provincial and Regional Interest:

Provincial Policy Statement 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020:

The Provincial Policy Statement (PPS) provides clear direction on land use planning in Ontario to promote strong communities, a strong economy, and a clean healthy environment. The Growth Plan (GP) provides a policy framework for the Greater Golden Horseshoe regarding growth and development in ways that support economic prosperity, protect the environment, and help communities achieve a high quality of life. Land use decisions for the subject lands must be consistent with the PPS and conform to the GP.

The subject lands are located within the 'Settlement Area' of the PPS. The PPS provides policy direction for 'Building Strong Healthy Communities', wherein Settlement Areas are to be the focus of growth and development. In doing so, planning authorities promote densities and a mix of land uses and also support the accommodation of a significant supply and range of housing options through intensification and redevelopment. The subject lands are located within the 'Delineated Built-up Area' on Schedule 2 of the GP. The GP provides specific planning direction on how to manage growth to support the achievement of complete communities, wherein Delineated Built-up Areas within Settlement Areas are to be the focus of growth. Per the policy direction of the PPS, the GP also supports intensification and higher densities and also a range and mix of housing options.

We are not in a position at this time to confirm whether the subject applications are consistent with the PPS or conform to Growth Plan as it relates to matters of specific Regional interest concerning the applications.

Region of Halton Official Plan 2009:

The Regional Official Plan (ROP) provides goals, objectives, and policies to direct physical development and change in Halton.

Regional Official Plan Amendment 49:

Regional Official Plan Amendment (ROPA) 49 was adopted by Regional Council on June 15, 2022, and is the second amendment to be advanced as part of the Regional Official Plan Review (ROPR) under Section 26 of the *Planning Act*. The amendment implements the results of the Region's Integrated Growth Management Strategy, which considered how to accommodate growth in Halton to the 2051 planning horizon as part of the municipal comprehensive review process. The amendment also includes other updates that support

Halton's growth strategy, including updates to intensification and density targets, development phasing, the Regional Urban Structure, Strategic Growth Areas, Employment Areas, and corridor protection, among other things.

The Minister of Municipal Affairs and Housing is the approval authority for ROPA 49. On November 4, 2022, the Minister released its decision to approve ROPA 49, as adopted by Regional Council, subject to modifications. The subject applications have been reviewed against the in-force Regional Official Plan (ROP) at the time the applications were made (ROPA 49).

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

Land Use / Regional Urban Structure:

The subject lands are predominately designated 'Urban Area' while the rear of the proposed development is designated 'Regional Natural Heritage System' in the ROP as shown on Map 1 of the ROP (Regional Structure). Per Section 72 of the ROP, the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability, and economic prosperity. The policies of Urban Area designation support a range of uses and the development of vibrant and healthy mixed-use communities, which afford maximum choices for residence, work, and leisure. Section 72.1 of the ROP states that the objectives of the Urban Area are to identify a Regional Urban Structure that directs growth to Strategic Growth Areas and to facilitate and promote intensification and increased densities (among others). Per Section 51 of the ROP, the goal of the Regional Natural Heritage System is to preserve and enhance the biological diversity and ecological function within the Region. Furthermore, it is the intent that the Regional Natural Heritage System will be generally protected from development by minimizing the number of distances.

Further, per Section 76 of the ROP, the range of permitted uses and the creation of new lots in the Urban Area will be per Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the ROP. In addition, per Section 78 of the ROP, within the Urban Area, the Regional Urban Structure, as shown on Map 1H (Regional Urban Structure), implements Halton's planning vision and growth management strategy and consists of several structural components, including Strategic Growth Areas.

We are not in a position at this time to confirm whether the subject applications are consistent or conform to the Halton Regional Official Plan as it related to the lands designated Regional Natural Heritage System concerning the applications.

Regional Natural Heritage System

The proposed development proposal is located on lands that are within and adjacent to Halton's Natural Heritage System Regional Natural Heritage System on Map 1 of the Regional Official Plan (ROP).

- Features identified as Key Features, as illustrated on Map 1G of the 2009 ROP and potential unmapped features, including:
 - Candidate significant woodlands;
 - Provincially Significant Wetland;
 - Unevaluated wetlands;
 - Significant areas of natural and scientific interest;
 - Potential significant valleylands;

- Potential habitat of endangered or threatened species;
- Potential significant wildlife habitat; and
- Potential fish habitat.
- Areas identified as an enhancement area, linkage and buffer, as illustrated on Map 1G of the 2009 ROP.
- Areas identified as Significant Groundwater Recharge Area within the April 2015 Halton-Hamilton Source Protection Region Assessment Report.
- Areas identified as Escarpment Protection Area and Escarpment Natural Area in the Niagara Escarpment Plan (2017).

Given the scale and complexity of the proposed development, detailed comments are included in *Appendix A: Environmental Review*.

Part IV: Healthy Communities Policies

Cultural Heritage Policies - Archaeological Resources

The rear of the proposed development has been identified as having high archaeological potential as part Halton GIS mapping. The ROP also contains policies concerning archaeological potential and the preservation and mitigation and documentation of artifacts. The subject lands are identified as having archaeological potential. An Archaeological Assessment is not required by Halton Region, as the subject lands were previously disturbed with the current land use.

The proponent is cautioned that during development activities, should archaeological materials be found on the property, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism must be notified immediately (archaeology@ontario.ca). If 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, Ontario Ministry of Public and Business Service Delivery, who administers provisions of that Act related to burial sites, to be consulted.

Environmental Quality-Land:

Section 147(17) of the Regional Official Plan (ROP) requires the applicant 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. The applicant is required to follow the processes outlined in O.REG 153/04 in the preparation of all Environmental Site Assessment (ESA) reports and supporting documentation. As such, ESA reports must be no older than 18 months old and completed per parts VII and VIII and Schedule D and E of the regulation.

Regional Contamination Staff have reviewed the ESSQ and *Phase One Environmental Site Assessment Update, 1020, 1024, 1028, 1032, and 1042 Sixth Line, Oakville, Ontario, S2S Environmental Inc., Project No. 10906, January 24, 2023*, and offer the following comments:

- Regional Staff concur with the findings of the Phase One ESA Update report indicating a Phase Two ESA is required to investigate the 5 APECs on site.
- As the site is located within Environmentally Sensitive Areas (NHS Key Features), Table 1 Site Condition Standards are to be applied to the property.
- Staff request that the QP affix their professional seal on both Phase One and Two ESA reports and also provide a letter of reliance that meets Halton Region's Reliance Letter template, indicating that liability insurance coverage is no less than \$2,000,000.

Other Regional Comments:

Water and Wastewater Servicing:

Regional Staff note the proposed use is to connect to the Regional water and wastewater system per 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.

Watermain:

- A 300mm dia. watermain is located on Sixth Line adjacent to the properties.
- A 150mm dia. watermain is located within a Regional easement on Sunnycrest Lane adjacent to one of the properties.

Please note that the applicant should undertake their own fire flow testing in the area to confirm the design requirements for domestic water supply and fire protection.

Sanitary Sewer:

- A 450mm dia. sanitary sewer is located on Sixth Line adjacent to the property.
- A 200mm dia. sanitary sewer is located on within a Regional easement on Sunnycrest Lane adjacent to one of the properties.

A Functional Servicing Report (FSR) prepared by JSW & Associates, dated April 24, 2023, was submitted with the application. Regional Engineering staff offer the following comments:

Wastewater Servicing:

- The FSR notes that the proposed sanitary sewer servicing of this development will be by connecting the site to the existing sanitary sewer located on Sixth Line. The FSR provides analysis of the proposed sanitary sewer flows that will be generated from the proposed development and has demonstrated that the receiving downstream sewer system will be able to accommodate this flow.

Watermains:

- The FSR notes that the proposed water servicing of this development will be by connecting the site to the existing sanitary sewer located on Sixth Line.
- The FSR provided analysis that determines what the proposed water usage will be required to service this development. A fire flow test was also completed and the results were included in the FSR. Further analysis was completed using the fire flow results provided that demonstrate that the existing water system in the area can accommodate the proposed development.

Conclusion:

- Please note that the service connections to the Regional water and sewer systems will be addressed through the Region's Service Permit review process.
- This normally will occur after site plan approval.
- Please note that there are no impacts to the Region's water or sanitary sewer system from this proposed development as was demonstrated in the FSR submitted in support of this application.

- Due to this, Regional Engineering Staff have no objection to the proposed re-zoning of the property.

Transportation:

Regional Transportation Staff have reviewed the above-noted applications for a zoning amendment and official plan amendment. A *Transportation Reliance Letter prepared by NextTrans Consulting Engineers, dated August 23, 2022*, was submitted as part of the proposed development.

Staff confirms that provided the adjacent portion of Sixth Line and nearby North Service Road East is not under the jurisdiction of the Region, no comments or concerns are noted from a Regional perspective. Provided so, Regional Transportation staff have no objection to the proposed applications at this time.

While no Regional traffic concerns were noted with this most recent circulated, the applicant is expected to work with the Town of Oakville transportation and engineering staff to ensure any proposed transportation alternatives or modifications continue to meet regional standards in the context of regional intersections and operations within the regional right-of-way. Regional Staff reserve the right to provide future comments and/or conditions as part of any alteration to the proposed development.

Waste Management:

Regional Waste Staff have reviewed the above-noted applications for a zoning amendment and official plan amendment. A *Solid Waste Management Plan prepared by RWDI, dated May 25, 2023*, was submitted as part of the proposed development. Staff offer the following comments:

- Appendix B of the Waste Plan submitted identifies all roads must have a minimum turning radius of 13 m from center line.
- This development is eligible for drive-through curbside residential waste collection provided by Halton Region.
- Halton Region requires a completed DriveThorough agreement for the site (Appendix 9, Development Design Guidelines for Source Separation of Solid Waste).
- Signage will be required for the collection pad set-out area for Block H as this area may encourage illegal dumping. It is recommended to move the set-out area for Unit 55 to the side of that property for collection and only have two units 56 and 57 collected across the street on the proposed pad.
- An alternative set-out area is required for Block G to avoid the Waste Collection vehicle backing up into traffic as well as backing up close to the dwelling with limited buffer space.
- The Agent for the property must provide a letter to all tenants/owners within the development that communicates the details of the Waste management system that will be provided by the Developer and when Region collection will begin. Unique wording will be required to address blocks G and H.
- After construction has begun and prior to attaining 90 percent occupancy, the Developer shall submit an Application for Waste Collection Services to Halton Region Waste Management Services (Appendix 6 of the Development Design Guidelines for Source Separation of Solid Waste).

The Developer will be fully responsible for the collection and disposal of all Waste until the Developer can confirm to the Region that the development has reached 90 percent occupancy and that a Waste collection truck can safely and consistently perform collection services without obstruction or delay, to the satisfaction of the Region.

Waste collection trucks will only travel on roads that have, at minimum, base curb and base asphalt. In addition, boulevards must be rough graded prior to the start of collection.

Finance:

The Owner will be required to pay all applicable Regional Development Charges (DCs) per the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, a portion of the Regional DCs for residential units may be payable upon execution of the agreement or per 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 <https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment> to obtain the most current information which is subject to change.

Conclusion:

As noted, Regional Staff continue to have outstanding technical comments as it related to confirming the limit of new development and therefore, at this time the Region is not in a position to offer a formal position on this proposal. Additionally, once detailed comments specific to the EIA and RNHS are addressed, the Region will be in a position to offer a formal position. We trust the above comments are of assistance.

As such, we are not in a position at this time to make a recommendation concerning conditions of approval and any potential Official Plan amendment or By-law provisions including Holding Provisions.

I trust these comments are of assistance. Should you have any questions or require additional information, please do not hesitate to contact me directly at michael.difebo@halton.ca or by phone at 905-825-6057 Ext. 5922 AWS.

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

Sincerely,

Michael Di Febo
Acting Senior Planner

Inc.: Halton Region's letter of reliance template for environmental reports/ documentation

c: Bernie Steiger, Acting Manager-South, Halton Region (via email)
Ronald MacKenzie, Development Engineer (South), Halton Region (via email)
Ryan Veenendaal, Source Protection Coordinator, Halton Region (via email)
Matt Krusto, Transportation Development Review Supervisor, Halton Region (via email)
Ayesha Khan, Transportation Planning Coordination PM1, Halton Region (via email)
Andrew Suprun, Multi-Residential Waste Diversion Coordinator, Halton Region (via email)
Tracie Eveline, Development Officer - Finance, Halton Region (via email)

Appendix "A" Environmental Review

Proposed Local Official Plan Amendment and Zoning By-law Amendment
Part lot 16, Conc. 2, South of Dundas
1020, 1024, 1028, 1032, and 1042 Sixth Line, Town of Oakville, Region of Halton
Files Numbers: OPA.1516.03 and Z.1516.03
1463291 Ontario Inc. (Dunpar Homes Inc.)

General Comments

1. It is the understanding of the Region that additional materials were submitted in the original application after the submission of the 2017 Scoped Environmental Impact Assessment (EIA). These additional materials were not submitted as part of the new application. It is the Region's opinion that concerns raised below, specific to the delineation of the Regional Natural Heritage System as shown on the proposed 2023 development plans, may be addressed through the works previously completed as part of the original submission. The Region requests that the additional materials be submitted as part of application file numbers Z.1516.03 and OPA 1516.03, to facilitate a complete and fulsome review. Furthermore, while addressing the concerns noted below, the Region expects that comments will be addressed and provided through the drafting of an updated EIA.
2. Additional comments may be provided on the additional materials and plans submitted as part of the new application once further materials requested in Comment #1 are received.
3. Please provide GIS shapefiles in an ESRI Compatible Format. Permission must be given to Halton Region and the Lead Planning Authority to utilize data collected from this study to update mapping and to also confirm natural area limits on the Schedules for the draft Local Official Plan and Zoning By-law Amendments.

4. The Site Plan A-100 shows a hatched Area B on the plan within the 15m buffer but does not contain an explanatory note or indicate in the legend what Area B represents. Please provide clarification.

2017 Scoped Environmental Impact Assessment:

5. **Terms of Reference** – No Terms of Reference was appended to the EIA. Please append the approved 2017 and 2023 Terms of Reference to the EIA addendum/update and review them (in conjunction with the comments below) to ensure all works outlined therein have been appropriately completed.
6. **Section 2 – Site Description and Natural Heritage Context:** This section contains no discussion of the relevant provincial and Regional natural heritage protection and enhancement policies. The Terms of References indicated that this section would include information in this regard. Please revise this section to include a discussion of the relevant policies.
7. **Section 3.2.5 – Species at Risk:** According to this Section, a formal information Request Form was submitted to the MNRF Aurora District office to identify Species at Risk (SAR). The responsibility is now with MECP and will need to be submitted to this Ministry on the proposed project to assess impacts of the works on Species at Risk and requested that the consultant complete an Information Gathering Form. Please clarify how the requirements of the Endangered Species Act, 2007 have been addressed and provide any additional correspondence from the MECP in this regard.
8. **Section 4 – Biophysical Analysis:**
 - a. The 2017 EIA did not characterize the natural features and areas within and adjacent to proposed development and site alteration in accordance with the natural heritage system protection and enhancement policies of the Regional Official Plan. This is contrary to the purpose outlined in the introduction and the agreed upon Terms of References. The 2017 EIA has not determine the extent and location of all Key Features, Buffers, Linkages, and Enhancement Areas on site based on the proposed 2023 development plans, instead of just the natural heritage features and areas identified in the Provincial Policy Statement. This needs to be provided in an addendum/updated EIA.
 - b. A significant woodland assessment was required as part of the EIA. The 2017 EIA did not include such an assessment but acknowledged instead that the valley-related woodlands would meet the definition of significant woodland per Section 277 of the ROP. Please list the criteria contained in the significant woodland definition (per s. 277) and describe any met for all woodlands located in the vicinity of the proposed development or site alteration.
 - c. The Significant Wildlife Habitat (SWH) analysis did not discuss relevant findings of the biophysical inventories. The documented presence of Eastern Wood Pewee and Big Brown Bat must be considered in this section and corresponding SWH identified. It is not clear what Bird Species at Risk Habitat is being displayed on Figure 4. This must be clarified; however, if it is Eastern Wood Pewee, it does not appear to be mapped correctly with respect to SWH.
9. **Section 6 – Development Proposal:** The proposed 2023 development concept must be described in this section or in an addendum/updated report.
10. **Section 7 – Impact Assessment:**

- a. The sensitivity and significance of natural heritage features and areas located adjacent to the proposed development and site alteration, and their ecological functions, needs to be discussed in the EIA to support the conclusions contained in this section. Specific SWH habitat features (e.g. bat cavity trees) must be factored into this assessment.
- b. There is little mention of indirect, population induced, and cumulative negative impacts in this assessment. The proposal as discussed in this section is not consistent with the development plans submitted as part of the new applications and will need to be updated to reflect this proposal. This section must be revised to discuss the potential negative impacts on adjacent natural features and their ecological functions over the long term based on the proposed 2023 development plans. These include, but are not limited to:
 - i. dumping of backyard waste and other forms of encroachments into the valley-related natural areas,
 - ii. street lighting,
 - iii. increased resident access into natural areas (informal trails from increased foot traffic), and
 - iv. invasive species spread during construction and over the long-term through gardening practices on valley-related lots.

An EIA addendum/updated report should better document these negative impacts and recommend the appropriate mitigation measures to address each.

- c. There is no mention of Buffers in this section of the EIA. The Terms of References indicated that appropriate buffers from sensitive natural lands would be recommended in the EIA and should be reflective of the proposed 2023 development concept. Per ROP policies, buffers are components of the Regional Natural Heritage System located adjacent to key features of the natural heritage system and watercourses. They are intended to provide physical separation between development and site alteration and adjacent natural areas to help mitigate potential negative impacts on these features and their associated ecological functions. They may be proposed in conjunction with other suitable mitigation measures. Their extent (width) must be sufficient to ensure that they can perform their intended function in light of the likely negative impacts resulting from the adjacent development or site alteration (before, during and after construction), the other measures being implemented to mitigate these impacts (eg. vegetated buffers and permanent fencing), and the sensitivity and significance of the features and ecological functions being protected. We understand that the limits of development will be based on a 15m setback from the top of bank, stable slope, or the dripline of the significant woodland, whichever is greater. Please provide further discussion regarding the appropriateness of the proposed buffer width in light of the considerations noted above.
- d. Please confirm whether buffer lands will be fenced-off to restrict access to the valleylands and form part of the NHS lands to be conveyed to the Town or CH as part of this application.
- e. Lots 37 and 38 in the proposed 2023 development plans must be revised so that the decks are located outside of the 15m buffer.

- f. An analysis of enhancement and restoration opportunities was to be contained in the EIA. This analysis was not included and was discussed in detail through previous materials and discussion for the 2017 applications. Please include this analysis and where feasible recommend restoration and enhancement for implementation as part of the proposed development. The Landscape Drawings appear to propose sod in the buffers adjacent to the new development. As such, it appears that these lands are being contemplated for amenity space. Further, the drawings propose tree plantings in the buffers but do not indicate what species. These items must be clarified on the drawings and considered in the EIA relative to the impact assessment, associated mitigation (i.e. buffer function) and enhancement and restoration opportunities.

11. Constraints and Opportunities Figure – please identify the following RNHS components on a Constraints and Opportunities figure (or provide this information on Figure 5):

- a. Key Features, including
 - v. Significant woodlands (and date that the staked limits of the woodlands were confirmed by the Region)
 - vi. Significant valleylands
 - vii. Significant wildlife habitat
 - viii. Fish habitat
 - ix. Habitat for threatened or endangered species
- b. Buffers to key features
- c. Enhancement opportunities

12. Section 8 – Proposed Mitigation Strategies:

- a. This section indicates that Regional staff had previously agreed to limits of development on the subject lands; which is not an accurate statement as it relates to the information provide in the 2017. Through further materials after the 2017 report, it may have resulted in confirmation of the locations of Key Natural Heritage Features, characterize their ecological functions, identify appropriate buffer widths, and any potential enhancement areas on site that are part of the Regional Natural Heritage System. Please refer to Comment 1 above.
- b. The mitigation strategies in the 2017 must be reviewed against the proposed 2023 development plans and the addendum/update to the EIA must confirm that those strategies are still appropriate to meet the natural heritage policies, goal and objectives in the Regional Official Plan.
- c. This section suggests that informal trails may become established along the edge of the valley and indicates that measures will be implemented to formalize them as environmentally-friendly features. Please show these features on a figure and explain how the measures described to mitigate potential impacts will be implemented. If informal trails are established post occupation, how will these impacts be mitigated? Further, how will these impacts be identified post occupation if there is no monitoring proposed?
- d. Further to comment 9.b) above, it should be noted that Trails are not permitted in the RNHS unless they occur on public lands per Section 118(6). Please confirm that the environmentally-friendly features intended to formalize trails in the RNHS

are to occur on public lands as trails are not indicated on the proposed 2023 development plans.

- e. Please provide examples of the informative signage to demarcate the sensitive valley-related natural areas and the pamphlets that will be provided to new landowners to encourage good stewardship practices.
 - f. Please clarify whether valley-related natural areas and hazard lands, plus associated buffer will be zoned as part of this application and describe whether these lands will be dedicated to the Town.
13. **Section 9 – Monitoring:** This section suggests that the valley-related natural areas may be subject to minor impacts from trails. These impacts were not discussed in the Impact Assessment section of the report. Please clarify whether trails are to be proposed in the valley-lands on site. If so, revise the Impact Assessment section of the study to describe how the potential impacts alluded to in this section will be appropriately mitigated.
14. **Section 10 – Summary and Conclusions:** The conclusions must be reviewed against the proposed 2023 development plans and the addendum/update to the EIA must confirm that the revised plans meets the natural heritage policies, goal and objectives in the Regional Official Plan. The conclusion of the report fails to acknowledge the proposed 2023 development plans and mitigation measures recommended to address potential negative impacts. The conclusions should summarize the key findings in the 2017 report, further materials submitted after the 2017 report and updated work completed in 2023. This should include but not limited to the biophysical inventory and analysis, assessment of impacts, impact avoidance measures, mitigation measures and opportunities for environmental enhancements. The conclusions should include a final recommendation to approve/not approve the development proposal based on the results of the study, and identify conditions of approval required to achieve no negative impacts.

Landscape Drawings:

15. The drawings appear to propose sod in the buffers adjacent to the new development and propose plantings within the buffers and in the development area but do not indicate species. These items must be clarified on the plans. Further, the landscaping treatment in the buffers must conform to any recommendations provided in an addendum/updated EIA.

Arborist Report And Tree Preservation Plan Prepared By Kuntz Forestry Consulting Inc., Dated January 3, 2023:

16. The Tree Preservation Plan indicates that Tree 1179 will be removed, which is located in the 15m buffer. Please clarify why the removal of the tree is necessary as Table 1 Tree Inventory in the Arborist Report only indicates it has a codominance at 2m. Given the DBH and its location, it may be appropriate for it to remain on the landscape to support the functions of the woodland buffer.

Conclusion:

Based on the above-noted recommendation, the submitted EIA/EIS was not sufficient to provide a recommendation for support approval of the proposed development applications. Please refer to Comments 1 and 2 above.

MTO

RE: 1020, 1024, 1028, 1032 and 1042 Sixth Line, Oakville
City File No. Z.1516.03 and OPA 1516.03
Residential Development

Hi Robert,

We have completed our review and have the following comments:

- Underground storage is proposed within the site making use of chamber system. Unconventional underground and rooftop storages are not considered in calculations as per MTO's policy. MTO does not consider underground storage provided by chamber system to be permanent in nature. Underground storages provided in manholes, stormsewer, super pipe or storage tank are permitted as such storages are accessible through a manhole and can be easily inspected for their continued functionality. If the consultant insists on using a chamber type of system, then they must undertake an evaluation of SWM system assuming that underground storage system is lost and confirm that there is no impact on MTO's drainage system. It should be ensured that under this scenario, ponding for all storm events is contained within the subject property.
- All building, structures and essential site features should be setback a minimum of 14m from existing or future MTO right-of-way. Further comments will be provided upon receipt of a revised site plan with the following added to it:
 - Highway designation limit i.e. the MTO right-of-way
 - 14m setback measured from the MTO right-of-way.
 - Distance from highway designation limit to the south property line of the development.
 - The proposed new location of the municipal trail in the event the entire 14m setback is required for highway purpose.

A MTO Building and Land Use permit is required prior to construction.

Thanks,
Usman

Town Fire Prevention

- Location of Fire Access Route concerns (No access via Sunnycrest Lane).
- Unobstructed path of travel from vehicle to entrance of each portion of building cannot be more than 45m. Block "A" of potential concern.
- Block "G" and "H" face onto Sunnycrest Lane, not the proposed Fire Route.
- Dead end portions of the Fire routes more than 90m long must be provided with a turnaround facility.
- All turns within the fire route must have a turning radius of not less than 12m.

Town Finance

Development charges and parkland dedication, net of any demolition credits, are applicable to this development.

Halton Police

We have no concerns with this proposal as it doesn't interfere with our line-of-sight radio system.

Canada Post



CANADA POST
200-5210 BRADCO BLVD
MISSISSAUGA ON L4W 1G7
CANADAPOST.CA

POSTES CANADA
200-5210 BRADCO BLVD
MISSISSAUGA ON L4W 1G7
POSTESCANADA.CA

June 23, 2023

Town of Oakville
Planning Department

To: Robert Thun

Re: **File: Z1516.03 and OPA 1516.03**
1020, 1024, 1028, 1032 and 1042 Sixth Line
Dunpar Homes Limited

Canada Post Corporation appreciates the opportunity to comment on the above noted application and it is requested that the developer be notified of the following:

Canada Post has reviewed the proposal for the above noted Development Application and has determined that the completed project will be serviced by centralized mail delivery provided through Canada Post Community Mail Boxes.

In order to provide mail service to this development, Canada Post requests that the owner/developer comply with the following conditions:

- ⇒ The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
- ⇒ The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.
- ⇒ The owner/developer will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
- ⇒ The owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.
- ⇒ The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
- ⇒ The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the Town of Oakville.



CANADA POST
200-5210 BRADCO BLVD
MISSISSAUGA ON L4W 1G7
CANADAPOST.CA

POSTES CANADA
200-5210 BRADCO BLVD
MISSISSAUGA ON L4W 1G7
POSTESCANADA.CA

- ⇒ The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
- ⇒ The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.

Canada Post further requests the owner/developer be notified of the following:

- 1 The owner/developer of any condominiums will be required to provide signature for a License to Occupy Land agreement and provide winter snow clearance at the Community Mailbox locations
- 2 Enhanced Community Mailbox Sites with roof structures will require additional documentation as per Canada Post Policy
- 3 There will be no more than one mail delivery point to each unique address assigned by the Municipality
- 4 Any existing postal coding may not apply, the owner/developer should contact Canada Post to verify postal codes for the project
- 5 **The complete guide to Canada Post's Delivery Standards can be found at:**
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

The Location of the Local Post Office is **2420 Speers Rd, Oakville Ontario L6L 0C9**

Sincerely,

Anna Burdz
Delivery Services Officer – GTA
anna.burdz@canadapost.ca
647-355-3597

Enbridge/Union Gas

Enbridge Gas does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Halton District School Board



July 12, 2023

Robert Thun
Planning Services Department
Town of Oakville
1225 Trafalgar Road
Oakville ON L6H 0H3

Dear Rob:

Subject: **1463291 Ontario Inc. (Dunpar Homes Inc.)**
Official Plan Amendment, Zoning By-law Amendment Application
HDSB File No.: Z.1516.03/2023/O
Oakville's File No.: OPA.1516.03, Z.1516.03

Thank you for the opportunity to review the proposed development application. It is understood that the application includes the development of 55 townhouses and one semi-detached dwelling for a total of 57 residential units. Students from this area are currently within the **Montclair PS**, **Sunningdale PS** and **White Oaks SS** catchment areas.

According to the Board's projections many of the existing schools in the vicinity are projected to be over building capacity. As a result, students generated from this development are expected to be accommodated in the respective schools with the possible addition of portables. Options for student accommodation may be review. Long range projections for schools can be viewed in our [Long Term Accommodation Plan \(LTAP\)](#) which can be found on the Board's website.

Please be advised that the Halton District School Board has no objection to the proposed application as submitted. Please notify us of the adoption of the proposed application and include us in the circulation of any future applications, including site plans, related to this development. The Halton District School Board will provide comments and conditions on each proposed development application received.

Street Address: J.W. Singleton Education Centre • 2050 Guelph Line, Burlington, Ontario L7P 5A8
Mailing Address: J.W. Singleton Education Centre • P.O. Box 5005, Stn. LCD 1, Burlington, Ontario L7R 3Z2

Phone: 905-335-3663 | 1-877-618-3456 Fax: 905-335-9802

www.hdsb.ca

For your convenience, below are the conditions of development that may be applied to the development proposal that the Halton District School Board will require to be fulfilled prior to final approval:

1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town's subdivision agreement, to be registered on title:
 - a. Prospective purchasers are advised that schools on sites designated for the Halton District School Board in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area. School attendance areas are subject to change and/or redirections can be put into place to address school accommodation pressures.
 - b. Prospective purchasers are advised that school busses will not enter cul- de- sacs and pick up points will be generally located on through streets convenient to the Halton Student Transportation Services (HSTS). Additional pick up points will not be located within the subdivision until major construction activity has been completed as determined by HSTS.
2. That in cases where offers of purchase and sale have already been executed, the owner sends a letter to all purchasers which include the above statement.
3. That the developer agrees that, should the development be phased, a copy of the phasing plan must be submitted prior to final approval to the Halton District School Board. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase.
4. That the Owner shall supply, erect and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed to schools outside of the area. The Owner will make these signs to the specifications of the Halton District School Board and erect them prior to the issuance of building permits.
5. That a copy of the approved sidewalk plan, prepared to the satisfaction of the Town of Oakville be submitted to the Halton District School Board.
6. The Owner shall provide Halton District School Board a geo-referenced AutoCAD file of the Draft M-plan once all Lot and Block numbering has been finalized. Should any changes occur after the initial submission to Lot and Block configuration or numbering on the draft M-plan the Owner shall provide a new AutoCAD file and a memo outlining the changes.

In addition, the following note should be included in the conditions:

Educational Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits which are additional to the maximum unit yield which is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.

Should you have any questions regarding our comments, please contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Laureen Choi".

Laureen Choi
Senior Analyst – Planning
Office: 905-335-3665 ext. 2201
Cell: 905-749-2184
Email: choil@hdsb.ca

Halton Catholic District School Board



802 Drury Lane
Burlington, ON L7R 2Y2
905-632-6300

July 13, 2023

Robert Thun
Senior Planner
Town of Oakville
1225 Trafalgar Road
Oakville ON L6H 0H3

Dear Robert:

**RE: Application for Zoning By-law Amendment and Official Plan Amendment
1463291 Ontario Inc. (Dunpar Homes Inc.)
1020, 1024, 1028, 1032 and 1042 Sixth Line
Your File No.: Z.1516.03 and OPA 1516.03**

In response to the above noted application to permit the development of 55 townhouse units and 2 semi-detached dwelling units for a total of 57 new dwelling units, the Halton Catholic District School Board ("HCDSB") has no objection. It is understood that the existing heritage house at 1042 Sixth Line will remain.

In terms of school accommodation, if the residential development were to proceed today, elementary students generated from the development would be accommodated at St. Michael CES located at 165 Sewell Drive. Secondary school students would be directed to Holy Trinity CSS located at 2420 Sixth Line.

Should you proceed with the approval of the Official Plan and Zoning By-law amendments, we require that the following conditions be placed in any subsequent agreements (e.g. Subdivision, Condominium, and Site Plan). The conditions are to be fulfilled prior to final approval:

1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town's subsequent agreements, to be registered on title:
 - a. Prospective purchasers are advised that Catholic school accommodation may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or bused to existing facilities outside the area.
 - b. Prospective purchasers are advised that the HCDSB will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board, and that you are notified that school busses will not enter cul-de-sacs and private roads.
2. In cases where offers of purchase and sale have already been executed, the owner is to send a letter to all purchasers which include the above statements.
3. That the owner agrees to the satisfaction of the HCDSB, to erect and maintain signs at all major entrances into the new development advising prospective purchasers that if a permanent school is not available alternative accommodation and/or busing will be provided. The owner will make these signs to the specifications of the HCDSB and erect them prior to final approval.

www.hcdsb.org

Achieving Believing Belonging

It should be noted that Education Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits that are additional to the maximum approved unit count will be subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.

If you have any questions regarding the aforementioned, please contact the undersigned.

Yours truly,



Kathie Panzer
Planning Officer

cc: A. Lofts, Superintendent of Business Services and Treasurer of the Board
 B. Vidovic, Senior Manager of Planning Services, Planning Services
 D. Gunasekara, Manager of Planning Services, Planning Services